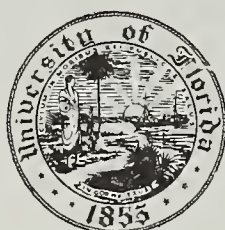


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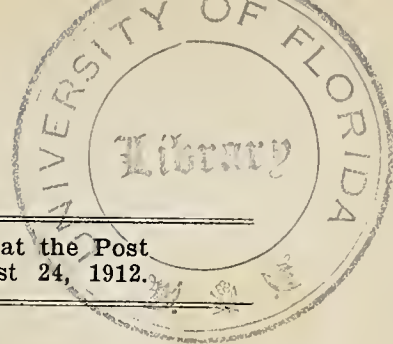


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CHRONICLES

OF

OKLAHOMA

PUBLISHED

BY

The Oklahoma Historical Society



Volume XVIII, 1940

OKLAHOMA CITY, OKLAHOMA

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CHRONICLES OF OKLAHOMA

VOLUME XVIII, 1940

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JUDGE JESSE JAMES DUNN

The Chronicles of Oklahoma

Volume XVIII

March, 1940

Number 1

JUDGE JESSE JAMES DUNN

1867-1926

By ROBERT L. WILLIAMS

Jesse James Dunn, son of James McCann and Alta Florina Dunn, nee Lewis, was born October 2, 1867, at Channahon, Will County, Illinois, where his parents were married on November 27, 1866, in an atmosphere still reverberating from the debates between Douglas and Lincoln. In 1868 the family moved to Chicago, Illinois, his father opening a grocery store. One year later they removed to Brooksville, Noxubee County, Mississippi, where for eight years his father operated a large cotton plantation, his early boyhood being spent near the home of Jefferson Davis. In 1877 the family returned to Illinois, locating at El Paso, in Woodford County.

The grandfather of Judge Jesse James Dunn was Dr. William Abram Dunn, who married Rachel Powers at Hillsboro in Highland County, Ohio, in 1835. She died at a point about ten miles east of Warsaw, Illinois, in 1850. He subsequently removed to Farmington, Fulton County, Illinois. The children coming to this union were as follows: James McCann, born February 4, 1836 in Ohio, the others being born in Illinois, as follows: Rebecca Ann, February 8, 1838; Jefferson, in 1840; Mary Jane, 1842; Imra, 1844; Almira, 1846, and Johnny, 1849. After the death of his wife, Dr. Dunn removed to St. Louis, Missouri, engaging in the practice of medicine, where, in 1851, he married Grace Taylor. Later returning to Illinois he located at Bloomington, where he died.

James McCann Dunn (Judge Dunn's father), in 1857, went to Fort Leavenworth, Kansas, and freighted for Russell & Waddell to the then outpost of the United States Government. In 1858 he returned to Illinois and engaged in business until December 21, 1863, when at Woodburn under the name of James M. Dunn, age 27 years and born in Ohio, he enlisted in the military service of the United States, being assigned to Company A, 97th Regiment Illinois Infantry, and later transferred to Company D, 37th Regiment Illinois Infantry, and on detached service in the ambulance corps after October 16, 1864. He was honorably discharged August 15, 1865, at New Orleans, Louisiana.

His paternal Dunn ancestry were from Anglo-Saxon stock,¹ and that of his maternal grandmother of Welsh extraction. The Dunns

¹ Letter dated January 3, 1921, from Judge Dunn to his nephew, Jack Lynn Dunn, Little Rock, Arkansas, Book 6, Dunn Collection, Oklahoma Historical Society; and *Arkansas Gazette*, Sunday, April 8, 1923.

came from England to the Colony of Virginia in an early day, settling in the Valley of the Shenandoah, their descendants spreading out into the states carved out of the Northwest Territory.

In the fall of 1885, the father, James McCann Dunn, and son, Jesse James Dunn, when the latter was eighteen years of age, went to Garden City, Kansas, and opened a general store. In the spring of 1886 the rest of the family came from El Paso, Illinois, to Garden City, Kansas, and a claim sixteen miles north therefrom (Post Office Terry, Finney County, Kansas), was located. In the fall of 1886 Jesse James Dunn returned to Illinois, and matriculated at the State Normal School at Normal. At the close of the school year he returned to Garden City, Kansas, where the family was located in a new home. Immediately he became associated with the Garden City Business College as an instructor in Bookkeeping and Penmanship. In the early part of 1888, at Voorhees, in Stevens County, Kansas, he was manager of a grocery store for his father.

Beginning in 1889, he read law and pursued his legal studies in the law office of George Lynn Miller, Garden City, who later married his oldest sister.

Matriculating in the law school of the University of Kansas in 1892, he graduated with a degree of Bachelor of Laws on June 7, 1893.²

At the opening of the Cherokee Outlet on September 16, 1893, he made the run, settling at Alva and engaging in the practice of law with George Lynn Miller, Esquire, sharing the trials of the pioneers and the prosperity of those who persisted.

At Voorhees in 1888 he had become acquainted with the late Sam N. Wood,³ for whom the county of Woods in Oklahoma Terri-

² At that time the law course was for two years. The records show he completed another year of law work. This credit was evidently given upon examination. (Letter from Dean Moreau, School of Law, University of Kansas, dated December 23, 1939, Dunn Collection, Oklahoma Historical Society.)

³ Samuel Newitt Wood, born in Mount Gilead, Ohio, December 30, 1825; admitted to the bar in Ohio June 4, 1854, and a few days later came to Kansas Territory; first settled near Lawrence; delegate to the Pittsburgh, Pa., convention which organized the Republican party in 1856, and to the Philadelphia convention the same year; delegate to the Leavenworth constitutional convention in 1858; removed to near Cottonwood Falls in Chase County in 1859; represented Chase, Morris and Madison counties in the territorial legislatures of 1860-61; represented Morris and Chase counties in the following legislatures: 1864 (69th district); 1866 (68th district); 1871 (73rd district); 1875-1877 (86th district), speaker of the House in 1877; member of the State Senate in first meeting of the Senate, 1861-1862 (13th district); served again in 1867 (15th district); member of the state Senate in 1876 (26th district); one of the organizers of the Populist Party; killed on June 23, 1891, at Hugoton by Jim Brennan, supposed to have been result of the county seat matter. (Cyclopedia of Kansas History, vol. II, p. 933.)

tory at Judge Dunn's instance was named. In the contest between Hugoton and Woodale for the county seat of Stevens County, Kansas, Sam N. Wood was the leading contender for Woodale. For a successful contest for the county seat, it was desirable to secure a railroad for the town, and in that early day Kansas townships frequently issued bonds to provide bonuses with which to subsidize such construction. Judge Dunn became a zealous follower of Sam N. Wood and supporter of Woodale.

In the noted murder case of the *United States v. C. E. Cook*. Orin Cook, Capt. C. E. Frease, Johnnie Jackson, Ed Boudin, John Colbert and five others, tried at the October term, 1889, of the United States Court for the Eastern District of Texas, at Paris, said defendants being charged in several indictments with the murder of John Cross (Sheriff of Stevens County, Kansas), and his possemen, Ted Eaton, Rollo Wilcox and Bill Hubbard, on July 26, 1888, growing out of the county seat controversy between said towns of Hugoton and Woodale, seven of whom were convicted of the crime of murder,⁴ and sentenced to death. George R. Peck of Chicago, General Attorney for the Atchison, Topeka and Santa Fe Railway, John F. Dillon of New York City, former United States Circuit Judge, and then attorney for the Gould interests, William R. Day, later a justice of the United States Supreme Court, Joseph Frease of Ohio, and W. H. Rossington of Topeka, Kansas, appeared as attorneys for the appellants in the Supreme Court of the United States, and S. B. Bradford, former attorney general of Kansas, and J. C. Hodges of Paris, Texas, were attorneys for said defendants in the trial court.

In addition to the four men killed in what was known as the Hay Meadow massacre at a point in what was then called No Man's Land, but now is in Texas County, Oklahoma, Herbert Toney was left at the place of the crime, thought to be dead, but afterwards recovering he was used as a witness by the United States government. Sam Robinson, who was the actual principal in the killing, fled from the state of Kansas to Colorado, where he was soon afterwards arrested for another crime and convicted and sentenced to the Colorado state penitentiary for a term of ten years, where he died in prison, never being tried under the federal indictment for murder.

The convictions on appeal were set aside and a new trial ordered, but the case was never again tried.

Judge Dunn, immediately after the killing, on horseback from the adjoining county of Stevens had gone into No Man's Land and

⁴ *Report of Oklahoma State Bar Association*, 1911, vol. V, pp. 156-158; 138 U. S. 157, 11 *Sup. Ct. Reporter* 268, 34 L. Ed. 906.

viewed the scene before the bodies of the parties killed or wounded were removed, and was used as a witness at the trial at Paris, Texas, which lasted more than a month.

Sam N. Wood ably and vigorously assisted the United States Attorney's office in the prosecution.

In 1894, as a candidate for the nomination of County Attorney of Woods County at the hands of the Populist Party, Judge Dunn failed to secure the nomination by only three votes. His public career began when two years later he secured such nomination and was elected on November 3, 1896, two years later being again nominated, and re-elected on November 8, 1898, serving two terms.

After Judge Dunn retired from said office in January, 1901, he resumed the practice of law at Alva, and formed a partnership with Francis Marion Cowgill, a Missourian and former resident of Kansas, under the firm name of Cowgill & Dunn, which continued until the erection of the state. Judge Dunn occupied a place in the front rank of his profession, and was one of the ablest among the pioneers who made the run into the Cherokee Outlet, commonly called the Cherokee Strip.

After the Populist organization disintegrated nationally and ceased to function generally as a party, he affiliated with the Democratic Party under the Bryan Leadership, becoming a leader of that party.

He also occupied a place of leadership at the Territorial bar. In 1903 he was elected and served as president of the Oklahoma Territory Bar Association.⁵ In 1904 he was unanimously elected as chairman of the Territorial Democratic Committee.

The Honorable Frank Matthews of Mangum, now of California, a member of the council of the Oklahoma Territory Legislature, having been at the Territorial Democratic Convention in 1904 nominated as its candidate for delegate to Congress, Judge Dunn, as chairman of the Territorial Committee, managed the campaign. Whilst the Democrats did not prevail in that contest, the Republican majority was reduced. As such party leader, he, in line with the plan of the Democratic party organization of Oklahoma Territory for admission of Indian Territory and Oklahoma Territory as one state, was actively aggressive. The Enabling Act to that end was passed by the Congress on June 16, 1906. In the campaign to elect delegates to the Constitutional Convention, which was to assemble under the provisions of said Enabling Act, the Democratic party organizations of the two territories with unanimity consolidated and selected Judge Dunn as their campaign manager, which resulted in

⁵ *Proceedings of the Oklahoma Territory Bar Association, 1903-04*, p. 3.

electing ninety-nine Democrats, one Independent, and twelve Republicans to said Convention, a signal victory. In a great measure it was occasioned by his skill and ability as an organizer and leader.

At the election on September 17, 1907, for the adoption of the Constitution proposed for the new state, and election of officers, Judge Dunn was elected as a Justice of the Supreme Court from the Fifth Supreme Court Judicial District, and re-elected on November 8, 1910 for a six-year term to begin in January 1911 and to expire in January, 1917.

In 1904 there was strong support in the Democratic party organization for the nomination of Judge Dunn as a delegate to Congress, but he declined to permit the use of his name to that end.

On November 6, 1905, Judge Dunn was selected as chairman of a committee to go to Washington, D. C., after Congress convened in December and present to the committees on Territories appropriate resolutions in support of the passage of an Enabling Act for early statehood.

As preliminary to the campaign in 1906, Judge Dunn demonstrated great strategy in uniting the former Populist strength with the regular Democrats in support of the Democratic nominees for delegates to the Constitutional Convention. As a rule afterwards this contingent from the former Populist Party remained in the Democratic fold.

The Supreme Court at the erection of the State, under the constitution, adopted the "rotation" plan in its selection of the Chief Justice. When the time arrived for such selection in January 1909, Justices Dunn and Kane, under said plan, being equally eligible, it was so arranged that Judge Kane was elected and served for the first year of that biennium and Judge Dunn was elected as Chief Justice on January 11, 1910, and served as such during the latter year of said biennium.

Judge Dunn, in July 1913, resigned as a justice of the Supreme Court effective September 1, 1913, to remove to Oakland, California, to engage in the practice of the law.

Decisions prepared by him are reported in Volumes 20 to 39, inclusive, of the *Oklahoma Reports*.

He was an able and upright judge. His opinions evidenced not only accomplishment in the law but also excellence in style.

In 1913 he formed a partnership with Judge John Yule, uncle of Mrs. Dunn, at Oakland to engage in the practice of the law. Later, on March 1, 1914, the firm of Dunn, White and Aiken was formed, which continued in the practice of the law as a marked success until the date of his death.

After his death on July 28, 1926, his name was so highly prized that the firm name Dunn, White⁶ and Aiken was continued by the remaining members until the dissolution of their partnership on December 31, 1938.

The death of Dean Green,⁷ of the School of Law of the Kansas University, having occurred on November 3, 1919, unofficial inquiry was made on the part of its board as to whether Judge Dunn would accept the deanship as his successor. Whilst appreciating this unofficial offer coming from his Alma Mater he was so circumstanced by location and professional connection that he did not feel justified in indicating his acceptance.

⁶ Excerpt from letter from Carlos G. White, dated December 7, 1939, Dunn Collection, Oklahoma Historical Society:

"Judge Dunn was one of the most effective story tellers I have ever known, and his repertoire seemed unlimited. He had a story to fit every situation.

"In one of our cases on appeal to the California Court of Appeals, opposing counsel sought to reverse a judgment for \$4,500 * * * by claiming that the broker was guilty of some alleged fraud toward his principal in the transaction. The defendant, whose counsel urged this defense upon appeal, was the secretary and general manager of a corporation, and had given * * * the written authorization to act as broker, required by California law, and had done so in the name of the corporation. The broker found a purchaser ready, willing and able to pay the specified price and tendered performance. The corporation refused to consummate the sale, and when the corporation was sued by the broker, that action for compensation was defeated by proof that the secretary and general manager had no authority to enter into the contract, and judgment in the suit against the corporation went against the real estate broker. In a second suit (in which the judgment appealed from was secured) Judge Dunn, in his complaint, asked to recover the same amount from the secretary-manager as damages for breach of the agent's warranty of his own authority, and recovered judgment. In answer to the defendant-appellant's claim of fraud on the part of the broker, urged by the defendant who had defeated the claim against the corporation, Judge Dunn said, in his brief, that this reminded him of an Oklahoma poker game in which one of the players had carefully slipped the aces into his hoot, and when a sizable pot was at stake he reached for the aces and found them missing. Whereupon the player yelled: 'Hold on, there is something crooked in this game.' The judgment was affirmed. (Borton v. Barnes, 48 Cal. App. 589, 192 Pac. 307).

"In another case in which Judge was arguing to a jury on behalf of a frail sickly-looking plaintiff who had been, in anger, assaulted by a jealous fellow worker, who had hit him in the mouth and knocked out two teeth, met the defendant's plea of self-defense with an answer something like this: 'The excuse of self-defense in this case, Gentlemen of the Jury, reminds me of a man in Oklahoma who was being tried for selling whiskey to the Indians. In the face of overwhelming proof, the attorney for the defendant had said: "The only evidence I desire to present is my client. Look at his face, his cheeks, his nose, and ask yourself, members of the jury, if he had a pint of whisky would he be willing to sell it at all?" 'So,' said Judge Dunn, 'look at our client, the plaintiff. His blood is half water. Then look at the defendant, the burly frame of Mars, and reach your own decision on this alleged plea of self-defense.' The jury brought in a verdict of \$1,000 actual damages and \$2,500 exemplary damages in favor of Judge Dunn's client, whose only complaint was concerning Judge Dunn's effective statement, 'His blood is half water.' * * *"

⁷ Dean Green (called Uncle Jimmie Green by the students) began to teach in 1878 in the law department, at that time a part of the college or University of Kansas. In 1880 said department becoming a school of law, he was appointed as its Dean, and so continued until his death.

From the time he was 18 years old in 1885, until his admission to the bar, his home was upon the prairie frontier of Western Kansas and Oklahoma, the surroundings consisting of the engaging in ranching and the following of cattle trails and the ranges, or the looking after the details of a country store or the practice of the law, or a printer and publisher of a weekly paper on such frontier. Had Judge Dunn been brought up in an appropriate environment he would probably have been a great actor or journalist. Though a marked success as an attorney at law and a judge, yet he possessed all the attributes, fitness and characteristics to have been an actor comparable to Edwin Booth, or a journalist of highest rank.

Waiting for clients by day and by night in his office on the prairies, in addition to his research in the law, he studied the writings of the sages.

On July 19, 1915, at the Arkansas-Oklahoma building on Oklahoma Day at the Pan-Pacific International Exposition at San Francisco, California, he ably and eloquently represented the Governor of the state of Oklahoma in delivering an address at the dedication of the cornerstone.⁸

He was not only a success on the Pacific Coast as a lawyer, but also as a public speaker and advocate, as in Oklahoma Territory and State, he took front rank.

When he was taken by death on July 28, 1926, at the Livermore Sanatorium in Oakland, California, the citizenship of the state of Oklahoma, not having forgotten his public services and fine citizenship, was greatly saddened. He was survived by his wife, Saidee A. Matson, and three children, to-wit: Claud Dunn, oldest child and only son, married but no children, attended the University of California and its law school, admitted to the practice of law, and being now a Referee in the organization of the Industrial Commission of California, address, State Building, Civic Center, Los Angeles, California; second child, Constance, wife of J. M. Rutherford, Goleta (R. F. D. No. 1), California, two children, both boys, Laurie (12) and Bob (9); third child, Dorothea, husband D. G. White (no children), address, 1700 Le Roy Avenue, Berkeley, California. Judge Dunn's brothers and sisters are as follows, to-wit; Mrs. Laura Miller Smith (oldest sister, and whose first husband was George Lynn Miller), Garden City, Kansas; Mrs. Julius Lincoln (Gertrude), 3111 Seminary Avenue, Chicago, Illinois; Mrs. Fred Armour (Jane), 361 Clarkson Street, Denver, Colorado; Fred Scott Dunn, 109 West Tenth Street, Dallas Texas; Mrs. C. C. Herndon (Ethel), 1120 Woodward Boulevard, Tulsa, Oklahoma; now deceased, William Dunn, interred at Brooksville, Mississippi, and Frank Dunn, at Garden City, Kansas.

⁸ *Daily Oklahoman*, July 25, 1915.

The administration building of the Northwestern State Teachers' College at Alva in 1935, nearly a decade after his death, destroyed by fire, when rebuilt, according to resolution adopted by the Legislature, was named and dedicated as "Jesse Dunn Hall."

Judge Dunn was one of the founders of an international luncheon organization known as The Loyal Knights of the Round Table or Round Table International, being its first International President.

The organization was carefully built of men of character and standing. Established prior to the depression in more cities than at present, it now exists in Birmingham, Alabama; Tucson, Arizona; Fresno, Los Angeles, Oakland, Pasadena, Redlands, San Francisco, San Jose, and Stockton, California; Denver, Colorado; Wilmington, Delaware; Washington, D. C.; Portland, Maine; Detroit and Grand Rapids, Michigan; Minneapolis, Minnesota; New York City; Dayton, Toledo, and Columbus, Ohio; Dallas and Fort Worth, Texas; Salt Lake City, Utah; Norfolk, Virginia; Seattle, Spokane, and Tacoma, Washington; Milwaukee, Wisconsin; and Calgary, Canada.

This organization having successfully weathered the adversities of the depression now seems to be steadily moving forward, being the only luncheon organization having a literary and legendary background.

One of the finest characters known to either territory or the state, as mentioned in the press, he could have been the governor of the state without a difficult effort.

From the time he opened his law office in the early days at Alva until he resigned as a member of the Supreme Court, he had been deeply interested in everything that stood for the betterment of his country and community, his moving concern being for the general good. Unselfishly devoted to the interests of the people, he merited their love and confidence.⁹

⁹ Excerpt from letter from Carlos G. White, of Dunn, White & Aiken, Oakland, California, Dunn Collection, Oklahoma Historical Society:

"I have never known a man who had greater capacity than Judge Dunn for friendships. He was really interested in the people he met and would go the limit to serve a friend.

"Our office in the Syndicate Building, during the lifetime of Judge Dunn, was the Oklahoma headquarters for this part of California, and one of the Oklahoma visitors once told me that down in Oklahoma it was so customary to call the Honorable Chief Justice Dunn just Jesse Dunn that the Oklahomans regarded 'Jesse Dunn' as just one word. This well illustrates the friendly way in which everyone who knew the judge regarded him.

"Judge Dunn regarded his willingness to go the limit for his friends as a source of danger, and told me that one of his reasons for moving to California was to get out of politics. Had he stayed in Oklahoma he would have unquestionably become governor in due course of events.

"Judge was a man of supreme integrity, and could think no evil of those who approached him as friends, and he realized that if he were ever executive his unsuspecting nature would have subjected him to grave danger of being imposed upon. He loved and trusted his friends."

He was a lover of the real things in life, a sincere and warm personality with a mind stored with interesting reminiscences—unsparing of his energies and unselfish in his devotion. He was a delightful companion, his enemies few and his friends more than legion.

A finished speaker whether at a banquet or on other occasions—on the forum or the hustings before the multitude, he was inspirational, witty, humorous, entertaining, eloquent and powerful. In communications personally or through the press, including law journals and other periodicals, he was interesting and instructive.

Though his body may sleep on the Pacific Shore, his memory is treasured in the state of Oklahoma which he served so well.¹⁰

¹⁰ In *The Chronicles of Oklahoma*, IV (1926), on page 295, there appeared a slight discrepancy in the statement that Judge Dunn died July 27, 1926. The true date of his death was July 28, 1926 according to Associated Press dispatches appearing in the *Tulsa Daily World*, July 29, 1926 and in the *Daily Oklahoman*, July 29, 1926. Members of the Dunn family and others have also verified this date.

MILLER COUNTY, ARKANSAS TERRITORY, THE
FRONTIER THAT MEN FORGOT

BY REX W. STRICKLAND

Introduction

The student who turns to his atlas to-day to ascertain the location of Miller County, Arkansas, finds it to be the extreme southwestern part of the state bitten out by the Great Bend of Red River. Not so readily apparent is the fact that the contemporary county is the third in a series of political units similarly named and that each of the trio has been situated in totally different geographic areas. The first Miller County was located in what is now southeastern Oklahoma but included within its boundaries the settlements of Pecan Point and Jonesborough on the south side of Red River; the second comprised the area which now lies in northeastern Texas north of the thirty-third parallel of latitude. The first (or "old") Miller County was extinguished as the result of a treaty with the Choctaw Indians and the second died by default when its inhabitants substituted for it the jurisdiction of Red River County in the Republic of Texas. It is the purpose of this paper to trace in some detail the history of the first and second counties, leaving out of the account the annals of the third and last Miller County (created in 1876) inasmuch as its existence does not fall chronologically within the scope of our inquiry.

The history of the first two Miller counties from 1820 until 1836 has remained one of the enigmas of the conquest of the Southwestern frontier. It has been almost forgotten and well-nigh neglected by students of the westward movement. Only one secondary work throws any light into the *cul-de-sac*. Grant Foreman's *Indians and Pioneers* furnishes some clues concerning the early beginnings in the region; but Foreman, be it said in justice to him, is not primarily interested in the story of Miller county but in the coming of the Choctaws. He does, however, devote some time to the "squatters" who preceded the Indians into the area east of the Kiamichi. Dr. Angie Debo in her *Rise and Fall of the Choctaw Republic* does not show evidence that she is aware of the dispossession of a very considerable white population from their lands north of Red River in favor of the immigrant Indians from Mississippi. Concerning the "second" Miller county (i. e., the one located south of Red River from 1828 until 1836) Dr. Foreman mentions the subject in a footnote:

In this part of what are now Bowie, Red River, and Lamar counties, Texas, the inhabitants who believed they were within the limits of Miller County, Arkansas, subsequently set up a sort of local government, and until 1837 paid taxes at a place called Jonesborough, on the south bank of Red River, opposite the mouth of Clear Creek: . . .¹

¹ Grant Foreman, *Indians and Pioneers*, 174n.

Yet, as we shall see, the "sort of local government" was a regularly constituted county of Arkansas Territory, with its full quota of legally elected officials pursuing with promptness and regularity the forms and established practices of local government, holding courts, enforcing civil and criminal law, collecting taxes and recording the proceedings of the jurisdiction in punctilious form. It is the purpose of this paper to supply the forgotten story of the Red River hinterland from the far-off day when first the southward advance of the American frontier came in contact with Spanish Texas until the time of the establishment of the Republic of Texas.

CHAPTER I

THE HARLEQUIN PLATOON

Until 1815 the area comprised in what is now southwestern Arkansas, southeastern Oklahoma and northeastern Texas was one of the more remote sections of the North American continent. Not that it was completely unknown to men of the outside world. French settlers were living at Natchitoches who could recall the time when their fathers had a trading post at St. Louis de Cadodacho. Buried in the archives of the Department of War at Washington were John Sibley's reports on the upper Red River written in 1805 as well as the accounts of the Freeman-Custis expedition turned back by the Spanish at Spanish Bluffs in the summer of 1806. Nor was *Punta Pecana*—the general name applied by the Spaniards to the region along Red River—unknown to the authorities at Nacogdoches and San Antonio de Bexar; Francisco Viana and Bernardo D'Ortalan yet lived to boast over their cups of the invincibility of their arms which repulsed the Americans. But the land itself was entirely devoid of white inhabitants and few, if any, Indians resided in the area. The Caddos, who since the time when the memory of man ran not to the contrary had lived along the banks of Red River above the Great Raft, had deserted their ancient habitat two decades before to escape the vengeance of their inveterate enemies, the Osages, who (in 1795) had massacred the greater part of the inhabitants of the villages on Long Prairie. Consequently with the removal of their customers the French traders from Natchitoches ceased to visit the land for the purpose of barter. Thus the fertile valley of the Red was left open for the coming of the American frontiersmen bent upon finding suitable hunting and trapping grounds and farm lands.

Into the region of the Great Bend came the customary assortment of backwoodsmen. Hunters from Tennessee and Missouri, contemporaries of Crockett and the aging Boone, threaded the canebrakes along the river and its confluent streams in search of the ubiquitous beaver or pushed out on the adjacent prairies to hunt

the buffalo or capture the wild mustang. Close behind followed traders—as William Mabbitt and George and Alex Wetmore—intent upon opening commerce with the plains Indians of farther west. More than six score years have passed since the coming of the first of the “long hunters” to the forest and cane-brakes of the upper Red. Their positive identity has been lost to history. Names there are that might be urged for the honor, but that they are—names. It was only when a party of hunters met with an unusual mishap that contemporary accounts take note of their activities. Their misfortune thus proves to be our good fortune. Otherwise their coming and going would have been submerged, as no doubt did the trips of many of their fellows, beneath the obscurity of personality and the forgetfulness of the years.

The oldest contemporary document which preserves the record of these illuminating episodes is a petition to the Secretary of State of the United States from sundry inhabitants of the portion of Missouri Territory situated between the Arkansas and Red River, known then as the Little Missouri Township, Arkansas County, and dated August 4, 1817. The events related all occurred, with a possible single exception, in the area now lying in southeastern Oklahoma.

First, in point of time, was an attack made by the Osages on Jacob Barkman, Andrew Robinson and Abraham Anthony in October, 1815. The three had put out to visit a party of hunters who were encamped on the left bank of the Kiamichi and some forty miles above the mouth of the stream were set upon by the Indians. The party put spur to their horses in an effort to outride the marauders but Anthony was overtaken, killed and scalped. Later his skeleton was found; there could be no doubt of its identity since his hat was found hanging on a bush near-by.² In the following June, a man by the name of John Smith Archils was killed and beheaded, while returning to the camp of his hunting companions, on the west bank of the Kiamichi some fifteen miles above its mouth. Another party of hunters rescued from anonymity by ill fortune was comprised of Henry Jones, Martin Varner and George Creason. They had encamped for a bleak December night, 1816, near the mouth of Choctaw Bayou on the left bank of Red River, i.e., the Texas side; at dawn they were assailed by a considerable band of

²“Petition of the Inhabitants of the Section of Country in the Missouri Territory lying between the Arkansas and Red River to the Honb. Secretary of State, August 4, 1817” Adjutant General’s Office, *Old Records Division, Western Division Files*. Also a letter from a Member (William Stevenson) to William Woodruff, in *Arkansas Gazette*, February 26, 1820. While the petition does not give Barkman’s given name, it is supplied by the *Gazette*. Undoubtedly Robinson was Andrew Robinson, whose hunting prowess was a legend along the frontier.

Osages. Varner and Jones were seriously wounded but all managed to effect their escape although they lost all their camp gear and pelts.³

One other episode involving an Indian attack has preserved for us the records of what may well be the first actual settlement in the area afterward comprised in the boundaries of Miller County. In the summer of 1817 the families of William Scritchfield, Wyatt Anderson, Jonathan Anderson, Joshua Anderson and James Thompson were living in the Clear Creek settlement, near where the stream empties into Red River, some six miles below the mouth of the Kiamichi. June 28, the men above named, accompanied by a negro slave, set out along the Kiamichi in search of buffalo meat with which to feed their families. On the following day as they were returning home, they were ambushed by Osages; Scritchfield was killed and scalped; Wyatt Anderson's arm was broken by a musket ball but he succeeded in getting off alive.⁴

³ Henry Jones was born in Richmond, Virginia, March 15, 1789. The date when he first came west is unknown but as we see he was hunting on Red River in 1816. He married Nancy Stiles, daughter of William Stiles, Sr., in January, 1821. He went to South Texas in the early months of 1822 with his hunting companion, Martin Varner, and settled there two miles west of the present site of Independence. His son, William Stiles Jones, was born near the crossing on the Brazos and claimed the distinction of being the first child born in Austin's Colony. Henry Jones moved in 1823 to the present Fort Bend County, Texas, and located near Richmond, he cut the first road from East to West Columbia and set up the second gin and horse mill in Fort Bend County. He died June 8, 1861, on his farm, eight miles from Richmond. John Henry Brown, *Indian Wars and Pioneers of Texas*, 311. Martin Varner was of German descent (the family was originally named Werner). In all probability he was born in about 1787 a few miles north of the present site of Luray, Page County, Virginia. Tradition says that he moved to Missouri at an early date. W. D. and Lulu May Huddle, *History of the Descendants of John Hottel* (Strasburg, Virginia, 1930), 48-49. Varner was living in May, 1819, a few miles west of the Kiamichi. Thomas Nuttall, *Travels in the Arkansas Territory* in R. G. Thwaites (ed.), *Early Western Travels* XIII, 220. He moved with Jones to south Texas in 1822 and April 22, 1822, was living two miles west of Independence. He was a brother-in-law of Bailey English, first sheriff of Miller County. Daniel Shipman, *Frontier Life*, 21.

⁴ Among the signers of the petition to the Secretary of State was Bailey Anderson, doubtless a kinsman of the hunters of the same family name. In 1826 he was a resident of San Augustine County, Texas; served as *alcalde* in 1829. "Life of A. Horton and Early Settlement of San Augustine County" in *Texas State Historical Quarterly*, XIV, 306 and 310. Jonathan Anderson likewise moved to San Augustine County and participated in the Fredonian Rebellion. *Annual Report of the American Historical Association* 1919, II (Part 2), 1522. James Thompson was a son-in-law of Caleb Greenwood, one of the earliest hunters along Red River. He first camped there in 1817 or 1818 (*Lamar Papers*, III, 276) accompanied by his sons-in-law, Hugh Thompson, James Thompson and Thomas Barron, (McCuiston, *Loose Leaves of the History of Lamar County*, photostat, University of Texas Library). In 1819 Caleb Greenwood's camp was attacked by Indians but he and his two companions got off with only the loss of their camp gear. (*Arkansas Gazette*, February 26, 1820.) Greenwood left the Red River section before July, 1825; at least he did not sign the Petition. . . Inhabitants. . . Miller County. . .", *Bureau of Rolls, Office of the Secretary of State*, although Joel and John Greenwood and

Thus by the summer of 1817 the area lying between Red and Little rivers had attracted a small group of permanent settlers. But, as a matter of fact, they had not located on an entirely untenanted frontier. For the south bank of the main stream had a settlement at Pecan Point whose beginning dated from June, 1815. There a trading house had been set up by George and Alex Wetmore. Missourians by adoption, as were the unfortunate hunters and "squatters," they had come to the ancient land of the Caddos (Nanat-scho, the Caddos called Pecan Point) at the end of the Second War of Independence to trade with the Indians. There their tenure was indubitably illegal: if they were in Spanish Texas—and they were although they probably did not know it—they had no business there; if they were upon the public domain of the United States, their presence was forbidden by the terms of the Indian trade laws. In the year after their arrival⁵ they had been joined by a competitor or associate (the sources are not clear), William Mabbitt, a resident of Walnut Hills on the famous Long Prairie. Besides these traders, Pecan Point, by the fall of 1816, had attracted three families: those of Claiborne Wright, Walter Pool and Charles Burkham.⁶

East of Pecan Point the next center of population was the Mound Prairie settlement, located west of present day Washington, Hempstead County, Arkansas. Thither in the autumn of 1816 had come the Reverend William Stevenson, a Methodist circuit rider, and a party of fellow Missourians. On the river south of the Great Bend, too, were such worthies as Robert B. Musick—"Old Bob," he was afterward called—who, having gone quite native, was content to bury a fine intellect in an Indian camp, solacing himself with whiskey and the embraces of a Delaware squaw; William Berry, of whom nothing good or bad has survived; and Morris May, who was represented by as reputable a person as Stephen F. Austin as being too closely connected with the traffic in stolen horses for his subsequent good name.

Save for Claiborne Wright, most, if not all, of the *dramatis personae* so far thrust upon the stage had been connected for a

Thomas Barron were signers. In 1844 Caleb Greenwood appeared at Sutter's Fort in California accompanied by two sons, John and Britton, reputed to be half-breed offsprings of a Crow squaw; the three had guided Elisha Stevens' party of immigrants from Missouri to California; later they went to Fort Hall to induce settlers to come to Sutter's Fort. We last lose sight of Caleb Greenwood in 1846, when, in his eighty-third year, he was living in what is now Lake County, California. H. H. Bancroft, *History of California*, III, 766.

⁵ The date of George Wetmore's arrival is attested as June 7, 1815, by a notation in *Registro de las Familias introducidas par el Ciudadano Benjamin R. Milam*, photostat, Texas State Library. Wetmore was accompanied by his brother, Alex, and probably by William D. Stewart (*Registro*), a free man of color (Bason, *Adm'x vs Hughart, Texas Reports*, III, 476-481).

⁶ "Trip through Texas in 1817," *Sam Bell Maxey Papers*, in possession of Mrs. S. B. Long, Paris, Texas.

time at least with Missouri. Good men and bad men were coming southwestward along a trail that wound as tortuously through the forest of Arkansas and east Texas as does its story through the chronicles of those far-off days. "Trammel's Trace"—as it was called—took its name from Nicholas Trammel, who, with his brood of boisterous sons, contributed much to the lawlessness of the Arkansas frontier in the first three decades of the nineteenth century. When first they dip into the view of authenticated history in 1813 the Trammels were stealing horses from the semi-civilized Cherokees along White River and conveying them down Trammel's Trace to Nacogdoches.⁷ This ancient trail of theft crossed the Arkansas at the mouth of Cadron Creek and ran somewhat in a southwestward direction to the historic hot springs (which gave name to the present city) and thence almost southward to the site of Arkadelphia. It then crossed the highland between the Ouachita and Little Missouri rivers and reached the latter stream at Nacotoch Bluff; thence it ran southwestward, passing slightly north of Prairie d'Ane—upon which Prescott is located—and through, or near, the site now occupied by Washington to make its way to Red River at Fulton. From Fulton it continued southwestward to Sulphur Fork, swung thence to the old Cherokee village near present day Hughes Springs and then turned southeastward to cross Big Cypress two miles west of modern Jefferson. From that point it curved crescent-wise around the subsequent location of Marshall to come to the Sabine: thence it followed the Panola-Shelby county line of to-day to enter Nacogdoches from the north.⁸ The exact date when first the trace was notched through the pines of Arkansas and east Texas is lost to history; apparently it appears on Puelles' map of Spanish Texas made in 1807. But its delineation there does not argue that it was "Trammel's Trace" at so remote a time but rather that a trail had been opened by some forgotten Spanish trader or official on his way from St. Louis to Nacogdoches and later Nicholas Trammel found the road advantageous for his nefarious traffic. The American backwoodsmen naturally assumed the free-booter was the first person to use the trace and applied his name to it in the light of what appeared to them a logical conjecture.

⁷ "Address of the Cherokees to his Excellency Benjamin Howard Governor" in T. M. Marshall (ed.), *Life and Papers of Frederick Bates*, II, 239.

⁸ So far as we know Trammel's Trace had not been accurately set forth on a map of Texas until the author made the working drafts from which the relief map of pioneer Texas exhibited by the Humble Oil Company at the Texas Centennial was prepared. The data employed was obtained from the *Surveyors' Record Book, Red River County, Texas*, and from old land survey maps preserved in the General Land Office, Austin, Texas. While the location of the "trace" in Texas is accurate, that set down for Arkansas is only an approximation based upon a sketch map of surveys made by Thomas C. Rector in Arkansas Territory in 1819. It is to be hoped that some student of Arkansas history will investigate the records of the General Land Office in Washington and determine the exact locations for Arkansas.

The prospective settler *en route* to the mouth of Clear Creek probably diverged from Trammel's Trace at the northwest corner of Prairie d'Ane and journeyed more or less westwardly to William Stevenson's place on Mound Prairie and thence by the subsequent site of Lockesburg to the north side of Little River where it now cuts the Arkansas-Oklahoma boundary.⁹ Thence the traveler moved up the right bank of Little River to a point nearly north of present day Idabel; there he crossed over and followed the old road to the Clear Creek settlement. A variant route to Pecan Point was offered by the road which ran from Mabbitt's Salt Works (now Cerro Gordo) down to Red River.¹⁰

As we peer into the gray dawn of our history in search of some tangible person to assign the honor of being the first American to locate permanently on the upper Red River we must be content with something less than exactness. For these men lived and died with primitive scarcity of record. Even their physical evidences have vanished; their houses have been destroyed by fire or time's slow decay— their unmarked graves have been levelled with the plow or have furnished the mold from which nature has fashioned forest a-new. The documentary sources are widely scattered and when found are meager and fragmentary but in a study involving so many obscure persons not previously treated it is needful to incorporate every scrap of datum that explains their connection with each other and the land in which they settled. It is better to confuse trees with the forest than not to see the forest at all. With one other word of caution, namely, that it is difficult to determine definitely in all cases whether an early settler located north or south of Red River (which is really a matter of little moment since Arkansas exercised governmental jurisdiction over both banks until 1836), let us proceed to our analysis of the forerunners.

Adam Lawrence may well be given the accolade of priority. Even concerning this noted pioneer we can not speak with certainty although his name is associated by tradition with the earliest settlement on Red River and appears in many and disconnected sources. Such evidence as we have develops these facts about his life. His place of birth is unknown but it probably was North Carolina; cer-

⁹ Stevenson's place, afterward sold to James Bryan, Stephen F. Austin's brother-in-law, was located where sections 7 and 18, township 11 south, range 25 west and sections 12 and 13, township 11 south, range 26 west, corner. *Plat Map of Hempstead County, Arkansas Territory* (surveyed June, 1819).

¹⁰ This account of the road from Prairie d'Ane to Clear Creek is founded upon the trail sketched by Rector on his land survey map of 1819. As for the road from Pecan Point to Mabbitt's Salt Works, it is described in the *Order Book of the Court of Common Pleas* (Hempstead County, Arkansas Territory), A, 12-13, June 10, 1819. The salt works was located in T9S, R33W, section 33. A. C. Veatch, *Geology and Underground Water Resources of Northern Louisiana and Southern Arkansas: United States Geological Survey Professional Papers*, LXVII, 176.

tainly he married in that state. His wife, by legend, was a bearer of dispatches at the Battle of the Cowpens and was wounded there. When and by what route he drifted across the Mississippi must remain problematic—probably through Tennessee and thence into Arkansas as did so many others. Beyond question he was a resident of Lawrence County, Missouri Territory (later Arkansas), in 1815. This we know from the list of tax delinquents for 1816 on which he is cited along with Levi Davis, Taylor Polk, and Edward, Isaiah and Abram Wiley, all of whom were afterward associated with early hunters and trappers on Red River. Apparently Lawrence and his neighbors left the White River area late in 1815 or early in 1816 but whether they went directly to the mouth of the Kiamichi must remain another enigma. A slender thread of evidence suggests rather than indicates that Lawrence lived for a year or two—say from 1816 until late in 1817—at the mouth of Mulberry Creek on the Arkansas. For it is known definitely that one of his daughters, Nancy, married William Stiles, Junior, there. Another scrap of information, however, leads to the more logical conjecture that Lawrence himself, if not his family, left Arkansas for Red River in 1815. For in Milam's *Registro*, James Walters (a later settler) stated that he "settled his land at the place known as Adam Lawrence's in 1815." In an old bill of sale, however, made by James J. Ward, junior, to Samuel Worthington it is set forth "that a certain improvement situated on the south bank of Red River above a point opposite the mouth of the Kiamichi known by the name of Mound Prairie which improvement was made by Adam Lawrence in the year of our Lord 1818 and sold by him to Jesse Shelton" was the land in question. Conceivably two separate parcels of land are mentioned in the variant sources. This much may be concluded from the documents: Lawrence was living at the mouth of the Kiamichi in 1818; he may have built a camp there as early as 1815. Further proof of Lawrence's presence and peril on Red River is furnished by an extract from a letter published in the *Arkansas Gazette*, February 26, 1820:

In the year 1818, a band of Osages came to the house of Mr. Adam Lawrence, near the mouth of the Kiamisha, and robbed it of the clothing and many other things, and left a respectable family in a deplorable condition, in a wilderness and frontier country.

Among the other early settlers opposite the mouth of the Kiamichi were Caleb Greenwood and Philip Henson. Thomas Ragsdale, who with his father, William Ragsdale (the Ragsdales arrived in 1818), was one of the first settlers in the Kiamichi sector recalled in later years that Greenwood and his sons located at Jonesborough (used in a general sense for the area opposite the mouth of Clear Creek) in 1817 or 1818. The unidentified writer of a "Visit through Texas in 1817" says: "In 1818 I visited what was then known as Jonesboro . . . and there was also a settlement of four or five families, old man Greenwood and his sons and sons-in-law, Law-

rence and Henson." In addition to the Lawrences and Greenwoods should be listed Mansel Mason and sons, William Hensley, William Rabb and sons, William ("Cow") Cooper and Ambrose Hudgens who arrived in the Kiamichi region by the summer of 1818. John Chumley seems able also to lay claim to be counted in this group. Concerning the elder Mason we know nothing, but Mansel Mason, junior, was a brother-in-law of Adam Lawrence, junior, Andrew Rabb and John Roberts, each marrying a daughter of William Ragsdale. William Hensley and Philip Henson are frequently confused because of the similarity of their names; a confusion further confounded by their penchants for getting themselves involved in petty litigations with their neighbors; an expensive eccentricity, it would seem, in the light of the fact that they were obliged to carry suits to the county site of Hempstead County, Arkansas Territory, for trial. Each remained in the county for a number of years; both affixed their names to the Miller County petition of 1825. William Rabb, of Pennsylvania Dutch extraction, moved to the Red River area in 1818 and moved across to Jonesborough in 1820. He was accompanied to Clear Creek by his daughter, Rachel, already married to Joseph Newman; and by his sons: Andrew, who married a daughter of William Ragsdale after his arrival on the river; John, who married Mary Crownover, daughter of John Crownover, in 1820; and Thomas, unmarried. The Rabbs, the Crownovers and Joseph Newman immigrated to south Texas before October, 1823. William Cooper was a noted Indian fighter and mustang hunter, whose exploits in these two fields of endeavor became legendary, both in north and south Texas.

While these "squatters" were establishing themselves opposite the mouth of the Kiamichi, the Clear Creek settlement was set up by recent arrivals from Missouri. Here we are upon precarious ground so far as the sources are concerned. The subsequent extermination of Miller County by an Indian treaty rendered invalid the land claims of the settlers and the loss of the county records in a fire destroyed any possibility of accurately fixing the identity of the pioneers and the date of their arrival. Such information as we have must be partially suspect based as it is upon conjecture rather than documents. As we have seen, among the early settlers at the mouth of Clear Creek were William Scritchfield, Wyatt Anderson, Jonathan Anderson, Joshua Anderson and James Thompson, who were living there in June, 1817. We are safe in assuming that the signers of the petition giving the account of the Indian attack on this group were likewise residents of the same locality. Thus we can extend our list to include the names of Bailey Anderson, Walter Pool, William G. Buckles (is this not an error of transcription for Charles Burkham?), Thomas Williams, George and Alex Wetmore, and Christopher Anthony. Burkham, it is certain, had settled on the river in July, 1816, but rather nearer Pecan

Point than Clear Creek. Cornelius Martin, tradition alleges, was an associate of Burkham at Pecan Point, and Walter Pool, it is known, was living there as early as September, 1816. George W. Wright's harsh chirography has Jonathan "Coachman" as a settler at Pecan Point when his father, Claiborne Wright, arrived there in 1816; it well may be that the weird hieroglyphics should be interpreted Jonathan *Anderson*. An addition to the Clear Creek settlement in 1818 was Joseph English; at any rate he was a victim of Indian robbery in 1818—conceivably he may have located on Clear Creek the previous year.¹¹

No other settlement made on Red River prior to 1820 bulks larger in contemporary sources than Pecan Point. George and Alex Wetmore, as we have seen, selected the place as an advantageous site for a trading house in June, 1815. Later they were joined by William Mabbitt, another Indian trader (the date of his arrival is uncertain although it was before September, 1816), and by Charles Burkham, who first settled there in the summer of 1816. The most noted of the early pioneers to locate at Pecan Point, however, was Claiborne Wright. Fortunately we have more than the usual amount of information concerning this eminent fore-runner. For, of Wright, we can speak with assurance.

March 5, 1816, he, his wife, three sons, two daughters and a slave girl embarked upon the keel-boat, *Pioneer*, at the mouth of the Clear Fork of the Cumberland in Smith County, Tennessee. Six months to a day elapsed before he terminated his long journey at Pecan Point. The story of the long voyage by the way of the Cumberland, Ohio, Mississippi and Red Rivers, too lengthy to be detailed here, is a thrilling episode in the conquest of the frontier. September 5, after much toil, sickness and loss of cargo by Indian robbery, he brought the *Pioneer* to anchor at the mouth of Pecan Bayou. Not too soon, for a few days later his boat sank, carrying to the bottom of the river a part of the cargo saved from the Indians. But fortunately Wright was not alone in the wilderness; he found before him the Wetmores, Mabbitt, Burkham, Pool and Jonathan Anderson. In the spring of 1817, he was joined by two nephews, John H. and Willey Fowler, who had ridden across Arkansas, accompanied by Wright's eldest son, Travis.

The story of those early days has been so well told by George Wright (who as a boy of six accompanied his father to Pecan Point) that one can not forbear quotations:

Buffalo was plenty all along the River in all the praries . . . there was no settlement that (I) can Recollect untill we reached Pecan Point

¹¹ At the risk of arousing the ire of patriotic fellow Texans, it is only fair for me to observe that a settler at Pecan Point was as likely to have been living on the *north* side of Red River in 1816 as on the *south* side. The term was not used exclusively to denote a locality in Texas until after 1820.

where there was an Indian trader and some two or three white families just arrived in the country but had raised no corn no meat only wild meat . . . I think I have seen as many as five fine deer shot down and slain in the yard in one morning . . . if a buffalo was wanted it could always be killed and delivered at the camp or house the same day and if we wanted fat meat all that we had to do was to (call) Capt Burkham's dogs and could kill a fine bear at any time to season the lean meats with the skins off the game that gave meat furnished an abundant supply of Coffee and we could go to the woods and find and cut a beech tree and get enough honey to answer for sweetening for the family¹²

The years 1817 and 1818 witnessed accessions to each of the three settlements on Red River. A good authority makes the statement that fifty families had reached the valley by the fall of 1818.¹³ While it is not possible to make a complete list of these *avant-couriers*, a comparison of the names of land applicants to be found in *Registro de las Familias introducidas par el Ciudadano Benjamin R. Milam* and in the *Record of the Board of Land Commissioners (Transcribed)*, Red River County, Texas, with other fragmentary data, will furnish as definitive a roster as is now available. The list is submitted here with the hope that in time others of the pioneers can be identified and their names added.

1815

1. William D. Steward (Stuart), arrived May 15, 1815, from Kentucky. *Registro*. He was a "free man of color" and continued to reside in the area until 1840. Bason, *Adm'x vs. Hughart, Texas Reports*, II, 476-481.

2. George C. Wetmore, arrived June 7, 1815, from Arkansas. *Registro*. He was an Indian trader. *Wright Papers*.

3. Alex O. Wetmore, presumably came with his brother, George, in 1815; his presence on the river in 1816 is confirmed by the *Wright Papers*.

4. Jacob Barkman, Andrew Robinson and Abraham Anthony were hunting west of the Kiamichi in October, 1815. "Petition . . . to Secretary of State," AGO, ORD, WDF, August 4, 1817. Confirmed by letter in *Arkansas Gazette*, Feb. 26, 1820. These men were presumably hunters from farther east; Anthony was killed; Barkman afterward resided near Little Rock; Andrew Robinson, in the fall of 1819, was hunting in the Cross Timbers of Texas with Gabriel Martin and John Hampton. W. B. Dewees, *Letters from an Early Settler in Texas*, 16. Robinson was one of the first settlers in Austin's colony on the Brazos. *Austin Papers, passim*.

1816

5. William Slingland, arrived Jan. 18, 1816, a native of New Jersey. *Registro*. Crossed river in 1820 to Jonesborough. *Record of the Board of Land Commissioners (Transcribed)*, Red River County, Texas (hereafter designated as *RBLC*). Operated a ferry there after October, 1822. *Arkansas Gazette*, March 2, 1824.

¹² An unsigned account of the Wrights' arrival at Pecan Point found in the *George Travis Wright Papers*, Paris, Texas. It is in the handwriting of George W. Wright, which, if once seen, can never be mistaken.

¹³ "A visit through Texas in 1817" in the *Wright Papers*. This account is by an unidentified traveller; but internal evidence supports the conclusion that he was either Travis G. Wright or John H. Fowler. These men (cousins, it will be remembered) came to Pecan Point in February of 1817.

6. Charles Burkham, his wife, Nancy (nee Abbott), son, James, and daughter, Cynthia, arrived July 4, 1816, from Indiana. *Registro*. Crossed river to reside at the mouth of Mill Creek, Bowie County, Texas, March, 1820. *RBLC*.

7. George Kerman (Kernall), arrived August 15, 1816, a native of Pennsylvania. *Registro*.

8. Walter Poole, wife and four children (one of the sons was named Jonathan) were living at Pecan Point when the Wrights arrived in 1816. *Wright Papers*. "Had just arrived in the country," so George Wright said; probably came with Burkham in July.

9. Claiborne Wright, wife, two daughters and three sons (George, William and Adams) arrived September 5, 1816, from Tennessee. *Wright Papers*.

10. Jonathan "Coachman" (Anderson), wife and one son were living at Pecan Point when the Wrights arrived. "The Wright Family, Early Settlers of Red River County, Texas" in Mrs. J. J. Arthur, *Annals of the Fowler Family*, 323.

11. William Mabbitt had set up a trading house at Pecan Point as early as September, 1816. *Wright Papers*. It is to be doubted that he was actively in charge of the establishment. His residence was at Walnut Hills in what is now Lafayette County, Arkansas. He froze to death near Arkansas Post early in 1820. *Ark. Gaz.*

12. Martin Varner, George Creason and Henry Jones were hunting on the upper river, December, 1816. "Petition . . . to Secretary of State," AGO, ORD, WDF. Varner and Jones left the Red River area late in 1821. *Lamar Papers*, IV (Part II), 14. George Wright remembered that Varner, Jones, Creason, John Grafon, Charles Campbell and William English were hunters on the river as early as 1818. Arthur, *Annals of the Fowler Family*, 323. None were married in 1818. although Varner and Jones married before they emigrated to Austin's colony.

13. Cornelius Martin was traditionally an early settler with Burkham. *Lamar Papers*, VI, 14.

1817

14. David Clapp, wife, Elizabeth (nee Lawrence), and infant son, William, arrived Jan. 6, 1817, from Tennessee. *Registro*. Crossed to south bank of river in March, 1820. *RBLC*. If, as I suspect, Clapp was a son-in-law of Adam or George Lawrence, this is a documentary clue to the actual date of the arrival of the Lawrences on the river.

15. Jesse Morin, a boy of fifteen, arrived Feb. 9, 1817, from Tennessee. *Registro*. Possibly his father was named Samuel Morin; at least a person by that name signed the "Petition . . . to the President of the United States," *Bureau of Rolls, Office of the Secretary of State*, July, 1825.

16. Henry Stout and wife, Polly (nee Talbert), arrived May 15, 1817, a native of Illinois. *Registro*. Stout located on the subsequent site of Clarksville, Texas. He was a mighty hunter, whose connection with the Red River area lasted for nearly seventy years.

17. Joseph Watkins, wife, Polly (nee Miller) and son, John, arrived August 11, 1817; a native of North Carolina. *Registro*. Located in the vicinity of Pecan Point.

18. Daniel Cornelius, wife, Polly (nee Hathorn) and daughter, Elizabeth (age four), arrived November 11, 1817, from Illinois. He was accompanied by Jacob Stallings, a twelve year old boy. *Registro*. Cornelius crossed to the south side of the river in 1820. *RBLC*.

19. William Scritchfield (Scrutchfield), actual date of arrival unknown, but was living with family at mouth of Clear Creek, in June, 1817. He was killed by Osages, June 29, 1817, near the Kiamichi.

20. Wyatt Anderson, Clear Creek, June, 1817.

21. Jonathan Anderson, Clear Creek, June, 1817. See Item No. 10.

22. Joshua Anderson, Clear Creek, June, 1817.

23. James Thompson, Clear Creek, June, 1817.

24. Thomas Williams signed the petition concerning the attack on the men mentioned in items 19, 20, 21, 22 and 23. "Old Tom" Williams, as he was known emigrated from Red River to the Brazos in December, 1821; he was the father of a large family, none of whom were born in a house but in a hunting camp; he was the father-in-law of Robert Kuykendall. *Lamar Papers*, IV (Part I), 216. Robert Kuykendall was probably never a resident of the Red River area; he was associated with the Cadron settlement on the Arkansas, and was trading at the mouth of the Verdigris in October, 1812, with William English and others. Grant Foreman, *Pioneer Days in the Old Southwest*, 74. Robert, Abner and Joseph Kuykendall along with Andrew Robinson were the first settlers in Austin's colony in October, 1821. *Lamar Papers*, IV (Part 2), 13.

25. Caleb Greenwood, his sons and sons-in-law were living opposite the mouth of Clear Creek in 1817 or 1818. *Lamar Papers*, III, 276. The sons were John, Henry B., Joel and Franklin (all signed the Miller County petition of 1825); the sons-in-law were Hugh Thompson, James Thompson and Thomas Barron. McCuiston, *Loose Leaves of the History of Lamar County*. As James Thompson was certainly a resident of the Clear Creek settlement in June, 1817, it is a logical inference that the Greenwoods arrived on the river in 1817.

1818

26. William Ragsdale came to the Red River area in May, 1818. *Registro*. He settled in the Jonesborough section. He was accompanied by a large family, among whom were his sons: James, William Junior, Robert, John, Thomas, Martin H., and Charles; and four daughters, whose given names are unknown but who married: John Roberts, Mansel Mason, junior, Adam Lawrence, junior and Andrew Rabb. William Ragsdale came to Texas from Maury County, Tennessee. *History of the Constantine Lodge, No. 13, A. F. and A. M., Bonham, Texas*. See also McCuiston, *Loose Leaves of the History of Lamar County*.

27. Samuel French "took his land at the place known as the Talbott improvement at Pine Bluffs." He came to the upper Red River in June, 1818, from Louisiana. *Registro*. Apparently he was accompanied by a number of sons. At any rate, Joseph, Levi, Thomas, and Samuel S. (whom we know was 21 years of age in 1818) signed the Miller County petition of 1825.

28. Nathaniel Robins joined the Pecan Point settlement in July, 1818. He was accompanied to Red River by four sons: William, George, John and Joshua; and by four daughters. *Registro* and *Loose Leaves*. John Robins probably proceeded the family in search of a suitable location, as he is credited by the *Registro* with having come to Red River in August, 1817. He later married Cynthia Humphreys. *Biographical Souvenir of Texas*, 177.

29. John Humphreys and family emigrated to Pecan Point in company with the Robins family. One daughter married John Robins. There was a son, David, but little else is known about the family. John Humphreys died before January, 1821, for in that month Nathaniel Robins applied for letter of administration on his estate from the Court of Common Pleas, Hempstead County, *Ark. Gaz.*, Feb. 3, 1821.

30. Adam Lawrence was living on the Jonesborough prairie in 1818. As we have seen, there is plausible evidence to show that he came to the Red River area

in 1815 but for lack of positive data we have placed him among the settlers of 1817 or 1818. *Lamar Papers*, III, 276. The noted Indian fighter and mustang catcher was the father of a large family but beyond the fact that his son, John, was killed with his father by the Osages, April 17, 1826, and that a daughter, Nancy, married William Stiles, junior, we have no further information as to their names. The elder Lawrence had a brother, George, who either came to Red River with him or immigrated there prior to 1825. George Lawrence was the father of Henry and Adam Lawrence, junior. Henry Lawrence was killed by the Indians at the same time as his uncle. *Ark. Gaz.*, May 28, 1826. Two others of the Lawrence family were James and David but their relationship to the men named above is unknown. *Miller County Petition*.

31. Philip Henson was living at Jonesborough in 1818. *Wright Papers*. Credited by Ragsdale with having settled there in 1817 or 1818. *Lamar Papers*, III, 276. Contemporary documentary evidence places Henson on the river quite early. *Record of the Court of Common Pleas* (Hempstead County, Arkansas Territory), AA, 97. In December, 1820, he was involved in a suit before the court under the style of Philip Henson vs. Andrew Shaw.

32. William Rabb, his wife, Mary (nee Smalley), three sons, Andrew, John and Thomas (all unmarried at the time), and daughter, Rachel, married to Joseph Newman, came to the Clear Creek Settlement in 1818. *Lamar Papers*, IV (Part 1), 215. They crossed the river to Jonesborough in 1820. While on Red River, Andrew Rabb married a daughter of William Ragsdale and John Rabb married Mary Crownover. William Rabb and wife went to Austin's colony in the winter of 1821-22. The other members of the family including the son-in-law, Joseph Newman, emigrated there in October, 1823.

33. Mason and sons were also settlers at Jonesborough by 1818. *Lamar Papers*, III, 276. Very little is known about this family. One of the younger Masons, Mansel, married a daughter of William Ragsdale. *Loose Leaves* . . .

34. William "Cow" Cooper was a hunter on the upper river by 1818. *Lamar Papers*, III, 276. He afterward went to south Texas; there in November, 1830, his son, William, junior, was killed by a party of Wacos. *Texas Historical Association Quarterly*, VI, 317. Young Cooper was said to have been born on Red River (Wilbarger, *Indian Depredations in Texas*, 209) and was probably thirteen or fourteen years old at his death.

35. John Chumley seems able to claim an early residence on Red River. *Clarks-ville Northern Standard*, August 25, 1882. He was probably associated with the Andersons; he went with them to Sam Augustine County, Texas, in 1825. *Texas State Historical Quarterly*, XIV, 306.

36. Nathaniel Moore belonged to the resident group of 1818. *Lamar Papers*, III, 276. William Stevenson preached the first sermon on Red River in his home in the winter of 1818-1819. Thrall, *History of Methodism in Texas*, 13.

37. James Levins, senior, located in the vicinity of Pecan Point in 1818; he was accompanied by several sons, among whom were James, junior, and Joseph; one son, John, was born on Red River in 1818. RBLC, 15, 16, 24 and 55. A daughter, Mary Ann, married George Wetmore. *Registro*.

38. Joseph English was living at the mouth of Clear Creek in 1818. His father, Charles English, had established English's Station near the famous Crab Orchard in Kentucky; it was one of the "seventeen pioneer stations." English was accompanied by his family, including a son, Bailey English (born in Kentucky, March 4, 1794), who served as sheriff of Miller County, 1821-1823; another son, William English, who married Annie Shelton. A daughter married Martin Varner before his exodus to south Texas. *Ark. Gaz.*, Feb. 26, 1820.

39. Stephen Wiley and four sons, three of whom were Indian traders, were living at Pecan Point in 1818. Arthur, *Annals of Fowler Family*, 323. Two men by the name of Wiley signed the Miller County petition of 1825, Stephen, junior, and Thomas; they were almost certainly sons of Stephen Wiley, senior.

40. Ambrose Hudgins settled on the Jonesborough prairie quite early. *Lamar Papers*, III, 276. He was a son-in-law of Patrick Kernall, himself reputed to have settled on Red River in 1818. *Loose Leaves* . . . Hudgins was a brother-in-law of a McKelvey (whether it was Hugh, Ezra or James, all of whom were living in Miller County in 1825), is not certain. George Kernall, it will be noted in Item No. 7 above, came to Red River in 1816; Patrick, J. H., and Archibald Kernall signed the Miller County petition.

41. Daniel Davis came to Red River in the spring of 1818. He, when quite young married Matilda Tidwell on Duck River in Tennessee and immediately thereafter moved to Missouri. There Matilda Davis died; soon after he married Nancy McKelvey, Jan. 20, 1818, and moved in that spring to Red River. "Autobiography of Andrew Davis" in the *Southwestern Historical Quarterly*, XLIII (October, 1939), 162. Amos Tidwell was class leader of the first Methodist church organized on Red River late in 1818 or early in 1819. William Stevenson and James Lowry were appointed to the Mount Prairie and Pecan Point Circuit of the Missouri Conference, September 5, 1818. Jewell, *History of Methodism in Arkansas*, 47, so the church was probably organized late in 1818. See also Thrall, *History of Methodism in Texas*, 13-14, and Phelan, *History of Early Methodism in Texas*, 13. Amos, Hiram and J. E. Tidwell signed the Miller County petition. The presence of Davis' brothers-in-law, Ezra, Hugh and James McKelvey, on Red River is discussed in Item No. 40 above. The McKelveys, however, probably did not come to Texas until 1824; at least, Hugh McKelvey assigned that year as the date of his arrival. *RBLC*. They were former residents of Ste. Genevieve, Missouri. "Autobiography of Andrew Davis," 164. Davis, in May, 1819, was living on the north side of the river, contiguous to Gates Creek. *Early Western Travels*, XIII, 217.

42. Samuel and Amos Gates were quite probably hunting in the Red River area in 1818. Nuttall mentions Gates Creek as bearing that name in May, 1819. *Early Western Travels*, XIII, 217. In 1820 Samuel Gates acted as the administrator of William Mabbitt's estate. *Book AA, Court of Common Pleas, Hempstead County, Arkansas Territory*, 99. Both men later went to south Texas. *Austin Papers*, *passim*.

Conjecture and analogy can supply much that has been forgotten about these early pioneers. They came from Kentucky and Tennessee by the way of Missouri and Arkansas. Their fathers had followed Boone and Harrod over the Wilderness Road to Harrodsburg and Bryant's Station or pioneered with Sevier along the waters of the Holston or Franch Broad. Tall tales of adventure, of Indian warfare and torture they had heard about the hearths of cabins while the winter winds howled outside. Some had known the courtly John Sevier; others had fought at Tippecanoe or charged over the stockade at Tohopeka.

They were not schooled in books. A cross ofttimes testified their signature. Painfully, at the best, they could sign a land claim or a petition for the creation of a new county. Their religion was the stern Calvinism of the frontier released often in the pathological emotionalism of the camp meeting. Lorenzo Dow and Peter

Cartwright were their major prophets and Cane Ridge the Mount Zion to which they turned for spiritual succor. The physical needs of these men were few. An axe served for carpentry and cabinet making; a skillet and iron pot sufficed for the backwoods cuisine. The hunting shirt, the fringed leggings, and the moccasin fashioned from buck-skin met the demands of comfort and decency in the haberdashery of the hinterland. For them, the sun told the hours of the day and the seasons calendared the passing of the year.

The women who came westward with these pioneers (and many of them were men of families) challenge our admiration and our pity, though heaven knows they themselves were free from self pity. If life was hard for the men, what must it have been for their wives? Loneliness for others of their sex added to the actual perils of living far from every comfort save the most primitive sort, conspired to make their lot an unenviable one. Their children were born without the benefit of physician and oftentimes even of midwifery except that of the husband. Sickness was prevalent among the children and time and time again one small tot was dead before the birth of the next. Nevertheless the physical danger was not in all probability as grinding as the psychological deprivation: surely the mere immobility resultant upon staying alone for weeks was more wearing than the mobility of the "long hunt." Indian warfare weighed more heavily on the woman; men were killed by the savages but the lot of the woman was captivity and violation at the hands of the aborigines.

George and Alex Wetmore, brothers, and William Mabbitt were of the fraternity of traders who swarmed westward after the collapse of their business as sutlers to the United States army during the War of 1812. To save at least a part of their investment in goods they sought a place where they could dispose of their wares in barter with the Indians of the forest and prairie margin. Unlicensed, theirs was a precarious and risky business. The War Department of the United States, under whose direction Indian affairs were then committed, looked askance at men whose temerity led them to attempt trade without the sanction of a governmental permit. Only their remoteness from the army posts stood between them and immediate eviction from their illicit traffic. Nor did distance prove to be more than a temporary barrier. For within a year after the arrival of the Wetmores and Mabbitt at Pecan Point, a Caddo chief complained concerning their presence there to John Jamison, Indian agent at Natchitoches, alleging that they had occupied the ancient buffalo crossing and thus deprived the Caddos of the advantages of the strategic hunting place. In response to the protest, Jamison sent Major Riddle in April, 1817, with orders to remove the "squatters" across the river to the north bank. A dozen families were evicted and several traders arrested and their

merchandise confiscated.¹⁴ Despite the efforts of the national government to prevent settlements on upper Red River, the region continued to attract new-comers during the autumn of 1817 and the spring of 1818. In August of the latter year Jedediah Morse, Superintendent of Indian Affairs, was apprised that twelve families and five Indian traders were located at Pecan Point and twenty families and three traders were established at the mouth of the Kiamichi.¹⁵ Further growth of population was maintained throughout the winter of 1818-19; so much so, that Thomas Nuttall, the botanist, found the Clear Creek prairie almost completely occupied in May, 1819, mainly by dispossessed immigrants from the region of the Arkansas.¹⁶ In the summer of 1819 corn was raised as far up the river as Horse Prairie (on the north bank west of the mouth of the Kiamichi) and Sassafras Bluff (on the south bank in present day Lamar County, Texas).¹⁷

Apparently the settlers had good reasons to believe the federal government would confirm them in the possession of their improvements, especially after William Rector, surveyor-general of the district of Illinois and Missouri territories, caused nine townships to be surveyed between Little River and Red River in the winter of 1818-19.¹⁸ But in this hope they were destined to disappointment; true enough the land was offered for sale in 1820 but because of delay in the arrival of the necessary forms the sales were deferred until the cession of the area to the Choctaws obviated any future possibility of white pre-emption. Meanwhile, however, in May, 1819, Major William Bradford of Fort Smith, in pursuance of an order from Andrew Jackson, commanding officer of the Southern Division of the United States Army, removed all of the settlers

¹⁴Foreman, *Indians and Pioneers*, 138. In the *Missouri Gazette*, October 23, 1817, appears a letter from a gentleman residing at Natchitoches to his friend in Jefferson County, Va., dated August 2, 1817, detailing the trip from Natchitoches to Pecan Point and return. The unidentified "gentleman" accompanied Riddle. With some hesitancy I would suggest that the families driven from the lands of the Caddos were those of Claiborne Wright, Charles Burkham, Walter Pool, David Clapp, Samuel Morin, Jonathan Anderson, Wyatt Anderson, Joshua Anderson, James Thompson, William Scrutchfield, Thomas Williams and Cornelius Martin. The Andersons, Scrutchfield and Thompson probably went up the river and settled at the mouth of Clear Creek where they were living in June, 1817. Wright, Burkham, Pool, Clapp and Morin located on the north side of the river opposite Pecan Point until the soldiers left and then returned to their former homes. The traders who suffered under the governmental ban were, of course, Alex and George Wetmore and William Mabbitt.

¹⁵Report of W. A. Trimble, August 7, 1818, in Jedediah Morse, *A Report to the Secretary of War on Indian Affairs*, 299.

¹⁶Thomas Nuttall, *Journal of Travels into Arkansas Territory*, in R. G. Thwaites (ed.), *Early Western Travels*, XIII, 222.

¹⁷"A visit through Texas in 1817," *Wright Papers*.

¹⁸William Rector to Commissioner of the General Land Office, April 14, 1819, *General Land Office*.

west of the Kiamichi. The "squatters" east of the stream were granted an extension of time to gather their crops; even this humanitarian concession was not given by Captain Coombs from Natchitoches, who executed his orders for the eviction of the settlers near Red River with dictatorial severity, burning homes and destroying crops.¹⁹ Many families now crossed Red River and joined their fellow nationals at Pecan Point and Jonesborough.²⁰

The unstable and chaotic conditions on Red River were further complicated in August, 1819, by the appearance there of Major Hamlin Cook, who represented himself as being commissioned by the *soi-disant* President James Long of the Supreme Council of the Republic of Texas, set up at Nacogdoches, June 23, 1819. It was his purpose, Cook announced, to establish order on the frontier and to promote the settlements already begun in the section by offering land bounties to soldiers and headrights to actual settlers.²¹ Cook returned to Nacogdoches and was placed in command of the small American force there; his cowardly retreat at the approach of Ignacio Perez, October 28, 1819, shows clearly that he was a shoddy hero for the establishment of a republic.²² The Red River men probably were not materially taken in by his flamboyant representations. However, on November 2, 1819, while Perez was still at Nacogdoches two Americans and an Indian incautiously entered the town and fell into the hands of the Spaniards. Upon being questioned they said they were from Pecan Point where three settlements, which could furnish about fifteen soldiers, had been established without the knowledge or consent of the government of the United States. They represented, furthermore, that although Cook had recently visited Pecan Point and enlisted a company, the settlers had no intention of engaging in an armed expedition against Spain but were interested only in looking out for their families.²³ The Americans were afterward released from their imprisonment by Perez at the request of the American commandant at Fort Jessup (Natchitoches); the Indian was shot.²⁴

¹⁹ *American State Papers*, "Indian Affairs," II, 557.

²⁰ Coombs apparently carried out his orders in March, 1820. A study of Milam's *Registro*, and the *Record of the Board of Land Commissioners*, Red River County, Texas, reveals that several families that had previously settled north of the river crossed to the south side in March, 1820. By 1820 the news of the Treaty of Onís had penetrated the Red River hinterland and, despite the vagueness of its terms, there was more than a reasonable surmise that Jonesborough and Pecan Point were in Spanish Texas and therefore, beyond the grasp of the military arm of the United States.

²¹ *Lamar Papers*, II, 53.

²² *Ibid.*, 66.

²³ Perez, Trinity River, to A. Martinez, San Antonio, December 11, 1819, in *Lamar Papers*, I, 40.

²⁴ *Ibid.*, II, 66.

Governmentally the Red River region was a part of the Little Missouri Township, Arkansas County, Missouri Territory, until 1818. On December 17, 1818, the General Assembly of Missouri divided the area now comprised in the western half of the state of Arkansas into three great counties—Pulaski, Clark and Hempstead. At the first session of the Court of Common Pleas, held at the home of John English near present day Blevins, June 28-30, 1819, Hempstead County was divided into six townships, two of which—Clay and Pecan—comprised within their limits the settlements on Red River. The boundaries of these sub-divisions were set forth as follows:

Clay Township: Beginning at Red River at Mabbit's Place (i. e., Pecan Point) thence with road leading from Mabbit's Place to Mabbit's Salt Works on Little River thence north with waters of said river to head waters thereof thence on a due north line to Clark County line thence east with said line to the Kossitot thence with Saline Township line to the mouth of the Kossitot thence with said line to the red river opposite Spanish Bluff thence up Red River to the Beginning.

Pecan Township: Beginning on red river at Mabbit's Place thence with Clay Township line to Mabbit's Salt Works on little river thence with said township line up little river to the head waters thereof and thence due north to Clark County. Thence west with the Clark County line to the Indian Country. Thence south with said boundary to red river. Thence down said river to Beginning.²⁵

For the next twenty-five months until July, 1821, the inhabitants of the two Red River townships transacted their governmental business in the courts of Hempstead County held in the cabin of John English. Names familiarly associated with earlier settlement of the frontier run through the ragged pages of *Book AA, Court of Common Pleas* and the *Order Book of the Court of Common Pleas*, A, now preserved at Washington, Arkansas. At the first session of the court Joseph Newman was indicted for assault and battery and at the August term, 1820, Walter Pool was charged with the same offense.²⁶ Litigations frequently involved others of the settlers; the December session of 1820 disposed of cases in which such well-known pioneers as Adam Lawrence, Thomas Williams, Willis McCann, John Scrutchfield, Philip Henson, were parties.²⁷ Joseph English brought suit against Walter Pool for slander, a cause afterward transferred to Miller County along with a similar suit styled *William Hensley vs. Walter Pool*.²⁸ Again, at the first session, June, 1819, Jacob Black secured judgment for debt and damages, totalling \$969.33, against Mabbitt and Petty, traders;²⁹ at the December session, 1820, Black was continuing the action against Samuel Gates, administrator of William Mabbitt's estate.³⁰ During the

²⁵ *Order Book of the Court of Common Pleas, Hempstead County*, A. 12-13.

²⁶ *Order Book*, A, 30 and 54.

²⁷ *Book AA, Court of Common Pleas*, 90-92.

²⁸ *Ibid.*, 97.

²⁹ *Order Book*, A, 18.

³⁰ *Book AA, Court of Common Pleas*, 99.

period civil matters of little moment were decided before local justices of peace and one document has been preserved bearing testimony to Claiborne Wright's activity as a magistrate.³¹

Two travellers have left their impressions of the character of the men who inhabited the Red River area in the first five years of their tenure. One of these commentators, Thomas Nuttall, spent only two or three weeks in the Clear Creek settlement; the other, William B. Dewees, lived and hunted in the section for two years before he immigrated to south Texas. Each account, except in minor details, confirms the other. Both Nuttall and Dewees agree that the settlers were too largely desperate adventurers, fugitives from justice and dissolute renegades. On the other hand, however, each records that he discovered the backwoodsmen to be hospitable, courageous and gifted in the arts of wringing a subsistence from the wilderness.

Nuttall accompanied Major Bradford from Ft. Smith to the mouth of the Kiamichi when he was sent there in May, 1819, to remove the settlers from the unsurveyed public lands. As they rode southward through the Arbuckle Mountains they noted the marks of a wagon train leading in the same general direction. Eventually, having effected their passage through the highlands, they emerged on the rich prairie near the present site of Doaksville and came upon the camp of William Styles. Styles proved to be the emigrant whose trail Bradford and Nuttall had seen in the mountains; with him was his family, women and children, including his mother-in-law, "blind and 90 years of age."³²

³¹ "An inventory of the estate of Benjamin Cuthbert, Jan. 13, 1820, sworn to by George Dooley, Thomas Denton and Asa Blenkinship before Clayborn Wright, justice of Peace, Pecan Township, Terr. of Arkansas," found folded in *Court Record, Hempstead County, A.*

³² William Stiles (so the name is usually spelled) was born in North Carolina; married in South Carolina and moved to Barron County Kentucky before 1800. About 1816-1818 he was living at the mouth of Mulberry Creek on the Arkansas River but was obliged to leave that vicinity when the section was ceded to the Cherokees. He moved in the winter of 1818-19 and settled near present-day Fort Towson. Tradition says he left Red River in 1821 and moved to the Brazos accompanied by three of his children. (*Lone Star State: Central Texas*, 546) William Stiles, senior, was the father of six children: Richard, John, William, Junior, Nancy, Elizabeth and Hetty. (1) Richard Stiles settled in Shelby County, Texas, sometime after 1825. (2) John Stiles, born in Barron County, Kentucky, in March, 1797, accompanied the family on its westward hegira, and located after his marriage to Sarah Reed (daughter of Joseph Reed, a pioneer Methodist preacher) within four miles of Fort Towson. After the break-up of Miller County in 1828 he moved across Red River and located north of Clarksville. He was the father of a numerous family whose descendants still live in Red River County. He died in August, 1854. (*Biographical Souvenir of the State of Texas*, 794). (3) William Stiles, junior, was born Feb. 3, 1799, presumably in Barron County, Kentucky. He married Nancy Lawrence (born October 25, 1803), daughter of Adam Lawrence, tradition says while the families were living at the mouth of Mulberry Creek but more probably after the Stileses reached Red River. William Stiles, junior accompanied his father

From Stiles' camp Major Bradford went west of the Kiamichi to warn the settlers of the government's intention to move them east of the stream. The "squatters" received the orders with ill grace; well they might, for, no doubt, it seemed to them there was no place where they could escape the long arm of the federal authority intent upon providing lands for the immigrant Indians. The Arkansas had proven untenable; now the Red offered no more security of possession.

Just west of the Kiamichi, near Red River, Nuttall, who had accompanied Bradford, stopped for breakfast at the cabin of Martin Varner. Varner regaled his visitor with long stories of the hunting to be encountered farther up the river, and showed him as an evidence of his prowess as a nimrod the head of a Mexican hog (*Sus tujassa*). Some days later the botanist, while loitering in quest of specimens of the regional flora, became separated from his party. He attempted to join them on the trail but only succeeded in becoming more confused. His failure to meet up with his associates enjoined upon the scientist the necessity of asking the hospitality of Stiles and other settlers until a party could be made up to go to Ft. Smith. The delay he spent in observing the settlements on Red River. He writes:

On the 8th June I went down to the Red River settlement, to inquire concerning some company, which I had heard of, on my returning route to the Arkansa; and, on conferring together, we concluded to take our departure on Sunday next, a day generally chosen by these hunters and voyagers on which to commence their journeys. In our way to this settlement Gates's and Lemon's creek and another small brook. The width of the prairie to Red River might be about five miles, and the contracted alluvial lands, which by the crops of corn and cotton appeared to be exceedingly fertile, were nearly inhabited to their full extent. The wheat planted here produced about 80 bushels to the acre, for which some of the inhabitants had now the conscience to ask three dollars and a half per bushel, in consequence of the scarcity of last season. . .

These people, as well as the generality of those who, till lately, inhabited the banks of the Arkansa, bear the worst moral character imaginable, being many of them renegadoes from justice, and as such have forfeited the esteem of civilized society. When a further flight from justice became necessary, they passed over into the Spanish territory, toward San Antonio, where it appears that encouragement was given to all sorts of refugees. From these people we frequently heard disrespectful murmurs against the government of the United States. There is indeed an univer-

to the Brazos in 1821-22 but returned to Miller County. He was living in Miller County in 1825 but later moved to Louisiana and thence to Johnson County, Texas, where he died in 1875. (*Lone Star State; Central Texas*, 546) (4) Nancy Stiles married Henry Jones in January, 1821. She accompanied her husband and father to south Texas in the winter of 1821-22, and her son, William Stiles Jones, born at the crossing on the Brazos early in 1822 had the distinction of being the first child born in Austin's colony. She died August 5, 1851. John Henry Brown, *Indian Wars and Pioneers of Texas*, 311. (5) There is no information concerning Elizabeth Stiles. (6) Hetty Stiles is said to have married another Jones in south Texas but when or where is unknown.

sal complaint against showing unnecessary and ill-timed favors to the Indians. It is true that the Osages and Cherokees have been permitted, almost without molestation, to rob the people on this river, not only of their horses and cattle, but even occasionally of their household furniture.³³

This account of a cursory observer needs to be supplemented and contrasted with the recollections of an actual resident, William B. Dewees, who came to the upper Red from the vicinity of Shelbyville on Duck River, Tennessee, in the spring of 1819, in company with a party of ten families of kinsmen and neighbors.³⁴ The immigrants made use of a keel-boat to convey themselves and their household goods from Tennessee to Pecan Point. Young Dewees did not complete the voyage but left his fellow travellers at Long Prairie, from whence he wrote a long letter portraying graphically the hardships endured in the passage of the Raft.³⁵ At the time he was looking eagerly forward to an extended hunting trip on the upper river. From Long Prairie he went to Mound Prairie, where he fell sick and lay idle for six months. As soon as he was able to ride he joined a hunting party of thirty men, among whom were Gabriel Martin, Andrew Robinson and John Hampton, for an expedition to the Cross Timbers. Smaller numbers dared not venture out because of the hostile Osages. Dewees and his companions suffered no losses on this particular trip, although, he, Robinson, Martin, and Hampton became lost from the main body. By following the river, they succeeded in reaching Jonesborough without any untoward incident.

There Dewees remained for some time. (It should be noted that Jesse Burnam and Samuel Burnam moved from Pecan Point to the Clear Creek settlement late in 1819.) February 13, 1820, he wrote in part to a relative in Kentucky:

But a few words now for the society that inhabits this new country. We are a motley crew, emigrants from all parts of the world, and of course have all kinds of people, good and bad! but the bad seems to predominate.

He goes on to describe a camp meeting he had attended a few days previously at the mouth of Clear Creek across the river from Jonesborough. Three ministers had been in attendance and a very

³³ Thomas Nuttall, *Travels into the Arkansas Territory*, in R. G. Thwaites, *Early Western Travels*, XIII, 206-223. Quotation is found on pages, 221-222.

³⁴ Among heads of families included in this party was Jesse Burnam, later well-known member of Austin's Colony in south Texas. "Reminiscences of Capt. Jesse Burnam" in *Texas State Historical Quarterly*, V, 12. Among other members of the group were Samuel Burnam (Dewees' brother-in-law), John Nall, George Dooley and Willis W. Boone, all accompanied by families. *Registro*. A tenuous thread of evidence, wanting documentary confirmation, makes out Benjamin Cuthbert, Asa Blankenship, Thomas Denton, John Crownover and John Clark as the remaining unidentified members of the party.

³⁵ W. B. Dewees, *Letters from an Early Settler of Texas*, 1.

considerable congregation.³⁶ Not all of those in the vicinity were intent upon salvation, however; quite close to the camp was located a spring around which a crew of drunken rowdies gathered to mock the prayers, sermons and shoutings of the religiously inclined. Upon being rebuked by one of the ministers, these sons of Belial scattered the congregation and cut down the rude pulpit. But frontier preachers trained in the school of Lorenzo Dow and Peter Cartwright were not to be outdone; they rallied the searchers after grace and drove away the scoffers; rebuilt their altar, and, as Dewees notes, "had a very successful meeting."³⁷

A third letter written from Pecan Point, June 10, 1821, relates the happenings of a recent trip to Nacogdoches. Dewees and two companions had endeavored to visit the Spanish village by the way of Trammel's Trace but unused to the landmarks they missed it entirely and were obliged to mark out a new trail. The further details of the journey reveal no unusual occurrences. Dewees, upon his return to Pecan Point, began preparations to join Austin's colony; actually he did not depart for south Texas until January 1, 1822. This trip he made in conjunction with Jesse Burnam. Indeed the winter of 1821-22 saw a rather considerable migration from Red River to the Brazos: a migration symptomatic of the continued flux of the frontier.

Meanwhile the story of the founding of the first American settlements on upper Red River had ended its first phase, April 1, 1820. For on that date Governor James Miller of the Arkansas Territory had approved the act of the Assembly creating Miller County. Henceforth for the next sixteen years the story of Miller County is the story of southeastern Oklahoma and northeastern Texas.³⁸

³⁶ Although Dewees does not mention the ministers' names, very likely two of the three were William Stevenson and Thomas Tennant. Stevenson was the presiding elder of the Black River District of the Missouri Conference of the Methodist Church in 1820, and Thomas Tennant had been assigned to the Pecan Point circuit in the fall of 1819. Horace Jewell, *History of Methodism in Arkansas*, 47. Either James Lowry or Washington Orr would be a logical surmise for the third preacher; each served the Pecan Point circuit—Lowry preceded Tennant and Orr succeeded him.

³⁷ Dewees, *Letters*, 16. Written from "Jonesborough, Ark."

³⁸ Dr. Rex W. Strickland is Assistant Professor of History at the College of Mines and Metallurgy, at El Paso, Texas.

THE CAREER OF MONTFORT STOKES IN OKLAHOMA

BY WILLIAM OMER FOSTER

Montfort Stokes was born near Petersburg, Virginia, on March 12, 1762. His family for four generations had been prominent in the social and political affairs of the colony. Both his paternal and maternal ancestry have been traced back to prominent families in England. In the Revolution he probably served as a privateer, although no official record of this service has been found. From his thirteenth to his seventieth year he lived in North Carolina, in the towns of Halifax, Salisbury, and Wilkesboro.¹

Stokes held political appointments in North Carolina for forty-three years. He was clerk of Rowan County and the state senate for thirty years. He was major-general in the state militia for a number of years but did not see active service in the War of 1812. He served on commissions that settled the state's boundary disputes with South Carolina and Tennessee. He was prominent in Masonic circles, holding at one time the office of Deputy Grand Master for the Grand Lodge of North Carolina. He was a slave owner and traded extensively in land. In 1816 he went down from his mountain retreat to spend six years and three months in the United States Senate. While never a crusader, he identified himself with the party known as the "War Hawks," "Young Republicans" and "Loose Constructionists." In the struggle over the extension of slavery he voted in favor of the Missouri Compromise. He was a moderate advocate of internal improvements. He was an ardent supporter of Thomas Jefferson and of Andrew Jackson, his boyhood friend.

In state politics from 1826 to 1832, Stokes served two years each in the senate, the house and the governorship. He gave only mild support to inflation in the state's finances, internal improvements, constitutional reform in the interest of fairer representation from the West, and public school education. He favored a low tariff but opposed South Carolina's plan to nullify a tariff act passed by Congress.

Much of Stokes' success was due to his social talents and his knowledge of practical politics. "He was of infinite wit and . . . and rarely lost a friend by his railery." He seldom missed a political convention. Politics was his life work. After his twenty-third year, there were only four years when he was not holding some

¹ For a complete account of the North Carolina history briefly summarized in this article see Foster, William Omer, "The Career of Montfort Stokes in North Carolina," *North Carolina Historical Review*, XVI, No. 3 (1939), pp. 237-272.

public office. His official life covered fifty-three years. Thomas Ruffin said of him: "He is an old politician. That is a character that is seldom in a hurry to *get home*; or that exhibits any anxiety but for popular favor. And when at home, they are of little use and do little else than be served by their families."

Stokes resigned from the governorship on November 19, 1832, in order to accept an appointment by President Jackson as Chairman of a Federal Indian Commission charged with the responsibility of supervising the settling of the Indians of the Southeast in their new homes in Indian territory. He had made no study of the Indians, nor had he shown any special interest in them other than to favor their removal from North Carolina. Jackson wished to reward a friend and repay a political leader who had rendered potent service in his presidential campaigns of 1824, 1828, and 1832. "To the victor belong the spoils."

By an act of Congress on March 2, 1819, Arkansas Territory was established, embracing practically all that is now Oklahoma and Arkansas. The civil government was confined to Arkansas; west of Arkansas was the Indian country, later known as Indian Territory.²

The Indian Removal Bill, enacted by Congress on May 28, 1830,³ did not specifically order the removal of the Indians beyond the Mississippi River; but doubtless Congress thought they would be removed. Some of the Southeastern states had determined to acquire the lands of the Indians within their borders. Jackson was known to be sympathetic with these states when Congress gave him the power of dealing with the conflict between them and the Indians.

Jackson lost no time in putting the Removal Bill into effect. He made several treaties dealing with the removal of the Indians, or with the settlement of their boundary disputes.⁴

A large part of the Choctaws removed to Indian territory in 1831, 1832, and 1833; most of the remainder were removed by force in 1836. Some of the Cherokees moved as a result of the fraudulent treaty of 1835; others were forced out in 1838 and 1839. The re-

² Grant Foreman, *Pioneer Days in the Early Southwest* (Cleveland 1926), p. 57.

³ Foreman, *Indian Removal* (Norman, 1932), 21, 22.

⁴ D. A. Stewart, *The Government and Development of Oklahoma* (Oklahoma City, 1933), 8-23. Some of the treaties were: Dancing Rabbit-Creek Treaty with the Choctaws, Sept. 30, 1830; Cusseta Treaty, March 9, 1832, and Payne's Landing, May 9, 1832 with the Seminoles; Creek and Cherokee Treaties, Feb. 14, 1833, settling their boundaries; Treaty of New Echota, Dec. 9, 1835, the bulk of the Cherokees agreeing to move to Indian territory; the Chickasaws and Choctaws were merged in three treaties: Pontotoc Treaty of 1832, Treaty of May 24, 1834, and Doakville Treaty of 1837.

moval of the Creeks to Indian territory was completed in 1836 and 1837. A few of the Seminoles migrated in 1833 and others followed later; but it was not until 1856 that the government considered its work of removal finished. By 1840, sixty thousand of the five civilized tribes had arrived in Indian territory.⁵

The request for a Federal Indian Commission came from the Creeks in Indian territory. They stated that they were far removed from Washington and found it difficult to adjust themselves to the newly arrived Cherokees and other Indian nations. They wished a strong commission on the ground in order that their problems might be quickly solved.⁶

President Jackson asked for authority to appoint a Commission and for an appropriation of \$20,000 for salaries and expenses. This request was granted by Act of Congress of July 14, 1832. On the same day commissions and instructions were mailed to Governor Montfort Stokes, Governor William Carroll of Tennessee and Robert Vaux of Pennsylvania.⁷ Carroll and Vaux declined the appointments, but Stokes promptly accepted. At seventy years, an age when most men retire, he was ready for the largest task of his life in the rough life of the wilderness. He requested time in which to prepare for the meeting of the North Carolina legislature, instead of reaching Fort Gibson on October 1 as instructed.⁸ Reverend John J. Schermerhorn of Utica, New York, and Henry L. Ellsworth of Hartford, Connecticut, agreed to fill the other places on the Commission. S. C. Stambaugh was appointed secretary.

The instructions given the Commission outlined the type of work to be done. They were to examine the new home of the Indians, adjust difficulties arising over boundaries, report on methods used in removing the Indians and recommend changes, and suggest a plan of government for the Indian country. The term of the Commission was to expire on July 14, 1834. They were instructed to work in close harmony with Colonel A. P. Chouteau who had served as a wise councilor for years in the new territory.

⁵ Foreman, *A Traveller in Indian Territory* (Cedar Rapids, 1930), 11.

⁶ United States House of Representatives, Document No. 16, 22 Congress, 1 Sess., pp. 1-3.

⁷ Foreman, "The Life of Montfort Stokes in Indian Territory," p. 15, a manuscript in the possession of the North Carolina Historical Commission, Raleigh. (Hereafter referred to in this work as Foreman MS.)

⁸ Stokes to John Robb, Acting Secretary of War, Aug. 7, 1832, Office of Indian Affairs. (Hereafter referred to in this work as O.I.A.), quoted in Foreman MS., pp. 15, 16. Stokes said, "The task of keeping up a Governor establishment with an insufficient salary [the salary was \$2,000] will leave my means of preparing for so long a journey somewhat more limited than I was prepared for. I shall need a small outfit, and travelling expenses, both of which I can furnish, but with some inconvenience. If it is not inconsistent with the usages of the Department (and not otherwise), I would be glad to have an advance of money before I set out. If it is not customary and others do not ask for it, neither do I."

They were to have the protection of four companies of rangers under the command of Captain Jesse Bean. When stationed at one place, they were to receive eight dollars per day; when traveling, they were to receive eight dollars for each twenty miles covered.⁹

Ellsworth arrived at Fort Gibson on October 8, 1832. On the journey to the West he was accompanied by Washington Irving. Irving accepted his invitation to visit Fort Gibson and to tour the prairies accompanied by the rangers: from this experience was gathered much of the materials of Irving's book, *A Tour of the Prairies*. In December, Schermerhorn and Stambaugh arrived. On February 4, 1833, Stokes arrived on an Arkansas River steamboat.¹⁰ Fort Gibson was erected by the War Department in 1824 near the present site of Muskogee, Oklahoma, on the Grand River not far from its confluence with the Arkansas River. Like Irving, Stokes probably noted the "tolerably clear stream, neat look of white fortifications, block-house. . . the culprits in pillory and riding the wooden horse."¹¹

The first task of the Commission was that of adjusting the boundaries between the Creeks and the Cherokees. The government erred in its treaty of 1828 in giving to the Cherokees some of the land it had already given to the Creeks. The Creeks had built their homes and established farms on this land and naturally resented the encroachment of the Cherokees. Ten days after Stokes arrived, treaties were concluded with these nations on February 14, 1833. The boundary agreed upon was surveyed by Captain Nathan Boone, a son of Daniel Boone.¹²

The next problem concerned the Osage nation. The Osages had already given their oral agreement to move from their homes in Missouri, Oklahoma and Arkansas to the barren lands of what is now the state of Kansas; the Commission was instructed to get them to sign such an agreement in a formal treaty. The first con-

⁹ *United States Senate, Executive Document No. 512*, 23 Congress, 1 session, II, 870-875 (Afterwards referred to in this work as *Senate Document No. 512*).

¹⁰ Foreman, *Pioneer Days*, 88-101. Irving left for New Orleans in November, 1832.

¹¹ W. P. Trent and G. S. Hellman, editors, *The Journal of Washington Irving, from July 1815 to July 1842*, (Boston, 1919), III, 134. Stokes probably found time, as did Irving, to note the maneuvers of the dragoons, the fishing, the games of pool, the plays written and acted by the citizens of the fort in the old "theater," the buildings for Indian councils and religious services, the horse-races, the arrivals and departures of steam-boats, the arrival of bonnets for the ladies of the post, visits of young ladies (some of whom married the young men of the fort), the intermarriage of the white men with the Indian women. Cf. Foreman, *Fort Gibson, a Brief History* (Norman, 1936), 8-35.

¹² C. J. Kappler, ed., *Indian Affairs, Laws and Treaties* (Washington, 1903, 3 vols.), II, 283, 285, quoted in Foreman, *Pioneer Days*, 210. (Afterwards referred to in this work as Kappler, C. J., *Treaties*).

ference was held forty miles up the Grand River at the home of Colonel Chouteau. When the hungry Indians had consumed all the food on hand, the conference moved to Fort Gibson. The appearance of six thousand half-starved Osages moved the heart of Stokes to pity and probably laid the basis for much of his subsequent attitude toward the Indians. The Commission hoped that the influence of Chouteau would bring the Osages to terms; but their leader replied that since the United States had not kept its former treaties, they would not sign a new one. The Commission made another effort; the Osages were told that if they would move to Kansas and adopt agriculture as a mode of living the government would supply \$43,000 for the purchase of the proper tools. A minority of the nation blocked the acceptance of this offer. The conference broke up in hopeless disagreement on the second of April. The Osages showed their contempt for the authority of the government by killing a hundred Kiowas.¹³

The Commission reported to the government that they were able to bring a large delegation into conference because the Indians were hungry; they had failed in making a treaty due to the fact that a third of the nation, under the leadership of Chief Clermont, made such impossible demands that it was thought best not to force a treaty upon them in their divided state.¹⁴

Later in the year, Stokes assisted a special commission composed of Major F. W. Armstrong, General Arbuckle, General Dodge and Colonel Chouteau in making a treaty with the Osage nation. Five years later Stokes said that this treaty would have preserved "that nation from ruin... President Jackson rejected that treaty; but in the very sentence of rejection, he says that something shall shortly be done for them.—Nothing has been done."¹⁵

During the conferences with the Osage nation, a delegation from the Seminoles arrived from Florida to investigate their proposed home. On March 28 the Commission persuaded the delegation to sign a statement to the effect that they were satisfied with the new country; this document was used by the government in its pressing demands for a treaty of removal on the part of the whole nation. This action brought on the Second Seminole War, which lasted from 1835 to 1842.¹⁶

Stokes and Stambaugh were opposed to the removal of the Osage nation to worthless lands. Schermerhorn and Ellsworth were not very sympathetic towards this nation. The result was

¹³ *Senate Document 512*, IV, 117, 118, 124, 228. Cf. Foreman, *The Five Civilized Tribes* (Norman, 1934), 165.

¹⁴ *Senate Document 512*, 228-230, quoted in Foreman, *Pioneer Days*, 212.

¹⁵ Stokes to Poinsett, June 5, 1838, O.I.A., quoted in Foreman, *Five Civilized Tribes*, 165.

¹⁶ Kappler, C. J., *Treaties*, II, 290, quoted in Foreman, *Pioneer Days*, 211.

friction among the commissioners. Cholera was widespread in the region south of Fort Gibson and several at the fort had died of this disease. Because of the friction within the Commission and the presence of cholera or for some other reason, Schermerhorn, Ellsworth and Stambaugh returned to their homes in April and May. Stokes was left in charge of the work of the Commission.¹⁷

In the summer of 1833, Stokes and Ellsworth had been instructed to visit the St. Louis office of General William Clark, Superintendent of Indian Affairs, and make a report of the type of work he was doing. While waiting for Ellsworth to reach St. Louis, Stokes made an individual report. He complimented Clark upon the condition of his records. He said: "The office may be termed a *bureau of information*, not only relative to Indian affairs, but of much that pertains to the history of this Western country." He then turned aside to a consideration of the work of the Commission. He had been busy and had not kept close watch on the funds appropriated for the work; a recent check revealed that they had in one year spent more than the \$20,000 appropriated for the two year term. He said that "I find a large portion of my own expenses unpaid. . . I deserve no indulgence on this behalf . . . but there are very many objects of public interest that must be provided for."¹⁸

On August 15, 1833, in another report from St. Louis to Cass, Secretary of War, Stokes rejoiced to see in the papers that the attempts of the government to persuade the Cherokees in North Carolina, Tennessee, Georgia, and Alabama to sign a treaty of removal had failed. He thought that such a treaty would fail unless the Cherokees already in Indian territory were consulted in advance. The wild Indians of the West could not trust paper treaties as do the civilized nations; therefore, the government was urged to spend more money on presents in trying to bring them to terms. "Whenever the Indians receive a gratuity from Government . . . they immediately evince a respect for that Government . . . To tell them that it is to their interest to be at peace is to persuade them to give up a portion of their income obtained by plunder."¹⁹

Stokes was delayed in St. Louis by his customary summer illness, some sort of stomach trouble. As the cholera was spreading in the city, Ellsworth became impatient and started toward Leavenworth where they had been instructed to make treaties with the wild Indians. Stokes finally began the journey. Learning that Ellsworth had left Leavenworth and had gone farther into the West, he turned back to Fort Gibson. That autumn Ellsworth endeavored to take some of the chiefs of the Pawnees and Comanches to Fort Gibson

¹⁷ Foreman, *Pioneer Days*, 213.

¹⁸ *Senate Document No. 512, IV, 496, 497.*

¹⁹ *Senate Document No. 512, IV, 502-504.*

for a conference. Stokes said that "he might as well attempt to collect last year's clouds as to collect the Pawnees and Comanches at this time... They are on the fall hunt; they are at war with the Delaware, the Shawnee, the Osage." Cass had suggested that mounted troops might be sent into the wilderness to quell the Arab Indians, the Comanches and Pawnees; Stokes advised against it on the ground that they would be unable to find them.²⁰

It is evident that the government appreciated the work Stokes was doing in 1833. Cass wrote him that "I feel confidence in your views and intentions... I take deep interest in the labors of your Commission, and look to the results as the ground work of all our improvements in the condition of the Indians west of the Mississippi."²¹

In the autumn of 1833, Stokes gave the federal government his suggestions for a plan of government for the Indians. He advised that the Indians west of the Mississippi be divided into a northern and a southern group; such a division would make it possible for representatives of all the Indian nations to attend an annual conference. His suggestions were entitled "A Plan for the Government of the Indians South of the Missouri River." He thought the government should appoint a citizen as governor, with headquarters at the military post. The governor and the commander of the post, as "Sub-Dictators," would have absolute power in emergencies; this plan would prevent a powerful Indian nation from crushing a weak one before the government could intervene. According to this plan of government, each year the nations would send representatives to a national assembly; in this meeting all intertribal activities and all the relations of the Indians to the United States would be handled. At these annual assemblies the government would pay the Indians all their annuities. Stokes felt that this plan would prevent graft by government officials and criticism from the Indians. When the national assembly was not in session, a supreme court composed of three neutral chiefs would handle disputes between the nations. All the internal affairs of each nation would be handled by its own government.

The purpose of the plan was to help the Indians. He said:

During the seven years I was in the Senate of the United States, whenever an Indian treaty was presented for confirmation, the first inquiry was, how much land have we acquired? What did it cost? and what is it worth?

In the future he hoped that Senators would ask, "For whose benefit was it purchased? The answer to this question must be—We purchased it for the benefit and comfort of our red brethren: we have given it to them without money and without price." He add-

²⁰ *Loc. cit.*, IV, 502-504.

²¹ *Senate Document No. 512*, IV, 500-504.

ed the hope that for years to come the government would furnish the Indians with the tools of agriculture.²²

For several years the soldiers at Fort Gibson had complained of the climate and the loneliness of their situation. There was frequent appeal to the government to remove the garrison to Fort Smith in Arkansas. Schermerhorn and Ellsworth recommended that the petition be granted. Stokes filed a minority report, opposing removal on the grounds that Fort Gibson was situated at the head of steamboat navigation and at the point where the militia was needed to control the Indians. Stokes' recommendation was accepted by the government. The fort was torn down and a new one built on the old site. In 1857 the garrison was finally removed to Fort Smith.²³

The term of the Commission expired on July 14, 1834; but Stokes remained on the ground. In September General Leavenworth took a detachment of five hundred dragoons into the far Southwest in order to impress the wild Indians. Although Stokes was seventy-two years old, he accompanied the expedition and returned in good health; many of the soldiers and a few of the Indians died from fever and General Leavenworth died from an accident.²⁴ One of the Indians offered as an explanation of the numerous fatalities that he had seen poison issuing from the glasses of the old man, Governor Stokes.²⁵ As a result of this expedition, approximately one hundred and fifty leaders of the wild Indians were brought back to Fort Gibson for a conference. As an unofficial participant, Stokes gave many presents to the Indians and offered the benefit of his experience. Major Armstrong, Commissioner of Indian Affairs for Indian territory, who presided at the conference told the Indians that he had no authority to conclude a treaty, but that he would advise the President to make a treaty with them the following summer.

In 1835 Stokes was appointed chairman of a new Federal Indian Commission. General Arbuckle and Major Armstrong were the other members. Stokes had merited the praise of the government and shown his interest by remaining on the ground; he probably was assisted by influential friends in the East who wrote in his behalf to the secretary of war.²⁶ The Commission was in-

²² *Senate Document No. 512, IV, 623-626.*

²³ Stokes to Herring, March 27, 1834, Indian Office, Retired Classification Files; 1834 Western Superintendency, quoted in Foreman, *Pioneer Days*, 217, 218.

²⁴ S. W. Ross, "Montfort Stokes, American Patriot," *Daughters of the American Revolution Magazine* (August, 1929), 474.

²⁵ Foreman, *Traveller in Indian Territory*, 155.

²⁶ Cass to Stokes, Arbuckle and Armstrong, March 23, 1835, Indian Office, Letter Book No. 15, p. 195, quoted in Foreman, *Pioneer Days*, 154, 155, 159. The Commission was instructed to persuade the Arab Indians to make peace with each other and other Indian nations lest the government be compelled to destroy them.

structed to promote amicable relationships between the Comanche, Kiowa and "other wandering tribes west of the state of Missouri and the Territory of Arkansas and other predatory tribes roaming along our western border and the United States and between these tribes and other nations of Indians in that region."

In May of 1835, an attempt was made to hold a conference with the Arab Indians at Fort Gibson; but as most of the Indians were engaged in hunting excursions, this effort was a failure. Colonel Dodge previously had promised the Comanches that the conference would be held in their territory; to appease this nation the Commission agreed to meet the Indians at Camp Holmes lodge situated on the Canadian River near the present location of Lexington, Oklahoma. Armstrong died at his home before the conference met. On August 6, Stokes and Arbuckle began the long trip of one hundred and fifty miles. Reports were brought back to the fort that Stokes was at the point of death in a camp erected along the way. But this seventy-three year old man presided over the conference, acted as secretary, did most of the work, and made the one hundred and fifty mile return trip in good health. At Camp Holmes leaders of the Creeks, Cherokees and other civilized nations met those from the Arab peoples. A treaty was made which was of great help to the white traders and hunters as well as to the Indians. The Indians guaranteed safety to the Americans traveling to and from Santa Fe; the civilized Indians were allowed to hunt as far as the jurisdiction of the United States extended. This was the first treaty in which the wild Indians recognized the authority of the United States. Unfortunately some of the wild tribes left before the conference was over and had to be dealt with later.²⁷

According to Stokes' report the government was at times careless of its financial obligations to its agents. On July 14, 1835, he wrote the Secretary of War that he had received no pay for the past year; he said that he was drawing a draft on the Department for \$1,000 of his salary and expressed the hope that it would be honored.

In the summer of 1836 C. A. Harris was appointed Commissioner of Indian Affairs, in the place of Herring. Stokes congratulated himself and the Indians upon the change. He wrote Harris that "Matters may be better but they cannot possibly be worse. I have learned not to complain." He then referred to his illness and complained of numerous grievances.²⁸ He later wrote Harris that the things he said were not to be laid to "any intention to offend any officer of the government, but a temper soured by

²⁷ Foreman, *Pioneer Days*, 159-164. Cf. Foreman, "The Centennial of Fort Gibson," *Chronicles of Oklahoma* (Oklahoma City), II (1924), 119-124.

²⁸ Stokes to Harris, Aug. 15, 1836, O.I.A., Cherokee (West) Files (S55) Fort Gibson, quoted in Foreman MS., p. 16.

sickness and disappointment." He referred to his enormous amount of work and the difficult requirements made of him. He had no clerical help. The government required him to have certain papers witnessed before a Justice of the Peace or a Court of Record, a requirement which called for a trip of fifty miles into Arkansas. He added,

Gentlemen, I tell you that many of your requirements are not suited to the conditions of the Indian country; and you may dismiss me; but in twenty successors you will not find one who will say otherwise. . . I throw myself on your mercy and forbearance and implore your advice and assistance.

He described his office which was also his bedroom; it was fourteen by sixteen feet in size. He had one small letter-case. The papers of the four Indian nations were piled high in four corners of the room.²⁹

Major Chouteau spent the winter of 1835-1836 in rounding up the wild Indians who had left before the treaty of 1835 at Camp Holmes had been signed. They promised to meet Stokes and Arbuckle in conference at Fort Gibson in the spring of 1836, but they broke this promise. The Comanche chief was angry because the treaty of Camp Holmes allowed the Osages, Creeks, Cherokees, Choctaws, and other nations to hunt on Comanche land. Another source of difficulty was the strife between Texas and Mexico; each side was trying to win the support of the Southwestern Indians, with the result that large groups of the Indians were in a continuous state of excitement.³⁰

In the summer of 1836, Stokes was requested by the government to appraise the property of the abandoned stations of the American Board of Commissioners for Foreign Missions in the territory of the Cherokees. Both these stations, "Unity" and "Harmony," had been abandoned sixteen years before this. In the treaty of 1833 the government had promised that these properties should be purchased and turned over to the Cherokees. Stokes, although ill at the time, complied with this request. He expected that the government would make some sort of additional remuneration. When this request was denied, he urged Arbuckle to use his influence with the government; but that official said that he was powerless to help.³¹

From 1836 to 1837, while still chairman of the Federal Indian Commission, Stokes was also sub-agent for a group of nations, the Cherokees, Senecas, Shawnees, Quapaws, Osages and the mixed

²⁹ Stokes to Harris, Aug. 20, 1836, O.I.A., quoted in Foreman MS., 16-18.

³⁰ Foreman, *Pioneer Days*, 225.

³¹ Harris to Stokes and others, Nov. 10, 1836, O.I.A., Letter-Book no. 15, p. 112, quoted in Foreman MS., 21.

group of Seneca-Shawnee peoples. His salary was only \$750. His bedroom continued to be used as an office. In March and April of 1837 he travelled a total of six hundred miles in order to deliver the annuities to these Indians. He was ill on the trip and said that it was a "disagreeable and disgusting business and such a one as I hope never again to be called upon to repeat." He complained of having to live six miles from the fort and of having to visit the fort three times some days to confer with the officials. He said that he had to "dance attendance" upon a second lieutenant in charge of disbursements and that as a result he lost face with the Indians.³²

Stokes' agitation finally bore fruit. In 1837 he was appointed full agent to the Cherokees for a term of four years at a salary of \$1500. He was instructed to occupy the agency quarters ten miles east of Fort Gibson. He presented to the government plans for quarters fifty-two by twenty feet in size, but the money was denied him. Instead, he borrowed \$2,200 and purchased a log house. This building contained two rooms twelve by sixteen feet; also a kitchen and smoke-house.³³

The Cherokees left in Stokes' possession their wills, deeds, bills of sale and guardian's bonds. He said that he was the sole guardian of written evidence of property amounting to over one hundred thousand dollars in value. This property belonged to "widows and orphans and other legatees; who but for this precaution might and would have their papers destroyed and the evidence of ownership left to the uncertain recollection of individuals as formerly."³⁴

The Kiowa, Kataka, Wichita, and Tawakoni Indians were among the groups who were not represented in the 1835 conference of Camp Holmes. In 1837 Major Chouteau finally brought representatives of these nations to Fort Gibson for a conference. Arbuckle had gone East. Stokes and Chouteau persuaded these nations to sign a treaty similar to that made at Camp Holmes; they made an additional agreement to indemnify the white traders for robberies they had committed. This treaty brought nearly all the Prairie Indians into harmonious relations with themselves, with the civilized Indians, and with the citizens of the United States.³⁵ Having completed its task, the Commission was dissolved.

³² Foreman, *Pioneer Days*, 225, 226.

³³ Foreman (Foreman MS. 23, 24) says that an old Indian woman told him she had often heard her mother relate how, as a small girl, she had sat upon Stokes' knees and listened to stories of his many adventures; she had also seen him come out of his quarters, clothed in an old dressing-gown and slippers, to scold the Cherokees for interrupting his rest. Then she had seen him listen patiently to their troubles, give them sage advice, and send them away with beaming faces.

³⁴ Stokes to Commissioner of Indian Affairs, Oct. 26, 1841, Indian Office, 1841, Cherokee File S. 3056, quoted in Foreman, *Pioneer Days*, 262.

³⁵ Foreman, *Fort Gibson, a Brief History*, 23, 24.

In 1836 and 1837 the United States transported 10,000 Creeks and 5,000 Chickasaws from the southeast to Indian territory. Contracts for supplying these nations with food were left with dealers in New Orleans and Cincinnati. Boatloads of provisions were unloaded at Camp Coffee and Fort Gibson in such large amounts that they began to spoil. The War Department was in a quandary and asked Stokes to persuade the Cherokees to accept part of this food in lieu of the annuities due them. The Cherokees refused to comply with this request. Stokes reported to Captain Armstrong, Superintendent of Indian Affairs, the attitude of the Cherokees. Believing that Stokes had only half-heartedly attempted to persuade the Indians, Armstrong forwarded Stokes' letter to Commissioner Harris of the Indian office. Harris criticized Stokes vigorously, stating that he was in the "habit of disrespect towards his superiors." Stokes answered this criticism by reminding Harris of his support of Presidents Jackson and Van Buren. He humbly wrote that he had meant no disrespect; as soon as he had written to Armstrong he had visited the Cherokees and endeavored to persuade them to accept the food. He thought it was his duty to inform the authorities of the situation in the West; it appeared that the government preferred to get its information from the outside. The only superior to whom he had shown disrespect was Herring, and he thought that this was justifiable. He added that,

Sir, I have spent more than forty-five years in the service of the United States and in that of the state of North Carolina in higher stations than I now have. . . This is the first mark of disapprobation. . . If I am dismissed, you will have gotten rid of a veteran of the American Revolution whose public acts you will have been the first to censure. . . You will pardon me for speaking freely upon this as upon all other subjects. —I am of great age and it matters little to myself or the Government what becomes of me but I will say in respect of my public employments that my heart shall never reproach me as long as I live. I may never [not always] do right, but I will never wilfully do wrong.³⁶

At the request of the Indian office Stokes called together representatives of the Cherokees, Senecas and Quapaws at the home of Chief Jolli and endeavored to help them work out more peaceful relationships with each other; but his efforts met with failure.³⁷

During 1838 the Cherokees were arriving in large numbers; Stokes wrote the Indian office that he felt under obligation to go beyond his instructions in serving them. He asserted that

I have written over two hundred powers of attorney in the past three weeks claiming arrearages for lost property. . . I know it is not my business to write all these. However as the Commissioner of Indian Affairs does not seem to be satisfied with my conduct, I am determined that the other party, the Indians, shall have no cause to complain.

³⁶ Harris to Stokes, Oct. 23, 1837 and Stokes to Harris, Jan. 19, 1838, O.I.A., Letter Book no. 15, p. 454, quoted in Foreman MS., 26-28.

³⁷ Foreman MS., 24.

He also reminded his superiors that in securing the annuities for the Indians he was compelled to make frequent round trips of twenty miles to Fort Gibson.³⁸

In 1838 trouble arose between the merchants of Arkansas and the American traders at Fort Gibson. The paper money in circulation in the cities was less sound than the silver which circulated freely in Indian territory. Hence these traders came to trade with the Indians at the agency and with the garrison at Fort Gibson. Stokes reported that this trade conflicted with that of the merchants across the line in Arkansas. The merchants complained to Washington, and the War Department issued an order forbidding the traders from dealing with the Indians or the citizens at Fort Gibson. In this controversy, Stokes and the Indians supported the traders.

In the summer of 1838 Stokes made a report to the government which gives us a page out of his life story at this time. He was suffering from his customary "summer bowel complaint" but kept busy even when in bed. He wrote of appointing blacksmiths, wheelwrights, wagonmakers, and interpreters and of his regret that the delay in sending the school funds had closed the Cherokee schools.³⁹

The Cherokees, as the most aggressive nation among the Indians, requested Stokes to call ten other nations to meet them in conference in order "to renew the friendship of the fathers." The citizens at Fort Gibson became unduly alarmed. Colonel Mason ordered out the troupes from Jefferson barracks and from Fort Leavenworth and warned the governors of Tennessee and Arkansas to be ready for an "insurrection of the Indians." Stokes wrote the government that he was present at the conference, that there was no cause for the alarm, and that Colonel Mason had ignored him and had wounded the feelings of the Cherokees.⁴⁰

In November, 1838, the United States Minister to Texas reported to the Secretary of State that the Cherokees and other Indians were planning to attack Texas. Stokes was asked by the government to check the report. He replied that "There is not a word of truth in the statement." He said that if Texas would care for its own Indians it need not fear those of the United States.⁴¹

In 1839 two-thirds of the Cherokees were arriving in their new homes in the West. Under the leadership of Stokes, they held

³⁸ Foreman MS., 30.

³⁹ Stokes to Armstrong, Aug. 12, 1838, "Agency Cherokee Files," Cherokee West, Aug. 12, 1838, Governor Montfort Stokes, quoted in Foreman MS., 32, 33.

⁴⁰ Stokes to Poinsett, Sept. 25, 1838, O.I.A., quoted in Foreman MS., 33, 34.

⁴¹ Stokes to Crawford, March 20, 1839, O.I.A., Cherokee File S 1420 "Cherokee Agency S. 1420," quoted in Foreman MS., 34.

a conference with the one-third of the nation who were already on the ground. The larger group endeavored to merge with the smaller group. The minority refused to merge, and the majority drew up its own constitution and form of government. Illness prevented Stokes from attending all the conferences held by the two groups.⁴²

On March 7, 1840, Stokes was removed from office as Cherokee Agent. General Arbuckle was instructed to place the Indian country under martial law and take over the Cherokee Agency. In September, Stokes asked for the names of his accusers and for a list of the charges made against him.⁴³ After losing his office, he planned to build a log house under the walls of Fort Gibson and make his living as a trader or merchant.⁴⁴ These plans were interrupted by his being restored to his office as agent for the Cherokees. The authorities at Washington later complained that he had failed to make his reports for several quarters. He apologized for his negligence, saying that his records had become disarranged while he was out of office.⁴⁵

At the end of Stokes' term as Cherokee agent, he was superseded by Governor Pierce M. Butler of South Carolina. In the same mail which brought Stokes the news that he would not be re-appointed to the Cherokee agency, there was a commission appointing him Register in the Land Office at Fayetteville, Arkansas. Stokes replied that he was not familiar with the duties of the new office and asked to be allowed to continue in his former office. He wrote that:

I know that no man ought to address a public functionary on the score of friendship or former acquaintance, and to expect thereby to obtain a favorable consideration of his claims for redress of what he may consider as grievances. But I know of no other mode of making my pretensions understood, but by referring to transactions in which I have had a conspicuous share. I was in the public service, either in the land or sea service, during the whole of the Revolutionary War, from 1775 to 1783, and am among the last of those that remain of that class. After the close of the War in 1783, I remained in North Carolina, in various public appointments, until December, 1816, when I took my seat in the Senate of the United States for seven sessions, (one Short session to fill a vacancy and six years under a new Election). . . . After retiring from Congress, I was occasionally in the Legislature of North Carolina, and President of the Board of visitors at West Point, until 1831, when I was elected Governor of North Carolina and served 1831 and 1832.—I was then appointed at the head of the Commission of Indian Affairs West. . . . After having trespassed so long on your patience, I have now come to the object of this letter. —Some time ago I received a letter from the War Office notifying me that Pierce M. Butler was appointed Cherokee Agent,

⁴² *United States House of Representatives, Document No. 129, 26 Cong. 1 Sess., 77.*

⁴³ Stokes to Crawford, Sept. 20, 1840, O.I.A., quoted in Foreman MS., 37.

⁴⁴ S. W. Ross, *op. cit.*, 474.

⁴⁵ Stokes to Crawford, Sept. 22, 1840, O.I.A., quoted in Foreman MS., 37.

and directing me to deliver the Cherokee Books, papers and property to him. By the same mail I received a Commission as Register of the Land Office at Fayetteville, Washington County, Arkansas. Now it is not my wish to be in the way of any man; but as Mr. Butler has not yet come, and may decline the office, I beg leave to submit my humble Claim to the office of the Agency, with the duties of which I am acquainted, in preference to accepting the office of Register of the Land Office, to the duties of which I am a stranger. I am perfectly satisfied that my removal had not been sought by either the Treaty or Ridge party; the old party of first settlers; or the new Emigrants, or Rofs party.—My most influential friends are among them all, and I have seen them all a few weeks ago, as most of them called on me in going or returning from the annual Council in October last.—If it should not be deemed inconsistent with the views and interests of the Government to continue an old Revolutionary Veteran in his former office for a short time, I shall be thankful; in as much as my long stay in the Cherokee Nation has caused me business which it will take me some time to settle to my satisfaction. I now again beg pardon for trespassing on your valuable time on matters relating to myself.⁴⁶

Spencer wrote Stokes that his letter had been presented to President John Tyler. President Tyler sent word that he wished Stokes “comfort in your declining age, after long and valuable active service”; but he thought it wise to have a “more active man” in so difficult a position. He had given Stokes a place “not less honorable” than he had formerly filled; and Governor Butler had already arrived in Indian territory.⁴⁷

In evaluating Stokes’ work in Indian territory justice requires that the complexity of the problems faced and the inefficiency of the government be taken into account. To act as father and peace-maker to five civilized nations of Indians who had been forced to migrate to a new land inhabited by savage peoples was no small task; to bring the savage nations into relations of peace with each other, with the civilized Indians and with the American citizens was harder yet.

John Quincy Adams accused President Jackson of brutality and dishonesty in his dealings with the Indians.⁴⁸ Others criticized Van Buren and Tyler on the same grounds. In response to public opinion the government finally appointed Major-General Ethan Allen Hitchcock as investigator, with instructions to report on what he found in the way of cruelty and fraud in the removal of

⁴⁶ Stokes to Spencer, Secretary of War, Nov. 20, 1841, Indian Office, Cherokee File S 3070, quoted in Foreman, *Pioneer Days*, 263-265.

⁴⁷ Indian Office Letter Book no. 32, p. 356, quoted in Foreman MS., 44.

⁴⁸ Allen Nevins, ed., *Diary of John Quincy Adams, 1794-1845* (New York and London), 526, 527. Adams wrote, “The policy from Washington to myself, of all the Presidents of the United States, has been justice and kindness to the Indian tribes—to civilize and preserve them. . . All the Southern states supported Georgia in this utter prostration of faith and justice; Andrew Jackson, by the simultaneous operations of fraudulent treaties and brutal force, completed the work. . . I turned my eyes away from this sickening mass of putrefaction [the Seminole War] and asked to be excused from serving as Chairman of the Committee on Indian Affairs.”

the Indians. Hitchcock visited Indian territory in 1841. He filed with the secretary of war a report to which were attached a hundred exhibits. Congressional committees sought access to this report as a basis for remedial and punitive measures; these requests were refused on the ground that too many friends of the administration were involved. The report is missing from the files of the Office of Indian Affairs; the presumption is that it was destroyed. The destruction of this report probably justifies some of Stokes' criticisms of the government. He probably was acting as a wise statesman in suggesting that the annuities be paid publicly in the presence of the chiefs of all the Indian nations and in asking for regulations that would "fit the Indian country."

No one has accused Stokes of neglecting the Indians. He was looked upon as the leading authority on Indian affairs in the Southwest, being made chairman of each commission on which he served. Neither illness nor fear of smallpox or cholera drove him from his duty. In his old age he forsook what comforts were available in his lodgings and took to the saddle in rain and sun. His motives were not mercenary; his annual salary ranged from \$750 to \$2,400.00 the average being nearer the smaller sum. In 1835 the government allowed the Commission \$10,000 for expenses and presents for the Arab Indians. After the conference, \$420 remained; it was possibly on the advice of Armstrong and Arbuckle that Stokes kept this sum, hoping that the government would let it apply on his expense while doing other tasks for the government. When criticized for this action, he did not make a fight to keep the money until his account with the government was adjusted, but suggested that it might be withheld from his salary.

In 1841 he reported to the Office of Indian Affairs that while agent for the Cherokees he did nearly all the work and often went without pay. He added, "Since I am dismissed from my station and need everything which is just (and I asked no more) will you be good enough to let me know if I have anything to expect." While out of office, he could have gone East to the comforts of his home; instead he kept his face set toward the Southwest.

It is doubtless true that during the last two years of his life he was inefficient, due to illness and old age. When he was finally retired in favor of Governor Butler, his papers were still disarranged; an additional year in office had not brought order out of chaos. It was probably with mingled feelings of sympathy and reproof that a younger official took Stokes' papers from his deserted quarters to Fort Gibson and attempted to set them in order.

With the exception of these last two years Stokes seemed alert to his opportunities and duties. He wrote hundreds of pages in reporting to the Indian office; he did not hesitate to go beyond the Indian office and appeal at times directly to the Secretary of War,

a course of action which brought him into conflict with his superiors. The recommendations of the Commission, which served from 1832 to 1834, were made the basis of many bills introduced into Congress before Stokes' death, none of which was passed; but his personal reports, and in particular his "Plan for the Government of the Indians South of the Missouri River," had some influence in the later government of the Indian country.

During his first eight years in Indian territory, Stokes performed the most efficient service of his life. The Indians appreciated him fully. If he was moved too much by sympathy, the government erred more deeply in permitting fraud and cruelty towards a weaker people. He may have been careless in the handling of appropriations; but if the government had given the support he deserved, the solution of the Indian question would have been advanced by a generation. The public school forces of Oklahoma correctly pay him tribute when they show the school children his monument at Fort Gibson.

Stokes' work was really finished in 1841, when he declined to accept the appointment to the Land Office in Arkansas. On September 8, 1842, he was appointed sub-agent for the Senecas, Shawnees and Quapaws. He was too frail to travel to his new post and died on November 4, 1842. The obituary notice stated that, "Although far from any kindred, he received during his last illness all the kind attention that children would bestow upon a father. His last hours were soothed by the presence of many of his friends and his exit was without a struggle." The place of his death is uncertain; the best evidence available shows that it was probably at the Cherokee agency on Bayou Menard.⁴⁹

Neither religious nor Masonic ritual was mentioned in connection with his funeral. On November 6, a company of dragoons, under the command of Captain Nathan Boone, gave him a military interment. Colonel Arbuckle also participated in the service. The place of interment is unknown. He was probably buried in the grounds of the Cherokee Agency or in the military post burying ground a quarter of a mile east of Fort Gibson.⁵⁰

Following the interment, the citizens of the vicinity held a meeting at Fort Gibson and drew up resolutions of respect. A copy was sent to the family and another was published in the *Arkansas Gazette* on December 7.

⁴⁹ Foreman MS., 45, 46.

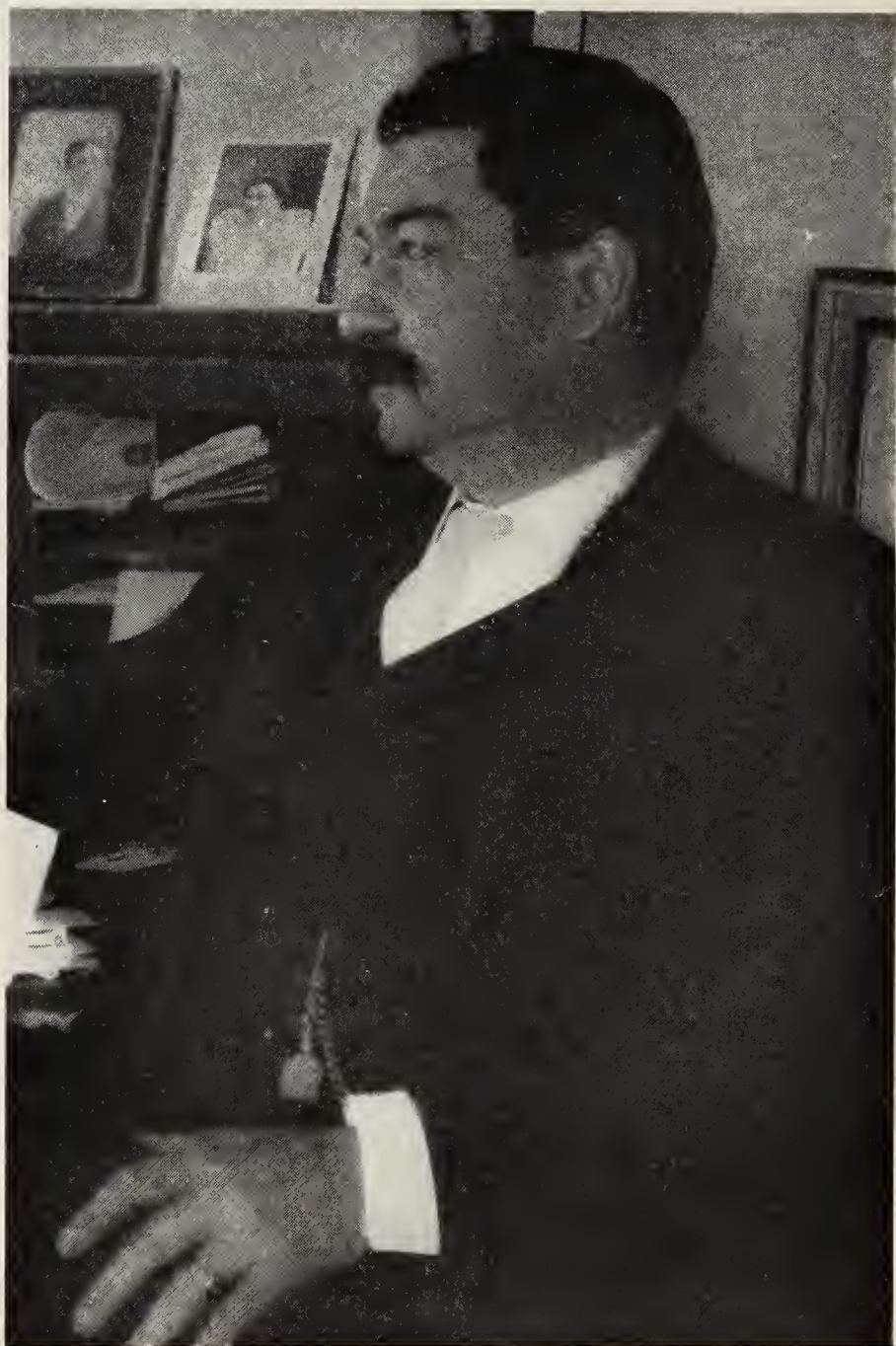
⁵⁰ S. W. Ross, *op. cit.*, 474. In 1868 the U. S. National Cemetery was established near Fort Gibson. All the graves in the military post cemetery were opened and the remains were transferred to the new cemetery. A few graves were marked with marble slabs; the markers made of wood had perished. The name of Stokes was not found.

The Muskogee Territory Chapter, Daughters of the American Revolution, on March 23, 1925, dedicated to Stokes a striking monument, situated on a hill overlooking his first office in the log fort at Fort Gibson, his headquarters for so many years.⁵¹

A movement has been started by prominent citizens in Oklahoma to name a government-owned lake in honor of Governor Stokes as a fitting memorial to one of the state's constructive pioneers.⁵²

⁵¹ S. W. Ross, *op. cit.*, p. 474.

⁵² Mr. Foster is with the Federal Writers' Project of North Carolina. He received the Master of Arts degree from the University of North Carolina last June. This study is based upon the thesis presented for that degree.



CHIEF GILBERT WESLEY DUKES

CHIEF GILBERT WESLEY DUKES

By JOHN BARTLETT MESERVE

As the Choctaws approached the threshold of the new century, the allotment of their tribal domain in severalty had become but a matter of detail. The acquiescence by them in the Atoka Agreement of April 23, 1897, embodied as section 29 of the Act of Congress of June 28, 1898,¹ practically had terminated the years of their efforts for self-government. Their tribal government was destined for liquidation but, as modified, was to be continued for eight years from March 4, 1898 "in order to carry out the requirements of this agreement." It was a complete revolution in the economic and political life of the Choctaws. Their colorful past had approached the shadows of evening and they were soon to become an integral part of American life but in no sense were they headed for the museum. The contribution of the Choctaws to the public life of the State of Oklahoma has been and is of sterling character.

The Choctaws and Chickasaws were the first of the Five Tribes to make an adjustment of their tribal affairs with the Dawes Commission but this was not accomplished without stern opposition and was to remain a controversial issue for the next few years. The second term of Chief Green McCurtain drew to a close in the fall of 1900. The Chief had been an aggressive advocate of the allotment policy of the Government and, being ineligible for a third consecutive term, sponsored the candidacy of Gilbert W. Dukes of the Tuskahoma Party, who was elected. The background of Chief Dukes is of much interest.

William Dukes was a white man of French-English extraction, his French descent reaching back to the unfortunates who followed a "trail of tears" from Acadia in 1755. Early in life he gravitated into the Choctaw country in Mississippi where he married Nancy Wade, who was a sister of John Wade, a signer of the Dancing Rabbit Creek Treaty and was also an aunt of Gov. Alfred Wade of the Choctaws. Their son Joseph Dukes was born in Mississippi, where he married Nancy Collins on September 7, 1830. She was a daughter of Charles Collins, a white man and Mary Bell, a full blood Choctaw Indian woman, his wife. Joseph Dukes became an interpreter and translator for the early missionaries, being associated with Rev. Cyrus Byington at the Mayhew Mission in Mississippi. Very shortly after the signing of the removal treaty, Joseph Dukes

¹ Charles J. Kappler, *Indian Affairs, Laws and Treaties* (Washington, 1904), I, 179.

removed with his family from Mississippi to the Choctaw country in the old Indian Territory where he settled upon lands near Ft. Towson in Boktuklo County and where he engaged in farming and in his spiritual endeavors as Presbyterian minister. He served for twenty-five years as a teacher and new testament translator under Rev. Alfred Wright at Wheelock Mission. Joseph Dukes died near Ft. Towson in what is today Choctaw County, Oklahoma, in 1861 and is buried at Wheelock. Shortly thereafter Nancy, his wife, removed to the Wade settlement near old Lenox about eight miles east of the present town of Talihina, Le Flore County, Oklahoma, where she passed away in 1875 and rests in the old Wadeville cemetery in what was then Wade county. The contribution of Joseph Dukes to the spiritual welfare of the Choctaws during those Gethsemane years must not be minimized.²

Gilbert Wesley Dukes, the tenth in the family of twelve children of Joseph Dukes and Nancy Collins, his wife, was born at Lukfatah, in the Red River country, in Boktuklo County, Choctaw Nation on November 21, 1849. He was modestly educated at Spenser Academy, subsequently read law and engaged in occasional practice before the old Choctaw tribal courts. He was admitted to practice before the United States courts for the Indian Territory and, upon Statehood, qualified as a member of the bar of the State of Oklahoma. Farming and stockraising were his gainful pursuits. In about 1870, he established himself upon a 500 acre farm some four miles east of Talihina which remained his home until 1912, when he removed to a farm about nine miles southeast of Talihina where he lived until his death.

The political career of Gilbert W. Dukes began after his removal to the immediate vicinity of Talihina, when he was elected sheriff of Wade County. Later and beginning in the late seventies, he served as a member of the house and senate of the General Council, from that county. He functioned as a judge of the Supreme Court from 1885 to 1889 and as circuit judge of the second district for seven years being from 1889 to 1895. He became National Auditor in 1895 serving for two years. Judge Dukes was an active participant, although not a delegate, in the convention held at Atoka

² The writer acknowledges indebtedness to Joseph Alfred Dukes, eldest son of Chief Dukes and Angeline Wade, his wife, for much valuable information. This son was born near Talihina on August 21, 1873 and was educated in Virginia and Arkansas. He served as sheriff of Wade County and was a member of the last Choctaw Council. He was associated for a brief time in the store of Townsend's Wholesale Grocery House at McAlester and in 1905 was postmaster at Talihina. He married Lillie, a daughter of G. M. Powers on July 1, 1904, and has three children;—Theodore F., an attorney who resides at and is (1940) Mayor of Hominy, Oklahoma. Mrs. Justine R. Calloway nee Dukes who lives at Talihina, and Alfred O. who lives with his parents. He was appointed local government Indian representative at Talihina in 1920 and served as such until his retirement on September 30, 1938. He now lives upon a farm southeast of Talihina.

in April, 1897 and aided materially in framing the famous Atoka Agreement, the ratification of which he subsequently urged. His accord with the Government in its allotment policy was quite complete.³

The Atoka Agreement became a paramount issue at the election held in the fall of 1900 when Gilbert W. Dukes became the candidate of the Tuskahoma Party for the chieftainship of the Choctaw Nation, having behind him the support of the powerful McCurtain faction. His party platform pledged fidelity to the Atoka Agreement, a speedy settlement of tribal affairs and a continued leasing of the mineral lands for the support of education. He was opposed by Jacob B. Jackson of the National Party with extremely conservative views and by E. N. Wright of the Union Party which sponsored a radical program. Dukes was elected and to him was committed the task of inspiring the concluding processes which might be required of the Choctaw Nation for final allotment. He marshaled to the task a wealth of experience in the public life of his people.

The allotment controversy with its consequent closing up of all tribal affairs became the all engrossing question of the administration of Gilbert W. Dukes. The new chief promptly convened the Council in extra session in January, 1901 and in his message to that body defined and emphasized the issue in unmistakable terms:

"There are many moving considerations in favor of closing the rolls at an early date; the one of primary importance is an early allotment of lands and a division of all our common property. There is a growing anxiety among the Choctaw people to divide this property that each one may know what is his own; that they may build their homes and make other lasting improvements on their lands; that they may get their property in shape to be protected by the property rights laws; that they may be able to give their children something more substantial, something more profitable than an undivided interest in a doubtful estate. This argument is not without reason. * * * Another reason of almost equal cogency in favor of an early closing of the citizenship rolls, is the approach of tribal dissolution. * * * It means the end of our political existence; it means the disruption of all tribal government; it means the breaking of concert and political unity of our action. * * * The amount and importance of the work to be done preparatory to safe tribal extinction requires an early closing of the rolls and allotment of lands. * * * I would therefore respectfully recommend that you provide for the appointment of a Commission to meet and negotiate an agreement, supplementary to the Dawes-Choctaw-Chickasaw Agreement (Atoka Agreement), with the Commission to the Five Civilized Tribes to close the rolls at an early date and begin the allotment of lands at the earliest date possible."

The chief had expressed the sentiment which prevailed among the Choctaws touching the allotment question as expressed in the preceding general election. The Council made immediate provision

³ D. C. Gideon, *Indian Territory, Descriptive, Biographical and Genealogical . . . A General History of the Territory* (Chicago, 1901), 718.

for the appointment of such a commission which was headed by Chief Dukes. Through this commission a supplemental agreement was entered into with the Dawes Commission on March 21, 1902, being incorporated in the Act of Congress of July 1, 1902.⁴ It is problematical if the Choctaw delegation as such, had very much to say in framing the terms of this agreement. It was doubtless prepared by the Dawes Commission and was accepted by the Choctaw representatives with little or no alternative. This agreement concluded the required details for allotment and in accordance therewith, Chief Dukes called a special tribal election for September 25, 1902 at which this supplemental agreement was submitted to the electorate of the Choctaw Nation for rejection or approval. The agreement was ratified by an overwhelming vote and the final chapter had been written.

The administration of Chief Dukes was rather uneventful. The Government was rapidly moving in and had already taken over many of the administrative features of the Choctaw Nation. As a political entity, the Choctaws assumed a hesitant posture awaiting final dissolution. Much distress, due to famine, was occasioned among the Choctaws in 1902 and Congress, upon the request of Chief Dukes appropriated \$20,000 for relief which was disbursed by the chief.

The political situation among the Choctaws in the fall of 1902 became very much confused as the one term of Chief Dukes drew to a close. His renomination by the Tuskahoma party would seem to have been the logical finale, but this he was denied, and former Chief Green McCurtain again became the candidate of that party. Chief Dukes was a cogent supporter of the Supplemental Agreement and also evidenced a feeling of security about his continuance in office; at least such was his posture in the early summer of 1902.⁵ The militant return of Green McCurtain to the political arena

⁴ Kappler, Vol. 1, p. 771.

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"Talihina, I. T. April 26, 1902.

Hon. D. C. McCurtain,
Washington, D. C.

Dear Mack:

I will have to ask your forgiveness for delaying the answer to your last two letters. Norman has been off to the Dallas Reunion and I have just left it stand until his return. I am glad that you have taken the steps to secure the appropriation for famished Choctaws and I note from the *Globe Democrat* that the bill appropriating this fund has passed both houses and now awaits the signature of the President to become a law. I have been accused of requesting this for political reasons, but the idea of political prestige by the move, was far from me. I did not seek to gain any political prestige but asked for it for the suffering Choctaws of undisputed right. I would like that you wire me when this bill is approved by the President and send or rather have it sent, a copy of the bill as passed and approved.

I am glad to note the bright prospects of securing the ratification of the Supplementary Agreement and I trust that Mr. Potter will not secure any change

at this particular time has been more or less enigmatical. The Secretary of the Interior, it seems, was not adverse to the election of McCurtain and may have influenced his candidacy. Disaffected by the nomination of McCurtain, Chief Dukes and many of his supporters bolted the convention and held another meeting at which Thomas W. Hunter was nominated.⁶ The candidacy of Hunter was endorsed by the old Union party. The Supplemental Agreement became the controversial issue in what was one of the most severely contested elections ever held in the Choctaw Nation, with Hunter

relative to the 'Court Citizen' clause. I suppose that is what he seeks to change. In this Nation, it is meeting considerable opposition on account of the Coal Clause, the Townsite provision, the sale of the Sulphur Springs and the change in the word 'location' in the appraisement of lands. I trust that we shall be able to get it ratified and think we will. Along this line I think it a good idea and would suggest that you write an open letter to some paper giving your ideas on the Treaty and just how Congress and the Department views the matter and the general trend of their action in the premises. This is suggested because many are of the opinion that we can stand back and refuse to ratify and that we will have another chance to treat and will be able to make our own terms and secure them.

The little meeting we had at Tuskahoma on the 15th, although premature as the agreement had not yet been ratified, brought out a good many things which leads me to think that some of them are going to make the fight of their lives against the agreement. Your father (Green McCurtain) did not come down and I am very sorry he did not because some who opposed it could have been brought right and some good work could have been done while waiting for its ratification by Congress and it would have been all right, if, as you think, the agreement passes in its present form.

You ask who are the probable candidates for Chief? I cannot say positively, but think Mr. W. H. Harrison, Mr. A. Talle and Mr. Tom Hunter. Some say that your father will enter the race but I hardly think so as he has told my friends that he was for me and that he did not want the office himself. I will see him in a few days I suppose for I wrote him that I would like to meet him soon and have a talk with him and I know he will give me the date.

Solomon Homer is working for Tom Hunter, but Tom himself says he is for me and that he will work for me—so the rumor that he is in the race may be a false alarm.

I dont think that the National party will put out a man this year but will support some one of the Tuskahoma party, its nominee or Independent if such comes out.

I wish you were here to lend your assistance and support to my cause although you are away I want you to do everything you can for me through your friends here.

Nothing great has happened since I saw you—everything is moving along nicely, unless it be National politics and I hope that that will be O K in a short time.

Let me hear from you often and see that those persons whom were listed get a copy of the Supplemental Agreement.

Your friend,

G. W. Dukes."

Copy of a letter, an office copy of which is among the *Dukes Papers* in the archives of State Historical Society.

⁶ Thomas W. Hunter resides (1940) at Hugo, Oklahoma where he has served as County Judge of Choctaw County for several years having heretofore been a member of the State Legislature from that county.

leading the opposition. Chief Dukes felt no alternative but to extend his support to Hunter and this he did in a vigorous manner, but with the issue so sharply drawn, the situation obviously became one of some embarrassment to him.

The aftermath of the election provoked much disorder when a canvass of the returns was undertaken. It is a sordid story and many illogical things were done. Representatives of the Interior and Justice Departments of the Government, who were present as disinterested observers in the interest of peace, presented a divided front. The gravity of the situation caused the dispatch of two companies of troops from Ft. Reno, to preserve against violence. The votes were canvassed, the election of McCurtain was declared and the last general election in the old Choctaw Nation became a matter of history. In the succeeding October, Chief Dukes yielded the robes of office to Green McCurtain.

Upon his retirement from office, Chief Dukes resumed his residence upon his farm near Talihina but his efforts on behalf of the Choctaws were unabated. A rather picturesque final session of the old Choctaw Council was held at Tuskahoma in October, 1911, during the regime of Chief Victor M. Locke, Jr. Chief Dukes presided over the senate during this interesting session at which he was selected one of the delegates from the tribe to attend the meeting of Congress in Washington. It was upon this occasion that the delegation became instrumental in inducing Congress to set aside four sections of unallotted land and \$50,000 of tribal funds for hospitalization purposes. The land was selected northeast of Talihina and the Indian Hospital near Talihina stands as a monument to Gilbert W. Dukes and his associates who were instrumental in procuring the project.

As an evidence of the state-wide prominence of Chief Dukes, it will be observed that, in the fall of 1910 he became the candidate of the Republican Party for Lieutenant Governor of Oklahoma, receiving 94,621 votes as against 118,544 cast for Col. J. J. McAlester, his successful opponent.

The Chief married Angeline Wade in 1870. She was a daughter of Gov. Alfred Wade, was born on December 7, 1849, died on October 19, 1887 and is buried in the old Wadeville cemetery. After her death, he married Isabella, a daughter of Horace Woods, a white man who was a native of Massachusetts where he was born in 1801. He died in the old Indian Territory in April, 1878. His father, Stephen Woods, was a soldier of the Revolution. Isabella Dukes *nee* Woods passed away on November 1, 1922 and is buried in the Post Oak cemetery.

Chief Dukes was an elder in the Presbyterian Church at Post Oak and a member of the Masonic, Odd Fellows and Knights of

Pythias secret societies. He was a commanding figure standing six feet four inches and weighing well over 200 pounds. He was a forceful speaker using both the English and Choctaw languages with fluency. The Chief served briefly as a soldier in the Confederate army in the concluding days of the Civil War. As a lad of 14, he enlisted in the regiment of Col. Jackson F. McCurtain.

Gilbert W. Dukes was a man of sterling character. He had ever been a progressive in public affairs and had served efficiently in each of the three coordinate branches of the Choctaw government. His integrity in public and private life was unquestioned and his administration of affairs as chief executive of the Choctaws was most capable. His fireside was one of great hospitality. He adopted, reared and educated several orphaned children of his race who pause today in reverent thought of this unselfish service. Upon the final Choctaw rolls, the name of Gilbert W. Dukes appears opposite roll number 6386 as evidenced by census card number 2203 as an Indian of the one-half blood and to him was allotted his distributive share of the public domain. He passed away at his home southeast of Talihina, on December 26, 1919 and rests in the Presbyterian Church cemetery near Post Oak some twelve miles southeast of Talihina, where his grave is unmarked.

SETTLERS ON THE NEUTRAL STRIP

By BERLIN B. CHAPMAN

One of the nice legal questions pertaining to lands in the Territory of Oklahoma is that of the Neutral Strip. The Strip comprised about 2,700 acres in a bend of the Washita river, in the present vicinity of Mountain View. It lay on the north side of the river between two points where the river crossed the boundary of the Kiowa, Comanche and Apache reservation, the distance between the two points being about six miles on the boundary line. By the treaty with the Kiowas and Comanches on October 21, 1867 the tract was included within lands set apart for the absolute and undisturbed use and occupation of the said Indians. By the executive order of August 10, 1869 the tract was set aside for the use and occupation of the Cheyennes and Arapahoes, who by the agreement of October, 1890 ceded it to the United States. Section sixteen of the act of March 3, 1891 provided that when the lands obtained from the Cheyennes and Arapahoes should by operation of law or proclamation of the President be opened to settlement, they should be disposed of to actual settlers only. President Harrison's proclamation opening the lands to settlement, recited the boundaries of the Cheyenne and Arapahoe reservation which included the tract in question; but the proclamation also stated that the lands to be opened to settlement were for greater convenience particularly described in a schedule appended thereto. The schedule did not include or describe the tract in question.

Secretary Noble observed that by the act of March 3, 1891 the lands of the Cheyenne and Arapahoe country might be opened to settlement by "operation of law or proclamation of the President," and that the words, "operation of law" had reference to some law which might be enacted, or put into operation, at some future time, by Congress. In other words the lands might be opened by operation of law instead of by a proclamation of the President. Noble waived the question¹ as to whether the lands actually remained a portion of the reservation set aside by the treaty with the Kiowas and Comanches. From that position he held that no part of the tract was subject to settlement or entry, but was reserved for the use of the Kiowas and Comanches until such time as Congress should take action in the premises.

In 1892 the military authorities present for the purpose of preserving order, allowed prospective settlers to enter the Neutral

¹ J. M. Johnson, 15 L. D. 87 (1892). Noble also said: "It is clear in my mind, that this tract of land having been reserved and set aside by treaty with the Kiowa and Comanche Indians in 1867, could not be legally included in a tract set aside and reserved for another purpose by an executive order in 1869."

Strip while waiting to make the "run" for lands in the Cheyenne and Arapahoe country.² The true boundary of the Kiowa, Comanche and Apache reservation was well known to the settlers at that time, and duly respected by those who entered the Cheyenne and Arapahoe country. The lands of the Neutral Strip were fertile and beyond the limits of taxation. About a dozen settlers squatted there, knowing that they were trespassers. Due to their political influence and to the tolerance of the Department of the Interior they withstood expulsion for eight years, at which time Congress rewarded them with a preference right of entry of lands on which they had located and improved.

On October 31, 1894 the Office of Indian Affairs called attention of Special Agent William H. Able to his power under Section 2147 of the *Revised Statutes* to remove from the Kiowa, Comanche and Apache reservation all persons found therein contrary to law.³ Able was also reminded that under Section 2148 of the *Revised Statutes* persons who should return after removal, or be found upon the reservation, should be liable to a penalty of \$1,000. On November 27 Commissioner Browning directed Acting Agent Frank D. Baldwin to give this matter careful attention.⁴

According to Baldwin, reports were made frequently of depredations committed upon Indians by citizens, either living on or coming and going to or from the Neutral Strip. He said this necessitated his predecessors and himself to exercise the utmost and extraordinary watchfulness to prevent trouble between Indians and these white people. In January 1895 Baldwin directed a United States marshal with three Indian policemen to proceed to the Strip and serve each person with a notice that he was on a portion of the Kiowa, Comanche and Apache reservation. The notice said in part: "You are on the same in direct violation of law, hence you will be required to move from the Indian reservation without unnecessary delay. At the expiration of the forty days should you or any of your family or property be found within the limits of the reservation it will be at your peril subject to the penalties imposed by laws governing this Territory." The notice must have disturbed the settlers considerably because on January 25, Baldwin reported that threatening messages had come from the trespassers, stating that should they be molested, he, the marshal, and police would be killed on sight and property destroyed.⁵

² Com. W. A. Jones to Sec. Int., Oct. 18, 1899, OIA, *L. Letter Book*, 419, pp. 169-180.

³ Act. Com. F. C. Armstrong to Able, Oct. 31, 1894, OIA, *L. Letter Book* 290, pp. 411-416.

⁴ D. M. Browning to Baldwin, Nov. 27, 1894, OIA, *L. Letter Book* 292, p. 186.

⁵ Baldwin to Com. Ind. Aff., Jan. 25, 1895, OIA, L. 7904—1895. The letter formerly was filed as L. 4371—1895; and L. 6164—1895. Filed with Baldwin's letter is a copy of the notice of removal.

Under date of January 30, J. J. Mabry and J. M. Roberts, acting as a committee to represent the residents on the Neutral Strip, addressed a petition to Governor W. C. Renfrow begging his clemency and craving his mercy, to intercede with the Secretary of the Interior to have Baldwin's order revoked.⁶ According to the petition the residents were not outlaws or trespassers but were law abiding citizens who had settled and improved their homes in good faith, and who were at peace with all mankind. The petition touched a cord of sympathy by saying if the order were enforced "our wives and children will be without homes to shelter them in midwinter." The next day the Territorial legislature passed without a dissenting vote a memorial to the Secretary of the Interior, endorsing the petition and asking that he grant speedy relief by revoking the order and investigating the south boundary line of Oklahoma Territory. Renfrow, C. A. Galbraith, Attorney-General of Oklahoma, and William Blincoe, Secretary to the Board for leasing school lands, promptly addressed letters to the Secretary of the Interior in behalf of the occupants of the Strip.⁷ Regardless of the merit of their case, the occupants had mustered sufficient political pressure to protect themselves for the present.

On February 14, Browning advised Secretary Smith that "these settlers have no valid claim to the lands," that he had serious doubts whether they actually settled there in good faith believing the lands to be subject to settlement, and he pointed out that Baldwin's report indicated that their conduct had not been such as to entitle them to the sympathy of the Indian Department.⁸ However, Browning did not wish to entail any unnecessary hardship or suffering upon them, and was willing, if Smith approved of such action, to extend the time within which the settlers must remove until the weather became mild, but not later than May 15. Smith approved the extension of time,⁹ and Baldwin was so advised.

Before further steps could be taken against the settlers, injunction proceedings were brought against Baldwin. It was reported that the Territorial Supreme court in February 1897 held that the land in question was a part of the Kiowa, Comanche and Apache reservation, and that the settlers would consequently lose their homes. Baldwin on February 16, suggested that the settlers be given thirty days within which to vacate, but the Department of the Interior neglected to act on the suggestion.

In May, 1899, settlers organized the town of Mountain View, a portion of which was reported as being on lands of the Kiowa, Comanche and Apache reservation. The number of trespassers

⁶ Petition of Jan. 30, 1895, OIA, L. 7904—1895; formerly numbered L. 6164—1895.

⁷ The letters and the memorial are in OIA, L. 7904—1895.

⁸ Browning to Sec. Int., Feb. 14, 1895, OIA, L. *Letter Book* 298, pp. 171-181.

⁹ Smith to Com. Ind. Aff., Feb. 19, 1895, OIA, L. 7904—1895.

rapidly increased during the spring and summer. A company of speculators from El Reno placed on exhibition a false and misleading map and pretended survey to delude new comers into investing in these Indian lands with worthless title. In August, Amherst W. Barber, under instructions from the General Land Office, surveyed the northern line of the Neutral Strip. From Mountain View he wrote official letters describing so clearly conditions he found there, that some of his letters, or parts thereof, are incorporated in this article.

In a letter to the Commissioner of the General Land Office on August 19, Barber drew a diagram showing his establishment of the Kiowa line at D, C, B and A, through sections thirty to thirty-four.¹⁰

Barber said in part:

Yesterday morning, August 18, I closed in and connected my line from the east and the west, and drove my stakes on line across the new town of Mountain View, revealing to the people for the first time the full extent of their trespass. The line runs ten feet north of the north line of Maple street, so that it cuts off the front of six or eight business houses which are at the extreme north part of the business part of town. All the rest, including four lumber yards, twenty stores, five saloons, and a large number of dwellings, tents, etc. are in the Reservation, and were all the time known to be there, at least one half of them. The townsite speculators by means of false maps and other false pretenses, have induced people to pay them for lots and expend large amounts for buildings, when it was well known to most of them that the old line would place a large part of them on Kiowa lands.

There are now many of these people who exhibit cheerful confidence that the Government will never interfere with them. They openly rely on their numbers, and their brazen defiance of the laws regulating such reservations. Others are facing the probability that their buildings will have [to] be moved. Certain business men told me yesterday that they might with all safety have built the town down by the depot, 1-½ miles south of the line and the Government would have let them stay.

They are excusable for this idea by the fact that a number of trespassers have for seven years openly lived and farmed south of this boundary, and still defy attempts to remove them. One of them, McAtee, has his farm and large herd of stock wholly south of this town in the fertile bottom lands of the bend of the river. He resists the attempt of the people and the R. R. Company to locate a new bridge where they need it, by openly proclaiming that he will shoot the first man who cuts a wire of his pasture fence. He has prepared papers for the Department under which he says he will certainly get a good filing on his place. He is represented as a very dangerous and violent man, but only one of the gang of about a dozen Texans who came in when the Department opened the lands *north* of this Kiowa line, and deliberately, and knowingly squatted on the finest land *south* of the line, under pretenses of a "neutral strip" or discrepancy of line.

* * * * *

¹⁰ Letter of Aug. 19, 1899, OIA, L. 50163—1899. Photostats of this file were used by the author, and are now deposited with the Oklahoma Historical Society. A former number for certain papers in the file was OIA, L. 47515—1899.

Having well identified the Kiowa line at D. B. & A. as marked above, I set up over a stone corner at A. bet. secs. 33 & 34, took a solar course and ran east. Descending into timber I found vary old blazed trees along my line, ending at a marked tree on the bank. I sent a man to wade in the river and search for a corner: for this is the initial point for two fundamental Indian boundaries, running W. and North.

He at once found a large stone in the middle, *on my line*, and there is no other stone known in the whole river. He showed me its position and declared it to be 3 feet long, 18 inches wide, 4 or 5 inches above the sand, and immovable. I set a stake on line on the bank, 100 lks. from it. Mr. Blackwell stayed there, felt it over carefully a long time, and showed that it was only 7 to 8 inches under the muddy red water, lying with the North and highest, as if pushed over by the stream.

The only persons present besides my party were Mr. Chalk and his son. Chalk is a Texas trespasser on the Kiowa lands, living near, as shown. He and all others were greatly surprised at my finding a monument of whose existence they had no suspicion. Chalk talked about it a good deal:—said he had always believed his north line was much further north (though I had run close to his fenced field): and said he believed two or three stout men could "raise that rock out of the sand and see what it was, —just for curiosity."

Returning West and locating my line thus identified, we were met by three or four others of the farmers of the "*neutral strip*," who were greatly excited over the actual survey of the line on which they had so long ago removed all corners. Chalk went back east with them, and I was relieved of their presence. This was Aug. 15, 5 P.M.

But two days later, Aug. 17, after dark, several members of this party of trespassers appeared here in town, hunted up my man Blackwell, and in the most insolent and bullying manner told him it was all a mistake about the stone; —that they had been there to search, and there was no stone at all, —nothing but a rotten chunk of wood,— They tried to intimidate him into some expression of doubt and weakness.

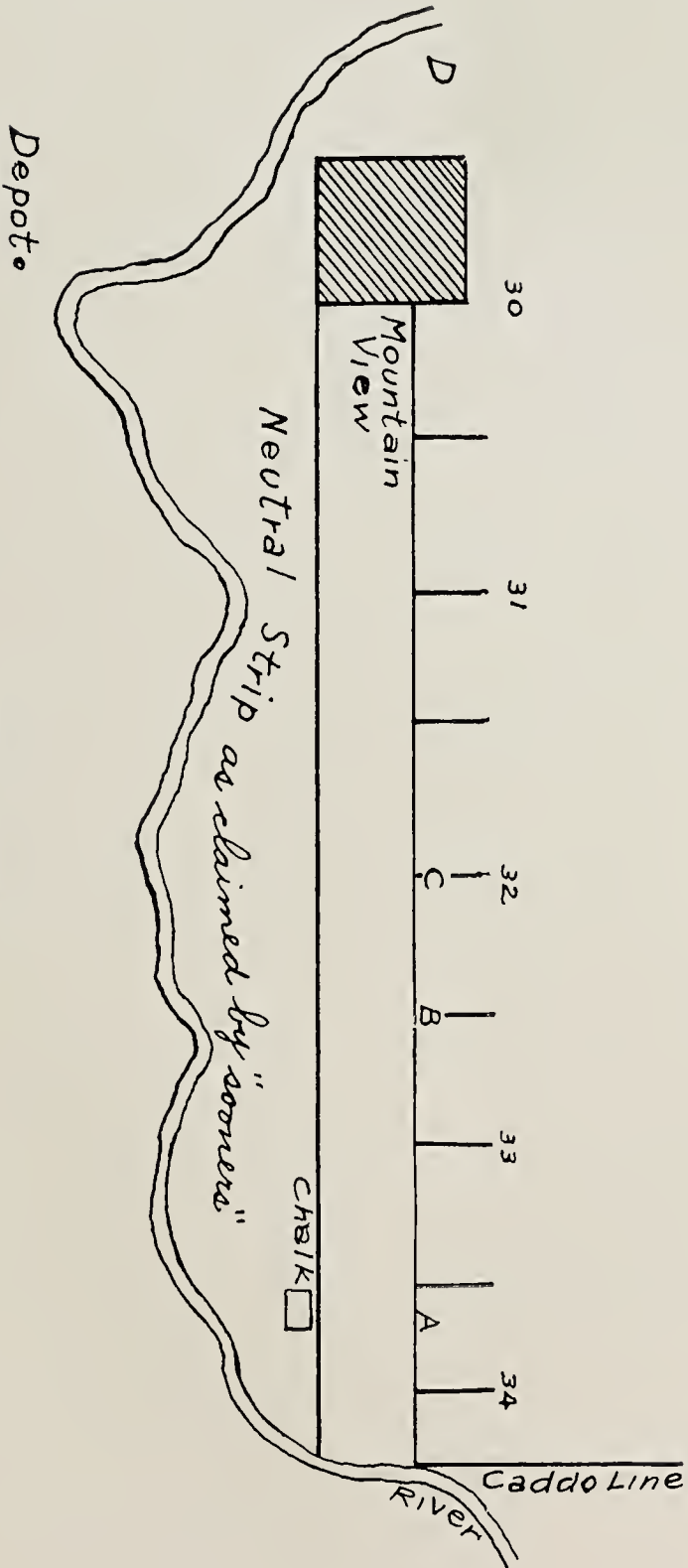
But Blackwell grew furious at their assailing his credit and his ability to distinguish a rock from a log, pronounced them all liars and dared any or every individual in the gang, one at a time, to try the issue with him in the frontier style. No blows were struck, and he escaped from them without a battle, and reported to me later.

I therefor[e] spent yesterday afternoon returning to the place with my three men, to make a second search, on suspicion that they had been there and stolen the monument. As I feared, the intruders on the Kiowa lands had been there, removed the rock and left only the depression in the bottom where it lay. My three men searched in vain, far down the stream northward, where Chalk wanted his line to be, but found no stone. Neither was there any vestige of a log or chunk at the corner point or anywhere near, to verify their statements.

Chalk and son being the only persons who knew its location except my party, they are the ones who organized the scheme and guided the lawless gang to commit this criminal offense. I shall urge upon Agent Randlett the propriety of having arrests made, with a view to discovering the guilty parties.

The removal of the stone does not in any manner weaken the certainty of the location of that initial point or of my survey. Any one of my men can find the exact point to within two feet or less.

As quite a number of similar trespassers have taken lands just east of the "Caddo line" running north from that stone, and gone into farming extensively on Indian lands, the Agent desires that line to be run



BARBER DIAGRAM

and marked, so they also may be ejected. If the Dept. shall order this done, my discovery of that corner and securing of its locus by a very precise line will be of great importance.

I will further report my opinion that the trespassing farmers and the whole population of this town will show no respect to the wishes of the Government and the rights of the Indians, until the Government assumes a positive policy, and quarters one or two companies of cavalry here, to see that the laws are obeyed. I consider my own position here neither desirable nor safe, without any more tangible backing than the letters of the Honorable Secretary and Commissioner.

The following letters¹¹ to Commissioner Jones give in unmistakable language Barber's impression of settlers on the Neutral Strip.

Oakdale P. O.
Mountain View Townsite, Okla.
Aug. 20, 1899.

Hon. Wm A. Jones,
Commissioner of Indian Affairs.

Sir:

It seems proper that more complete information be given you, to explain the attitude of the people here, to assist the Department in fully understanding the situation.

People residing on the farms north of the Kiowa line say to me: "What is the Government going to do about those farmers over in the neutral strip? They say they are going to stay and hold their lands; and if that is allowed, why can't we all go down into the Reservation and pick out good farms just the same? If the authorities decide that they are on Kiowa Lands, and let them stay, then we will all have a chance for claims over there."

The "sooners" living on the strip say they settled there in good faith believing as they do now, that they were justified by the terms of some treaty or Executive order, that this boundary line or south boundary of the Cheyenne and Arapaho[e] country must run East "*to the Washita River*"; that it strikes the Washita *west* of this place, and that the line then runs down the river, placing their "neutral strip" on its N. bank in Cheyenne country, therefore now open public land.

They also count heavily on actual possession as nine points in their favor, and boast much of their innocent intentions. They believe the whole matter will idly rest until some new act of Congress to relieve all doubts and confirm their title. One of them is said to be boasting of the possession of letters from the Hon. Secretary, entirely in his favor.

The lands in question are now worth from \$25.00 to 35.00 per acre, and they feel confident that the government is still as vacillating and weak of purpose in regard to them as it was some years back, when the Indian Agent had his Chief of Police, F. B. Farwell, serve them all with notice to move off the Reservation; and *never enforced it*.

Mr. Farwell told me about it yesterday. The settlers replied by getting an injunction against him and the Agent, which caused delay. Then the Agent got into other troubles so deeply that he took no further steps in the case after the injunction was dissolved.

Chief Policeman Farwell states, in regard to the point they make on the description of the Cheyenne lands, that the Executive Order described

¹¹ The letters are in *ibid*.

the boundary as beginning at the monument in the Washita river, which I have found, —running North, West, South, and then east along the Kiowa Boundary to the *Washita river and point of beginning*. If this is the case, it disregards three crossings of that river near this town, and terminates the line as it should, at the same initial point; and the settlers on the "strip" have no case.

It is a fundamental rule regarding land boundaries and conveyances, that a construction which shows a *closed survey* is always to be preferred to one which does not close.

On the other hand there are law-abiding settlers farming the lands north of the Kiowa line, who are now and have been for seven years very ill pleased with the action of the "sooners." They (the farmers) say that under authority of the Government they came here, arranged themselves along the south side of the Kiowa line in 1892, on a strip of land permitted by the soldiers, (about 28 chs wide, and still asserted to be a neutral strip by old Kinman), and at the proper signal they moved north into the newly opened lands and secured claims: but that these Texans deliberately, and in violation of the boundary, chose to take far better lands where they are now. One of these "sooners" is said to have got a good claim of public land, sold his chance and soon afterward taken up Indian lands.

Chief Policeman Farwell tells me that he was ordered here to show the people where the true line was, seven years ago; that he showed them the original Initial Monument in the river, and the blazed line in the woods running west from it, before any other marks were made; that great pains were then taken to point out that part of the line to all parties; that he has served official notices on the intruders and that the Government has not yielded any point.

The Department can obtain official proof of all these matters, I believe, and will thus be able to refute the claim that these trespassers were *ignorant* of the proper boundary or *innocent* of any intentional wrong doing.

Yesterday afternoon, at the suggestion of Col. Randlett, I got a carriage and took Capt. Farwell and Leasing Clerk Blackman to the east end of my line. Farwell would not utter a word as to localities till I had pointed out my line and the ancient marks on trees to verify it. He then declared that I had found the exact place of the Initial Monument, and of the line, to his certain and positive recollection; and he will at once furnish me his sworn testimony to that effect, to confirm my report.

You will please bear in mind that said initial corner is the one which was stolen and removed within 24 hours after I found it; and presumably it was done by the "innocent settlers" of Kiowa lands, who thought in their ignorance that it would benefit their case to have it removed. I have made a full report of the matter to the Hon. Commissioner of the General Land Office.

From all the features of this case, it is evident to me that the time has come for the Department to show that this is a Reservation, *de facto* as well as *de jure*. It is assailed on all sides.—The Rock Island R. R. has combined with this swindling townsite company, with its false maps to mislead the people. The Territory issues false leases of land south of the line; and private trespass is all around.

Very Respectfully

A. W. Barber U. S. Surveyor

P. S. As to the feeling of citizens of this new townsite that only began on the 10th of last May: It was known to every one that a part of this town plat was south of the Kiowa line, but the exact location was uncertain. They had not enterprise enough to employ a surveyor and run

from the well marked Kiowa line *one mile west of here*.—(the fenced south line of former Oakdale site.) to learn where a due east line would fall. They chose to trust to their numbers, to the R. R. Co., to the townsite Co., and to brazen aggressiveness. I know plenty of them who thought they were securing lots *just north* of the line, as secretly estimated, and are now on Indian land with large stores and stocks of goods. One such is a leading lumber dealer. He *feels sure* that the U. S. will not be so cruel as to compel all these honest and innocent investors to lose anything in consequence of their mistakes.

As to the rough, ignorant, and lawless element, I think that the United States has no friends among them. The Texan population is strong and numerous, and this section has its full proportion of desperate men with hereditary antipathy to our government. Frank Farwell has had his life threatened for years, when doing his duty as captain of Indian police. There are plenty of Indians in town, and they are thus far entirely sober, pleasant, and well behaved.

A. W. B.

Chickasha, Oklahoma, Aug. 22, 1899

Hon. W. A. Jones,

Commissioner of Indian Affairs:

Sir:

To supply certain data needful for setting a few corners, I went to the local Land Office at Oklahoma City yesterday and at night made a search of their records which was nearly fruitless. I am now returning to Mountain View, hoping that the weather will moderate so I can safely proceed with my work.

The *average* maximum temperature for the 16 days since I came here is 96°, by the weather record at Oklahoma City.

The record there for the last three days was 101°-101°-and 102°, taken, as usual, high above the buildings;—and 108° to 110° on the ground. The sun and the breeze are both scorching.

I now write to place on file information concerning the survey of the townsite of Mountain View, and the fraudulent map placed before the people there, showing a re-meandering of the river and obtaining a far different locus of the Kiowa boundary from that of the official survey. Everything goes to show deliberate and intentional fraud in the production of said blue print map.

When the townsite manager, F. E. Rickey, first showed the map, he told the people (so they tell me) that it was produced in Washington and was authentic. When he showed *me* the map two weeks ago, he told me it was a map of a survey made by *the Rock Island R. R. people*, and was prepared by them at the main office in Topeka.

But today I interviewed one of the main members of the Mtn. View Townsite Company, Mr. Kerfoot, at El Reno, and he asserted that the survey and map were the work of one C. C. Brown, a local surveyor of El Reno, where all the parties to the scheme reside. —Kerfoot told me that Brown made the actual survey of the town site, assisted by one Ross, the county surveyor of Wichita County, residing a few miles north of Mountain View.

Ross is the man who also extended Bill Kinman's survey of the other townsite into the Kiowa lands, at "Mountain City," 4 miles west of Mountain View. Kinman's first survey of 4 or 5 years ago only came down to the Indian Boundary; but early this year Ross extended it some 28 chs. *into* Indian lands, at Kinman's direction, and *knowingly*.

A surveyor or land agent named Williams in Mountain View, is said to have been very active in connection with both Ross and Kinman, in offering to file any number of claims for settlers, in the Kiowa and Comanche country. They take persons over there, show them land marks of survey, encourage them to plow a strip or make other evidences, and then, *for fees*, they get up filing papers and send them to Com. Hermann. An acknowledgment card comes promptly back, which says the letter has been received and placed on file, or some thing equivalent. Then old Kinman exhibits the card as sure proof that the man's papers are safely filed and accepted by the Dept; and thus he easily ropes in others.

I must strongly recommend that the Dept. of Justice be called upon, to institute proceedings against the two surveyors, Ross and Brown, under sec. 616 of your office regulations. The case is a flagrant one. They knew what they were doing; and being professional surveyors they are presumed to know the law and the boundary. The evidence is abundant in case of each townsite, if now secured.

I have not yet met Special Agents Leach and McKinley, but expect to meet the latter when I return there tomorrow.

Very Respectfully,

A. W. Barber, U. S. Surveyor.

In a telegram of August 22, the Commissioner of the General Land Office directed Barber to survey westward along the Kiowa reservation line through range twenty-one. Two days later Barber wrote to him saying in part:

The extent and amount of trespass increases every day; new buildings are put up daily; new business is being started, regardless of my having marked the line and shown that it is all in Indian country; six saloons are doing business under license of Washita County, when none of them are in that county, but all in Kiowa Reservation; the illegality of the whole situation is apparent to every one, and they are growing more and more fixed in the idea that the Government is too weak or tender-hearted to oppose this wholesale seizure of Reservation lands.

The people are watching with intense interest for the result. If the Department is inactive, or is paralyzed by considerations of every kind, tending to delay, temporizing, or negotiation, you will at once see a great influx of homeseekers into the whole Reservation. I hear well-disposed and judicious men say that if the Department permits ten or a dozen farmers to hold lands south of the line, they will have an equal right and will take it.

They say if these stockmen, who lease secs. 36 from the School Board, can run their fences down across the Kiowa line to inclose a whole section, they can go further and take possession of any claim they like.

They say also that if a village population of two or three hundred, by force of numbers, can hold their ground here in Mountain View, south of the Reservation line, they will certainly be able to swarm in by hundreds and thousands and get homes in like manner.

It is thus evident to me that the occasion demands prompt acceptance of my survey, to enable Agent Randlett to promptly execute the wishes of the Department in this matter: for any matters of detail which may be found to need correction can yet be completed later.

The people here mean to resist removal by every legal quibble, political pull, and dilatory trick. The settlers on these farms rely on their lawyer to interpose obstacles and sue out injunctions against the Indian Agent, as they did before: and they boast of an impregnable position.

Before I proceed to survey the rest of the line, I wish action taken on this portion, so that the Agent will be warranted in detailing some of his police to accompany me and cut away the pasture fences that now illegally obstruct my passage on the Kiowa side of the line.

It is the opinion of certain men here that the reservation will not be cleared of trespass, without the aid of at least two companies of cavalry from Fort Sill.

Agent Randlett anticipated that when ordered by proper authority to remove from the reservation, all the people who had located on the Mountain View town site with the belief that the town site was outside the reservation line would quickly and peaceably obey the order. He considered it probable that others, including squatters who entered the reservation and took up lands for homesteads would not leave unless confronted with force; that they would defy agency authority, and appeal to Territorial courts to prevent its execution. In a letter of August 31, Randlett stated that a small military force of twenty men under a competent commissioned officer, if sent at the right time, would meet the requirements of such emergency.¹²

On the same day Barber addressed the following letter to Commissioner Jones:

Oakdale, Okla.
(Mountain View)
Aug. 31, 1899.

Hon. Wm A. Jones,
Commissioner of Indian Affairs.

Sir:

I have to report that on Aug. 29, I obeyed the summons of Agent Randlett, and went to Anadarko, to confer together as suggested in telegram dated Aug. 28, returning next day.

I have now to report further that I have completed the survey called for under my first orders, and have the report nearly ready to mail. The Commissioner of the G. L. O. will probably receive my complete field notes on the day after this is received. Col. Randlett urged that I avoid completing and mailing the report *at this place*, fearing treachery; and suggested that I go to Anadarko for the purpose. He and I both desire to transmit it with entire secrecy, and at the earliest possible moment, and I have impressed on my office the importance of *immediate* acceptance and approval, so that the purposes of the Hon. Secretary, whatever they may be, may not be impeded by minor considerations.

Col. Randlett and I are both aware of the purpose of these people to invoke and use every legal or illegal point that can be found for delay; and that while the population here are fully advised of my increased labor, now before me, to run the line west to Red River, and *are led to believe* my report cannot be made till that is done, and that weeks may elapse before it will receive action, yet that the safest and most efficient course is to file my report *at once*, without their knowledge, and trust that prompt measures will be taken before the Agent's hands are tied.

I am credibly informed that there is no idea or purpose in the minds of any of these trespassers to obey any ordinary notice to leave. They propose to stay until forced to go: but have no idea they will be ejected.

¹² Randlett to Com. Ind. Aff., Aug. 31, 1899, OIA, L. 50163—1899.

It is my full belief that nothing but the arrival of a strong detachment of blue coats will cause them to respect the authority of the Department. Any movement which omits such a force, would in my opinion be weak and ineffective, and give them time to try all the resources they know, aided by their attorney Blake, who came here to consult and advise them this week.

The saloons all do an active business, one of them being a wholesale liquor store beside the hotel I occupy, and far within the Reservation. They are open every day in the week and are presumed to sell whisky though I do not yet know the fact myself.

A citizen named Biggs keeping a hotel mostly north of my line, tells me that when the El Reno Townsite Company were planning this scheme, they employed a surveyor named Woods to show them the probable location of the Kiowa line, by measuring north 28 chs. from the Township line; that he did so measure and showed them the position, nearly where I have placed it; and that they went on with the scheme, laying off the whole area into lots down to said township line. Mr. Woods' address can be easily got.

Building and improving goes on rapidly south of my line and very slowly in the public-land portion. The leading men are encouraging every one to join their side, and fortify their position by risking every thing they can on that side; and then they will appeal for sympathy for the poor innocent sufferers.

Mr. Biggs says that one prominent consideration, openly expressed and boasted of, is that by locating their stores and property in the Kiowa lands they avoid paying any taxes to the county adjoining!

Very Respectfully

A. W. Barber,

U. S. Surveyor

This is mailed to Mrs.
Barber for safety.

In a report to the Commissioner of the General Land Office on September 1, Barber said of Mountain View:

The town contains 300 or 400 people, and nearly all the business part is in the Indian Reservation. I think over three-fourths of the people are also south of the Boundary.¹³

In accordance with the direction of the Commissioner of Indian Affairs, Frank B. Farwell, Chief of Indian Police, proceeded to Mountain View and during the last days of September obtained the names of owners, occupants, and value of improvements upon lands occupied by trespassers in the Kiowa, Comanche and Apache country. Farwell found the total valuation of improvements of the town-site settlers and farmers in the Neutral Strip to be nearly \$40,000. In an itemized report of October 2, he listed thirteen

¹³ Barber's report of September 1, 1899 and the field notes of the survey are in GLO, *Field Notes, Okla. Territory*, vol. 210, pp. 1-26. See also Barber to Com. Gen. Land Office, Sept. 2, 1899, GLO, 114443—1899. Barber subsequently was directed to extend his survey of the Kiowa, Comanche and Apache boundary six ranges farther west. In a report of September 17 he said that as a general thing settlers had treated the line as a nullity, and farmed and fenced far south of it.—Barber to Com. Gen. Land Office, Sept. 17, 1899, GLO, 119247—1899.

farms, having improvements of a total value of \$5,675.¹⁴ Occupants of the farms and the cost in dollars of improvements made thereon were as follows: W. H. Wilburn 923; T. A. Wilburn 780; J. H. McAtee 638; C. A. Meek 450; M. J. Doshier 410; M. L. McAtee 395; J. M. Peoples 370; J. M. Griffin 361; Miss J. E. Myers 360; J. M. Meek 350; Mat Moore 308; J. M. D. Chalk 185; T. J. Easterwood or Bill Kinman 145.

In the town of Mountain View were persons having improvements valued in dollars as follows: Adams and Stanberry 120; B. Allen 125; J. Babs 25; H. Baker 30; Berringer 300; A. A. Biggs 200; J. C. Brogthton 200; C. S. Brown 80; C. F. Bruns 125; A. Calhoun 2,100; J. M. Campbell 100; D. M. Carter 85; Charley Cary 180; E. L. Chapman 350; J. N. Clark 125; H. E. Craggs 250; Crenshaw 60; Frank Davis 75; M. L. Dyer 50; T. J. Eaton 350; C. T. Frederick 500; M. H. Grey 450; A. V. Griffin 16; A. Guthrie 200; J. T. Harris 100; D. F. Holiss 400; J. N. Hudstaf 200; P. N. Hudstaff 400; L. A. Jones 700; Clarence Kerfott 600; H. O. Lee 30; Lockheart 600; M. F. Mackentire 125; H. C. Maxwell 50; McAtee 150; L. McGee 600; E. D. Moore 75; D. N. Morrison 1,000; D. P. Page 550; Bill Patrick 10; J. M. Pem 550; J. R. Powell 45; T. E. Rickey 500; Mrs. E. Samuels 400; G. A. Saunders 60; J. M. Seawell 600; John Sebasten 27; H. Shafer 875; A. Skoup 250; M. L. Smallwood 250; A. Smith 40; A. J. Stuart 70; Sullivan 70; M. H. Tompkins 600; M. H. Trigg 400; J. Turner 25; G. M. Uterback 50; C. Weir 45; E. M. Wright 50; Yates 25.

Some of the improvements listed above were used as places of business. Other places of business had the following valuation in dollars: Adams and Stanberry 65; Belemly and Jones 400; H. C. Bradford and R. S. Trulock 1,000; Brown and Hale 135; Cameron Lumber Co. 800; Carson Bros. 150; Clark and Brown 780; Gordon Bros. 700; Harcastle and Meek 125; C. Huber and Bros. 1,200; Leepor Bros. 1,500; Lockheart and Grey 100; Moore Bros. 250; M. S. and M. C. Moore 400; Mulvane Lumber Co. 325; T. F. Norman and Co. 1,000; Rail and Lane 225; J. M. Reynolds and Co. 900; S. H. Roberts and Bros. 400; Sahn and Helena 200; C. Saluretbar and Sons 450; J. M. Seawell and Sons 350; Sneed and Co. 800; Stephenson and Brown 1,600; Stincen and Lambert 1,150; Town Company 45; Washita County State Bank 1,600; Yates and Dufield 850.

Commissioner Jones did not wish in the least degree to excuse the action of either the farmers or the town-site settlers; but he and Acting Secretary Ryan deemed the best course to pursue was to allow them to remain until Congress met, when the entire subject

¹⁴ Report of Oct. 2, 1899, OIA, L. 50163—1899. See also Com. Jones to Sec. Int., Feb. 2, 1900, *H. Reports*, 56 Cong. 1 sess., ii (4022), No. 483, pp. 3-5. Names are spelled as they appear in the report of Oct. 2, 1899.

could be laid before that body with the recommendation that appropriate legislation be had for the formulation of an agreement satisfactory alike to the Indians and settlers.¹⁵ Julia E. Myers sought to make homestead entry for a quarter section in the Neutral Strip; but Secretary Hitchcock, in 1899, held that the land was not open to settlement or entry.¹⁶ An unsuccessful effort was made to secure the passage of a bill by Congress providing for the extinguishment of the Indian title to the Neutral Strip, and for the opening of the same to settlement, giving settlers then occupying the lands a preference right of entry to the lands for thirty days, and credit for the actual time they had resided thereon. Neither the Commissioner of Indian Affairs nor the Commissioner of the General Land Office would write an unqualified endorsement of the bill.

Settlers on the Neutral Strip found relief in the act of June 6, 1900, providing for the opening to settlement of the Kiowa, Comanche and Apache country, and giving them preference right of entry for thirty days on the lands upon which they had located and improved.¹⁷ Just what influence the settlers used to secure the preference right is not clear, but the insertion of that right in the act was doubtless due to their activity. The Secretary of the Interior did not admit that settlers on the Neutral Strip had acquired any legal rights, or that the act of June 6, prevented the Indians from taking allotments there, yet in order to prevent any difficulty and to avoid involving allottees in litigation, he directed allotting agents not to allot those lands.¹⁸ Settlers there had acquired legal rights only as against other whites. The people of Mountain View were very anxious that the river should be made the county boundary line at that place, and that they should be placed in Washita county.¹⁹ The proclamation issued by Secretary Hitchcock on June 24, 1901 designating county boundaries complied with their desires in this respect.

In a proclamation of July 4, 1901 providing for the opening of the Kiowa, Comanche and Apache country to settlement, President McKinley called attention to the preference right of entry on the Neutral Strip.²⁰ Persons entitled thereunder to make entry would be permitted to do so at any time during a period of thirty days following the opening of the lands on August 6, without regard to registra-

¹⁵ Jones to Sec. Int., Oct. 18, 1899, OIA, 6970 Ind. Div. 1899; Ryan to Com. Ind. Aff., Oct. 20, 1899, OIA, *Ind. Div.*, *Letters Indian Affairs*, vol. 107, p. 166.

¹⁶ Julia E. Myers, 28 L. D. 399.

¹⁷ 31 *Statutes*, 679.

¹⁸ Act. Com. Tonner to Miss J. E. Myers, April 27, 1901, OIA, *L. Letter Book* 479, p. 111.

¹⁹ W. A. Richards to Sec. Int., June 5, 1901, GLO, 5152—1901. The proclamation of June 24, 1901 is in *H. Documents*, 57 Cong. 1 sess., xxii (4289), pp. ccxlv-ccxlvii.

²⁰ *Messages and Papers of the Presidents*, x, pp. 328-336.

tion, and without regard to the drawing to be held at El Reno in July. At the expiration of the thirty-day period the lands in the Neutral Strip for which no entry should have been made would come under the provisions of the proclamation.

Of the thirteen farms in the Neutral Strip, it was concerning the one on which Farwell found improvements of least value that the most interesting contest occurred. Prior to 1897 a man named Roberts cleared and cultivated a few acres on the eastern end of the Neutral Strip. In August of that year William Kinman and his wife settled on these cleared lands and before the close of the year Kinman corresponded with the General Land Office, claiming right and applying to make homestead entry therefor. He built a dugout, cleared, fenced and cultivated a part of the land. In 1898 he claimed to have about forty acres under cultivation. After having resided on the place about seventeen months, Kinman in January 1899 leased it for twelve months to two brothers, T. J. Easterwood and Henry J. Easterwood. Kinman reserved some rights of control as to cutting timber, the use of a garden patch, and he left on the land some personal property. At this time he moved to a proposed town site, several miles away, where his wife was appointed postmistress, and afterward they moved with the post office to Hardin, about twenty-five miles away.

Henry J. Easterwood admitted that since July 1899 his relations to Kinman had not been friendly, especially since January or February, 1900. At the expiration of the lease, Henry J. Easterwood set up a squatter's claim to the land and attempted to retain it. Early in February, 1900, Mrs. Kinman attempted to go upon the premises, but the Easterwood brothers seeing her coming met her at the gate, one having a cane or club, and forcibly prevented her entrance. She claimed that they were armed, one with a knife and the other with a club; that T. J. Easterwood told her that if she attempted to enter the premises they would hurt her, and that they would hold the land or kill Kinman. The Easterwoods denied that they made such threats, but a witness later testified that Henry J. Easterwood said that if Kinman attempted to come back to the land, he would "winchester him in a holy minute." The witness stated that he communicated the threat to Kinman. Thus when the act of June 6, 1900 was passed giving settlers on the Neutral Strip preference right of entry for thirty days on the lands upon which they had located and improved, the Easterwoods were in possession.

In the fall of 1900 the Easterwoods sold the improvements on the place and their possessory right to one Sandifer, who then took possession and held it until about May 1, 1901, when he sold out to James M. Appleby. Appleby moved onto the place June 15, and Sandifer stayed with him until August. Sandifer stated that he did not know of Kinman's claim to the place until about

July 1, and Appleby stated that he bought out Sandifer without knowledge of the claim.

While President McKinley was issuing the proclamation of July 4, providing for the opening of the lands of the Kiowa, Comanche and Apache country to settlement, events occurring on the eastern end of the Neutral Strip were narrated as follows in an opinion²¹ of Acting Secretary Ryan:

Kinman, in his contract with the Easterwoods, reserved the right to go upon the land at his pleasure, and when he moved away from it he left a portion of his personal property there, consisting of tools and some articles of household furniture, which he has never moved away. He testified that owing to threats made against him by the Easterwoods he was afraid to move back to the land after the expiration of the lease, but that he sent his wife, with their household property, thinking that her sex would protect her from violence. She procured a wagon, team, and driver to convey their household goods to the land, and about midnight on July 3, 1901, she reached the place, entered, and proceeded to a place in the timber where she purposed erecting a tent in which to live. While she and the driver, one Ewing, were unloading the goods from the wagon, Sandifer and Appleby appeared on the scene, armed with shotguns, and demanded to know who they were and what they were doing there. She told them who she was and that she had come there to take possession of the place. They ordered her to take her property and leave. She refused to do it, and continued to unload the things from the wagon. Sandifer began to reload the things into the wagon, and she threw them out as fast as he put them in. He took up the reins to drive the team out, and she also took hold of the reins and tried to stop the team, but he jerked them from her and drove the team out into the road, leaving her alone with the things she had succeeded in getting out of the wagon. Ewing took the remainder of the things back to the point from which they started. She testified, and was corroborated by Ewing, to the effect that Sandifer cursed her and threatened to kill her and tried to tie the lines around her arms when she took hold to prevent him from driving the team out; that he tried to throw her under the mules, and threatened to tie her and throw her in the river if he found her there the next morning; and that Appleby had a shotgun presented at her and Ewing. She remained there till daylight, and then crawled into a briar patch, and laid down beside a log, where she remained all that day and the next night, and on the morning of July 5, 1901, she got away. Sandifer gathered up what things she had unloaded from the wagon and hauled them to Mountain City. She testified that while she was hiding by the log in the briar thicket she heard what she took to be Sandifer and his wife searching for her.

Sandifer and Appleby admit that they ordered her to leave, and that they drove the team out. They also admit that they were armed with shotguns, but they deny that they attempted or threatened to do her any violence.

On August 6, Appleby made homestead entry for the land in question, and on the same day Kinman filed an affidavit of contest, claiming a preference right of entry. It was clear that Kinman had voluntarily left the place, intending to reside elsewhere for the next twelve months, and had not been an actual settler on the

²¹ Kinman v. Appleby, 32 L. D. 190 (1903).

lands for more than a year at the time of the passage of the act of June 6, 1900. Although he did not intend to abandon his claim to the land, the question arose as to whether one could maintain settlement and establish residence by an agent, so as to acquire rights under the homestead laws. On July 14, 1903 Acting Secretary Ryan dismissed Kinman's contest, stating that it was evidently the intention of Congress to give preference rights of entry to those persons who had made settlements and improvements on lands in the Neutral Strip, and who maintained the same, and not to those who had settled on and improved the lands at some past time, and who had abandoned and left the land either because of a sale of their improvements or for any other reason.

Kinman contended that the decision erred in holding that he lost his rights as a settler, and that Appleby's qualification was immaterial in the case. On March 2, 1904 Secretary Hitchcock reviewed the case, sustained Kinman's right of entry, and directed that Appleby's entry be canceled. Hitchcock said that the determination of the Easterwoods to hold the land after the expiration of the lease, "and to use whatever force was necessary to accomplish that unlawful purpose, excused Kinman's failure to return to the land."²² Since Kinman had the right of possession on June 6, 1900, and was prevented only by fraud and violence from actual possession, he was regarded as being in possession and entitled to the benefit of the act of that date.

In September 1899 Miss Julia E. Myers, at a cost of \$400, acquired the improvements and rights of a prior settler on a tract of land just east of the town site of Mountain View as established on the Neutral Strip. She occupied the house upon the claim, and slept there every night for two consecutive weeks. From some time in December 1899, to February 4, or 5, 1902 she slept, ate and worked in the family of her sister, Mrs. McAtee, on land adjoining her claim, and did not reside on the claim. Nevertheless she continued to assert her rights to the claim, exercised dominion over it, caused it to be cultivated by a tenant, and contributed with others, whose lands were in like condition, to payment of expenses and service of counsel, to prevent allotment of their lands, and to obtain congressional recognition of their settlement rights, her contribution being forty-one dollars. Her claim to the land was recognized by her neighbors. On August 6, 1901, she made homestead entry for the land, alleging in an affidavit that she was residing on the land, and had been residing there since August, 1899.

On February 8, 1902 Velda A. Plaster filed a contest against the entry. The Commissioner of the General Land Office found that Miss Myers was not an actual settler upon the land in good faith when the act of June 6, 1900 was passed, and he held her entry

²² *Kinman v. Appleby* (on review), 32 L. D. 526.

for cancellation. Miss Myers appealed the case to Secretary Hitchcock, who on April 30, 1904, sustained her entry, after finding that it was not made invalid or fraudulent in its inception by any inaccuracy of statement made in good faith.²³

Settlers on the Neutral Strip in many ways were not unlike other groups on the western border as the frontier line moved across the American continent. There was no sacred law designating or prohibiting the occupaton of portions of our country by squatters or others. In the early nineties settlers on the Neutral Strip occupied a tract of vacant land, used it to their advantage, and, as Barber said, held it by "brazen aggressiveness." On that score the settlers deserve no special condemnation. We sometimes wonder if it is always the meek who inherit the earth. When Barber wrote that settlers on the Neutral Strip meant to resist removal by every legal quibble, political pull, and dilatory trick, he was using words that could have been applied properly to hundreds of frontiersmen for more than the space of a century. The government has a perpetual obligation to help the poor, which we have with us always; and what New Deal relief does in the twentieth century—that the government did in the nineteenth century by means of free or cheap land.²⁴ Finally, settlers on the Neutral Strip knew something about the exertion of political influence, a thing on which many a Sooner has since thrived.²⁵

²³ *Plaster v. Myers*, 32 L. D. 588.

²⁴ In Washington City, D. C., Senator Elmer Thomas and Mr. Gaston Litton gave the writer valuable assistance in finding materials for this article.

²⁵ Dr. Berlin B. Chapman is Professor of Economics at Fairmont State Teachers College, Fairmont, West Virginia. He was formerly Assistant Professor of History at the Oklahoma A. and M. College.

EDUCATIONAL HISTORY IN AND ABOUT TULSA, OKLAHOMA (1839-1939)

Edited by Louise Whitham

The Tulsa Historical Society of Central High School, Tulsa, was organized in February, 1938, by three class-groups of seniors who had been studying local affairs the preceding semester. They felt that organization would make their work more effective. Some five hundred students have enrolled in the Society. Public interest in local history has been increased through the society's open programs, exhibits and newspaper articles.

The 1939-40 groups are preparing a high school text book analyzing the growth and needs of Tulsa. In this undertaking the members are assured community and newspaper support, and advice and criticism from a group of interested citizens.

Russell Wood, President of Unit I, presiding officer for the day, reminded the assembly that 1939 was notable for many anniversary celebrations; that while all Oklahoma was celebrating the run of 1889, there were many citizens of Tulsa whose ancestors first reached Oklahoma in March of 1839 over the Cherokee "Trail of Tears"; also that on March 25, 1879, the Federal Government had named this locality by opening postal service at Tulsa. He spoke of Tulsa's first postal equipment, secured for the High School collection at the request of the Historical Society; he then introduced Prentiss Owens, President of Unit II, who made the years' presentation to the high school historical collection. Principal Eli C. Foster accepted the gift—a specially bound volume featuring the tribal languages; Sequoyah and his works; and English-Sequoyan versions of the United States-Cherokee Treaty of 1860.

Before introducing the next speaker, the presiding officer explained that since the gift had featured a specimen of the Cherokee language, Bob Troutman would tell about Sequoyah, inventor of that alphabet, and about the Cherokee schools in Northeast Oklahoma. He spoke as follows:

If you were asked to name Oklahoma's most famous person would you think of a mixed blood Indian, Sequoyah, a little lame schoolmaster?

His log cabin is under the shelter of a stone memorial near Sallisaw, Oklahoma. I would venture to say that few of us know much about his picture. It hangs in Central High School's hall facing that of Horace Mann. Fine statues have been made of him. One stands in our national capitol, two in the state of Georgia, one in Tennessee, and one in Arkansas. Many schools are named for him; scientists have named the giant redwood trees of California, the Sequoia.

Sequoyah was an inventor and a philosopher. Once asked by an Indian friend why the white man accomplished more than the Indian, he replied: "White men have the talking leaf so what one man discovers, need not be forgotten or discovered all over again." And his friend argued: "But the white man must be superior to us for we have no talking leaf." Sequoyah replied, "Oh, that is not so hard. Why I could make one myself."¹

It was twelve years before Sequoyah could make good his boast. He was ridiculed by his friends and by his wife who once even burned all his papers. Afterward he began anew on a different sort of alphabet, using eighty-six characters based on the syllables of the Cherokee language.

Congress in 1825 gave Sequoyah a medal for his accomplishment and promised \$500 that he might teach other Indians.² 'The whole Cherokee Nation became an academy for the study of the system.' Sequoyah moved to Arkansas in 1828 with what was known as the Western Cherokees. These people set up district schools with a higher central school where Sequoyah was employed at \$400 annually to oversee the teaching of his alphabet. This was even before Horace Mann set up the free public school system of Massachusetts.³

Before 1861 the press at Park Hill printed 13,890,000 pages of books, newspapers and tracts in the Cherokee type.⁴ After the settlement of the Eastern Cherokees, an act of Council in 1841 provided for a Cherokee Superintendent of Education and eleven public schools supported from the interest paid by the federal government on money due them from the sale of their eastern lands. This number had increased to 120 by 1907 at which time the white and Indian schools were merged.⁵ Grade teachers were paid \$30 per month. There were two terms of five months each with a winter and summer vacation of one month.

In May of 1851 two large brick buildings, located near Tahlequah, were completed for the National Male Seminary and the National Female Seminary. Boarders paid \$5 per month to cover food costs. All took turns doing the work. While the United States government later set up agency schools for the Plains Indians, the Cherokees always not only directed but paid the costs of their own schools.

A few of their teachers were white; the majority were Cherokees who had been educated in Eastern colleges. They read books in both English and Cherokee. Courses were also offered in Greek, Latin, French, and German.⁶ This is less surprising, if we recall that all American colleges of this period were overemphasizing the languages and the classics. The Tahlequah Female Seminary grounds and buildings are now used by the Northeastern State Teachers' College. While many of the wealthy Indian families sent their sons and daughters to eastern universities for graduate work, it is a fact that the Cherokee public schools served their people very well. The same may be said of the schools of the other civilized Indian nations.

¹ Foreman, Grant. *Sequoyah*. p. 20.

² *Ibid.* p. 6

³ *Ibid.* p. 31. Cf. Davis, John B. "The Life and Work of Sequoyah." *Chronicles of Oklahoma*, June, 1930. p. 149 ff.

⁴ Starr, Emmett. *History of the Cherokee Indians*. pp. 225 ff.

⁵ Dale and Rader. *Readings In Oklahoma History*. pp. 840 ff. Cf. Hugh Cunningham. "A History of the Cherokee Indians." *Chronicles of Oklahoma*, December, 1930. p. 418 f.

⁶ Cunningham. *Op. Cit.* p. 419.

Bette Major then told about the mission schools as follows:

Into the making of Oklahoma, into the foundations which lie below the present, went the genius of hundreds of missionary teachers whose names we find only in old records.

Samuel Austin Worcester, missionary teacher to the Cherokees, and his daughter, Ann Worcester Robertson, with her daughter, Alice Robertson, who were teachers among the Creeks, stand as symbols of all these others. Well do they deserve places in our Halls of Fame.

The outstanding services which the missions gave seem to fall into three types, corresponding to the needs of the developing territory.

First: The great work of Sequoyah might have been lost except for the translations, preparation of text books, and printing of all kinds that was done in the missions.⁷ Mrs. Robertson made translations in the Creek language. In an early day the mission-teachers encouraged and advised the native teachers.

Second: After the Civil War, the missions were centers of social service. Orphanages were set up. Housekeeping, farming, and manual arts were taught. The Indians had suffered much from the worst of the whites, but the missionaries set patterns of friendliness and decency for them.

Third: After the coming of the railroads, in the white pioneer period, the missions really started our Tulsa public schools. It is difficult to imagine how white children in Tulsa could otherwise have been schooled, for it was impossible to set up white public schools before the Congressional Act of 1898.⁸ Few families could afford private tutors.

Baptists, Methodists, Catholics, Moravians, and Quakers all had mission boarding schools in Indian Territory but it was to the Presbyterian Board that Tulsa settlers appealed in 1883 for help. The Mission Board put up a building and employed two teachers to teach any pupils who might enroll. Contributions were also made by the settlers. In fourteen years the Mission Board spent \$20,000 for Tulsa schools.⁹

Mrs. Lilah D. Lindsay, a pioneer citizen, was a teacher in that school. Vigorous and alert despite her seventy-eight years, she said:

As I am a member of the Creek nation, my memory of this locality goes back to a time when there was neither postoffice nor railroad here. After completing my education in Ohio I became a teacher under the Presbyterian Mission Board in the Wealaka Indian Boarding School.¹⁰ They transferred me in 1886 to the Tulsa mission school which had been opened two years earlier.

Miss Ida Stephens, a daughter of Spencer Stephens, a noted Cherokee educator, had maintained a small private school here before the mission school was opened. Mrs. S. J. Stonecipher, an experienced teacher from Kansas, had charge of the new school and Miss Stephens remained as her assistant until I took her place in 1886.¹¹

My salary was \$40 per quarter and was paid quarterly. Seventy-five students of all ages and grades, some white, some Indian, crowded into a single room of about thirty by forty feet. We used the old double desk

⁷ Foreman. *Op. Cit.* p. 13.

⁸ Hall, J. M., *The Beginnings of Tulsa*, p. 31.

⁹ *Ibid.* p. 29.

¹⁰ Address delivered at Central High School, Tulsa, Oklahoma. March 23, 1939. Cf. Hall. *Op. Cit.* p. 24.

¹¹ *Ibid.* pp. 22-23.

with an ink well in the middle. Two big heating stoves stood in opposite corners. The water pail and the lunch baskets and children's wraps were kept in a small ante-room. Many a recitation have I heard in that tiny space, for with the louder voices of the older pupils, and the shuffling of feet one could barely make out the answers of my younger pupils. I had the first four grades and heard about sixteen classes a day. Often it was four-thirty before the last ones were over. Children brought their lunches or went home during the noon hour. There were two ten minute recesses.

I taught three years in this building, resigned, rested a year, then became Principal of the Coweta Indian Boarding School under the direction of the Creek National Council, which had many district and boarding schools among our people.

After two years there I returned to my Tulsa home, and was invited by several families to open a private subscription school. This I did, using a new store building which Mr. Lindsay owned. By 1893 the school building, considerably enlarged, came under the direction of a village school committee. I then taught in the public schools, thus in about ten years time having had quite varied teaching experiences in Indian Mission, in white and Indian Mission, in private and in public schools.

It is fifty-three years since I first stepped into a Tulsa school room. I assure you that the contrasts between the schools of that day and this are almost beyond my comprehension.

Charles Allen then discussed the beginning of Tulsa's modern schools:

The turn of the century brought a truly wonderful period to Oklahoma. In 30 years Tulsa grew from a hamlet of about nine hundred to a metropolis of 150,000. This didn't just happen. A group of men planned it. They worked for it. They gave time and money to bring it about. How they did it is illustrated in how our schools came to own the most valuable block of ground in the city.

The Presbyterian Mission Board in 1897 wrote Mr. J. M. Hall that they must close their mission but that they would quit-claim the grounds and buildings for \$1,050 for public school purposes. Four men borrowed that amount and held the property as trustees until Tulsa was incorporated and taxes could be levied to pay for it.¹²

Kendall University, now Tulsa University, was brought from Muskogee by the same energetic, far sighted effort. A tract of prairie land, far to the East of the village was bargained for. A campus and lots were plotted. \$100,000 was raised for the University by selling town-lot drawings for \$300 each. No one knew in advance where his lot would be, but by giving \$300 he'd help bring a university to Tulsa.¹³

After oil was discovered at Red Fork the city grew so rapidly in different directions all at once that there were nine requests at one time for school buildings. Bond issues couldn't be sold fast enough to keep pace with the demand, so the cost of one building was divided among nine locations and nine one room buildings were erected. In this way Tulsa's famous unit system of school building began.

There has never been a time when Tulsa school rooms were not crowded. Mrs. Lindsay has told you how two teachers worked in one room fifty years ago, but in 1921, before the south half of our Central High building was completed, we again had two teachers and two classes

¹² *Ibid.* pp. 39-41.

¹³ Interview with Mr. H. O. McClure, Tulsa, Oklahoma. March 1, 1939.

in the same room at the same time. Class number one recited during the first half of the period while class number two studied. Then during the second half of the period class number two recited and class number one studied.¹⁴

Mr. H. O. McClure, member of the Tulsa School Board from 1906 to 1922, talked about conditions during that period:

It was in 1906, the year before statehood, that I was elected to our school board. School directors hired teachers largely by guess, for there was very little territorial school supervision. Teachers ran their class rooms as they liked, or as best they could. The average teacher's wage had advanced from the \$40 per quarter Mrs. Lindsay has told us about to \$400 a year or about 1/5 what it is today. We were proud of the new brick building at Fourth and Boston. It housed several grades and the beginnings of a high school. Other classes met in two smaller buildings, and in various churches, halls, and vacant store rooms.

As school director I saw the population climb from 6,000 to 18,000 in 1910 and to 77,000 in 1920. Oil and war and work for everyone increased revenues so rapidly that money was actually less of a problem than finding workmen to build schoolhouses. And how we built them! There were three brick buildings in 1906; twenty-three in 1921. 24% of the 14,798 enrolled pupils were newcomers to Tulsa in 1921. Of the 600 teachers, 87 had been hired that year.¹⁵

Today the average attendance percentage of boys and girls is about even; then, the girls were far ahead. The compulsory attendance law was difficult to enforce for boys could always earn money and at best they could not legally be held in school beyond the eighth grade. High school classes averaged 23 pupils per teacher in 1921 as contrasted with 35 in 1938, yet the percentage of failures was far higher than it is today.¹⁶

Looking back on that strenuous period it seems to me our greatest accomplishment was not in the schoolhouses we built but in the type of school system we established.

There must be supervisors and directors to bring organization into such a suddenly assembled school force but we planned to avoid the deadly inspectional type. Today Tulsa has a national reputation for progressive methods and I feel sure it is because supervisors here have always been fellow-workers with the class-room teachers. Music and art specialists were employed in 1909; manual training and home economics teachers in 1913. In 1915, departments of health and kindergarten were added. One-third of all high school enrollees in 1920 were in Commerce.¹⁷

Superintendent H. W. Gowans concluded the review by giving some facts and figures on the growth of property values and schools in Tulsa.¹⁸

¹⁴ Interview with Miss Nelle E. Bowman, Director of Social Science, Tulsa, Oklahoma. March 15, 1939.

¹⁵ Address delivered by H. O. McClure, Central High School, Tulsa, Oklahoma. March 23, 1939.

¹⁶ Douglas. *Op. Cit.* p. 236.

¹⁷ *Ibid.* p. 238 f.

¹⁸ This article is based on excerpts from an assembly program given March 23, 1939, in the Central High School, Tulsa, Oklahoma, under the direction of the sponsor, Mrs. Louise Whitham.

HISTORICAL NOTES

The original manuscript of *The Raven*, a biography of Sam Houston by Marquis James, which won the Pulitzer prize in 1930, was among the gifts received by Mrs. Mary C. Lee on her hundredth birthday for the Enid Carnegie library. A letter from James, who attended high school in Enid and worked there as a newspaper reporter, accompanied the manuscript which is a prized possession at the library. Mrs. Lee's only wish on her birthday was for books for the Enid Carnegie library in which she had been interested since she helped in the founding of it in the early days. That wish was granted. Her immediate family gave the library a check for the purchase of new books. Miss Laura Crews added a codicil to her will providing \$100 for library books in Mrs. Lee's honor. Many books and cash gifts for books came to her. Don Blanding, formerly of Enid and a well known poet and writer, gave the library the manuscript of one of his books in Mrs. Lee's honor. Other gifts in her honor included five oil paintings by Albert Von Strode, Enid painter.¹

The fifth annual meeting of the Southern Historical Association was held at Lexington, Kentucky, November 2-4, 1939. One of the sessions was devoted to the consideration of "Southern Indians," with the Secretary of the Oklahoma Historical Society presiding. Peter A. Brannon of the Alabama Department of Archives and History discussed "The Contribution of the American Indian to the Culture of the South." As outstanding among such contributions, Mr. Brannon listed tobacco, maize and other important food products of the South, America's original artificial fertilizer, and a number of chemical alkaloidal medicines. Other products attributable to the Indian include cornpone, the hoeecake, hominy, roasting ears, sweet potatoes, baked and roasted, and that practically universal and characteristically southern article, barbecued meat. The art of the American Indian was identified with the typical shapes, textures, and colors of present-day ceramics. Recent archaeological investigations were cited by him as demonstrating that the primitive home life of the Indian influenced southern pioneer life and modern rural life to a considerable extent. The thatched interwoven fences of the rural South, the former stockaded mound post of military defense, the stick-and-dirt chimney, the puncheon floors of early houses, smoked meat, dried fish, and many other Indian customs have been accepted and continue to be a part of our economic life, according to Brannon.

¹ The Enid *Eagle*, October 4, 1938.

In a paper on "Sequoyah's Contribution to Cherokee Culture," Professor Morris L. Wardell of the University of Oklahoma described the educational and literary developments that took place among the Cherokee in consequence of the invention of Sequoyah's alphabet. By 1828, seven years after his discovery, virtually all the Cherokee could read and write. Many young men and a few young women attended mission schools and, upon becoming teachers, aided in the spread of both white and Cherokee culture. A newspaper, the *Phoenix*, and translations of parts of the Bible appeared in Cherokee homes. Following the removal to Indian Territory, hundreds of young men and women, after attending the Cherokee public schools, were given a classical education in the seminaries established by the missionaries. The Mission Press at Park Hill printed in Cherokee millions of pages of books, primers, hymns, the Bible, an almanac, and whatever else was educational or literary. In 1844 a second newspaper, the *Cherokee Advocate*, was established as a successor to the *Phoenix*. It was printed partly in English and partly in Cherokee, and its editor asserted, soon after its beginning, that he could count on the fingers of his two hands all adult Cherokee who could not read either Cherokee or English. All of this, said Doctor Wardell, was largely the result of Sequoyah's invention of the Cherokee alphabet.

With the aid of moving pictures, Professor T. M. N. Lewis of the University of Tennessee described recent "Archaeological Discoveries in the Tennessee Valley." During the past three years the University of Tennessee Division of Anthropology, in co-operation with several federal agencies and national scientific societies, has excavated a number of prehistoric village sites and earthworks on the Tennessee, Hiwassee, Ocoee, and Little Tennessee rivers. The remains and artifacts uncovered by this work indicate that the first inhabitants of the Tennessee area were prehistoric migrants from the Great Lakes region. These people were semisedentary, nomadic groups, who were chiefly dependent upon game, fish, and shellfish for subsistence, and their huts can best be described as temporary brush arbors of crude construction. Burial of the dead followed a pattern practiced by many of the ancient peoples of the earth, as far back as Neolithic times. In the course of time another wave of people suddenly inundated this area from the west and proceeded to exterminate and absorb these earlier inhabitants. The newcomers were a highly sedentary people who lived in rather large villages, fortified with stockades, and their huts were of comparatively permanent construction. These people apparently possessed a well-organized political system. Design elements embodied in their arts suggest an affiliation with the pre-Mayan Middle American cultures of approximately 300 A.D., implying the probability that these people, or their ancestors, migrated from Middle America, or at least that a strong stream of cultural influence from that area affected their mode of living. Pre-Mayan religious beliefs also ap-

pear to have been assimilated. The bone and shell industries were exceptionally well developed, and some of the pottery designs have come down into historic times in the practices of the Cherokee.²

The Okemah Chapter of the Oklahoma Society Daughters of the American Revolution visited Bacone College at Muskogee, on December 8, 1939, with Mrs. Emma Kennedy, hostess. Dr. B. D. Weeks escorted the party over the campus relating interesting things about the college. Two fireplaces built of rocks from all around the world and every state in the Union as well as every Indian Mission, church and school represented by a stone, were pointed out. Of special interest is the new chapel of native stone under construction by Indians, with windows representing the chiefs of all Oklahoma tribes as well as other famous Indians. The group had lunch at the Thunderbird Tea room in Muskogee where many of Acee Blue Eagle's paintings were displayed. They had as their guests Mrs. B. D. Weeks, National Vice-chairman of American Indians, Mrs. Howard Searcy, state historian, Mrs. C. A. Hunt, former member of the Okemah chapter, and Mrs. W. N. Barry. They visited Fort Gibson, where Mrs. Searcy reviewed the history of the famous fort. At Sequoyah Indian School the group saw the students weaving cloth and rugs as well as making pottery. They were guests at a tea given by the Art Club of Muskogee where many excellent paintings were on display. Among those present were Mrs. E. E. Parsons, Mrs. Harry Featherston, Mrs. James W. McMahan, Mrs. Dorcey Abshier, Mrs. J. E. McKinney, Mrs. Emma B. Kennedy, Mrs. Ralph Price, Mrs. Lillian Powell, Mrs. Jackson and Mrs. O. L. Neal of Wetumka, and Mrs. Lynn Terhune, of Holdenville.

The newly-organized Tahlequah chapter of the Daughters of the American Revolution received its official state confirmation January 22, 1940, at a meeting at Cherokee Hills, east of Tahlequah. A buffet luncheon was held prior to the general meeting. The Tahlequah chapter was organized on December 29, 1939. Mrs. Kate Fite Smullen was appointed regent of the local organization by the national board.

The following state officers were present: Mrs. James J. McNeil, state regent, Norman; Mrs. N. R. Patterson, state treasurer, Tulsa; and Mrs. Howard Searcy, state historian, Wagoner. Other members who attended were: Mrs. L. E. Tomm, past state regent and past national librarian, Tulsa; Mrs. B. D. Weeks from Muskogee's Indian Territory chapter, National vice-chairman, American Indians; Mrs. R. L. Fite, Tahlequah; Mrs. C. E. Kerns, Mrs. G. W. Leopold, Mrs. Hayden Morton, Mrs. C. A. Popkin, Mrs. Lake Moore, Jr., Mrs. E. Halsell Fite, Muskogee. Mrs. McNeil, the State Regent, addressed the group.

² James W. Patton, "The Fifth Annual Meeting of the Southern Historical Association," *The Journal of Southern History*, VI (1940), 76-78.

Officers in the newly organized chapter are Mrs. Kate Fite Smullen, regent; Mrs. J. W. Reid, vice regent; Miss Ova Powell, chaplain; Mrs. R. L. Parker, treasurer; Mrs. Felecia Paden, recording secretary; Mrs. J. T. Attebery, corresponding secretary; Miss Sue Thornton, registrar; Miss Francis Belcher, historian; Miss Mary Lawson, librarian and parliamentarian. Other members of the local chapter are Mrs. T. M. McCullough, Mrs. Patricia Hammond of Westville and Mrs. Alice Reid Callahan of Muskogee.³

The annual meeting of the Oklahoma Society of the Sons of the American Revolution was held at the Oklahoma City Club in Oklahoma City on February 22. Harold B. Downing, the State President, presided, the annual address being made by Judge Edgar S. Vaught. His splendid address concerned the services of Washington during the preliminary as well as the actual days of the formation and adoption of our constitution.

The following officers were elected for the ensuing year: Charles W. Grimes, President; John R. Whitney, First Vice-President; Thomas R. Corr, Second Vice-President; Charles W. Gilmore, Third Vice-President; W. A. Jennings, Registrar; John S. Davenport, Chaplain; A. N. Leecraft, Historian; Harold B. Downing, Trustee; J. Garfield Buell and Ed F. McKay, delegates to the National meeting in Washington in May. This patriotic organization enrolls among its membership some of the outstanding men in the State. The next annual meeting will be held at Tulsa on February 22, 1941.

The Index to the 1939 volume of *The Chronicles of Oklahoma* will be sent free upon request. Address the Oklahoma Historical Society, Historical Building, Oklahoma City, Oklahoma.

The program committee of the Oklahoma Historical Society consisting of Judge Harry Campbell, Tulsa, Chairman; Hon. John Bartlett Meserve, Tulsa; Mrs. Roberta Campbell Lawson, Tulsa; Mr. James H. Gardner, Tulsa; Dr. Grant Foreman, Muskogee; and Hon. W. J. Peterson, Okmulgee, announce the following program:

³ Muskogee *Daily Phoenix*, January 21, 1940.

PROGRAM ANNUAL MEETING

OKLAHOMA HISTORICAL SOCIETY

May 9 and 10, 1940

Tulsa, Oklahoma

Thursday, May 9, 1940, 1:30 P. M. University of Tulsa Auditorium
 Judge Robert L. Williams, President, presiding
 Music

Address of Welcome—Dr. C. I. Pontius
 President, University of Tulsa

Response—Gen. W. S. Key, Oklahoma City, Oklahoma
 Music—Solo

Annual Report of President
 Business Session

4:00 P. M. Visit to Philbrook Art Museum

8:00 P. M. University of Tulsa Auditorium
 Music

Address by Dr. B. D. Weeks, President of Bacone Col-
 lege for North American Indians, Bacone, Oklahoma
 Music

Friday, May 10, 1940, 9:00 A. M.

Visit to Will Rogers Memorial, Woolaroc and other points.
 All members of the Society making the trip will meet at the Cham-
 ber of Commerce Building, Fifth Street and Cincinnati Avenue, at
 9:00 A. M.

Route: Claremore, Chelsea, Alluwe (See Chief Journeycake's old
 home and other points of historical interest), Nowata, Bartlesville,
 Woolaroc.

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

The quarterly meeting of the Board of Directors of the Oklahoma Historical Society convened in the Historical building, Oklahoma City, Oklahoma, at 10:00 A. M., January 25, 1940, with Judge Robert L. Williams, President, presiding.

The Secretary called the roll which showed the following members present: Gen. Charles F. Barrett, Judge Thomas H. Doyle, Mr. George H. Evans, Dr. Emma Estill-Harbour, Judge Robert A. Hefner, Gen. William S. Key, Col. A. N. Leecraft, Mrs. Blanche Lucas, Hon. John B. Meserve, Mrs. Jessie E. Moore, Hon. W. J. Peterson, Judge Baxter Taylor, Mrs. John R. Williams, Judge Robert L. Williams, and James W. Moffitt, the Secretary.

The following members had notified the Secretary of their inability to attend: Judge Harry Campbell, Dr. E. E. Dale, Judge Thomas A. Edwards, Dr. Grant Foreman, Judge Samuel W. Hayes, Mrs. Frank Korn, Mrs. Roberta C. Lawson, Mr. Jasper Sipes and Judge William P. Thompson, and upon motion they were excused.

The Secretary presented the minutes of the Board meeting held October 26, 1939, and upon motion of Hon. John B. Meserve, duly seconded the reading of the minutes was passed.

The Chair presented the report of the President, the Treasurer and Secretary showing in detail as to each party for whom votes were cast by ballot the result of such election to select five members of the Board of Directors of the Oklahoma Historical Society for the ensuing five year term, certifying the result which showed that the following persons had received the highest number of votes: Judge Harry Campbell, Judge Robert A. Hefner, Gen. William S. Key, Mrs. John R. Williams and Judge Baxter Taylor.

Judge Thomas H. Doyle moved that the report of the committee on election be accepted, and that the following persons be declared elected as members of the Board of Directors of the Oklahoma Historical Society for the ensuing five year term: Judge Harry Campbell, Judge Robert A. Hefner, Gen. William S. Key, Mrs. John R. Williams and Judge Baxter Taylor. Motion was seconded by Hon. John B. Meserve, which having been unanimously carried was declared to be adopted, and said named parties were then and there declared to have been so elected.

Mr. Scott P. Squyres, Secretary of the Oklahoma Memorial Association, appeared before the Board and presented the bust of Dr. I. N. McCash, President Emeritus of Phillips University, Enid, Oklahoma, gift of the Oklahoma Memorial Association and Phillips University.

Gen. William S. Key moved that we accept this bust for the Society, and instruct the Secretary to express the thanks of the Board to the donors for this gift. Motion was seconded and unanimously carried.

Judge Robert A. Hefner moved that the House Committee be requested to place same in the Flag Room, the space reserved for flags and statuary. Motion was seconded and carried.

The recent death of Hon. John B. Doolin, a member of the Board of Directors was announced and Judge Robert A. Hefner moved that a committee then and there be appointed to draft appropriate resolutions in his memory, to be published in the *Chronicles* and a copy to be sent to members of his family. Motion was seconded and unanimously carried.

The Chair appointed the following as the committee: Judge Thomas H. Doyle, Chairman; Judge Samuel W. Hayes, Judge Baxter Taylor, Mrs. Blanche Lucas and Judge Robert A. Hefner.

The President read letters from Mrs. Anna Mae McNeill, the State Regent of the Daughters of the American Revolution; and Mrs. John E. Williams, State Museum Chairman of the D.A.R., asking permission to display their museum exhibits in the Flag Room.

Mrs. John R. Williams moved that the Secretary write to the Regent and explain that the Flag Room may not be available and the matter be deferred for future consideration. Motion was seconded and carried.

The Secretary presented the following list of applicants for membership in the Society:

LIFE: Francis Bartow Fite, Jr., Seattle, Washington; C. B. Goddard, Ardmore; Mrs. Robert A. Hefner, Sr., Oklahoma City; Mrs. Nathan R. Patterson, Tulsa; R. W. Simpson, Ada.

ANNUAL: Mrs. Frances Fite Ambrister, Oklahoma City; J. P. Arnold, Tulsa; Hobart Boggs, Wilburton; Mrs. S. A. Bryant, Cushing; Mrs. Vinita R. Buck, Oklahoma City; H. F. Cameron, Bartlesville; Joe C. Campbell, Oklahoma City; John E. Cassidy, Oklahoma City; Ted H. Cassidy, Oklahoma City; Mrs. E. F. Cornels, Sayre; Thomas J. Darby, Tulsa; Prof. Ben C. Dyess, Stillwater; Edward Henry Eckel, Jr., Tulsa; E. E. Ehret, Tulsa; Frank Earl Eldred, Drumright; W. A. Evans, Aberdeen, Miss.; Rev. Robert M. Firebaugh, Hugo; R. F. Frank, Tulsa; Oscar Gardner, Hatfield, Ark.; Mrs. Harriet P. Gilstrap, Oklahoma City; Donald Gordon, Oklahoma City; Mrs. Lester B. Gum, Oklahoma City; Mrs. Mayberry S. Halsell, Durant; Mrs. Mamie S. Hammonds, Oklahoma City; Dr. Walter Hardy, Ardmore; Lester Hargrett, Washington, D. C.; Richard H. Harper, Albuquerque, N. Mex.; John Haskins, Durant; Mrs. J. C. Hawkins, Blackwell; Mrs. Jessie W. Hilton, Oklahoma City; Mrs. Emma Hufbauer, Newkirk; Charles E. Hutchinson, Oklahoma City; Mrs. Ellen R. Jacobs, Oklahoma City; Rev. Harrel Grady James, Talihina; Thomas Jensen, El Reno; Golda Kammerzell, Enid; Marvin Ernest Kaniss, St. Petersburg, Fla.; Judge H. B. King, Oklahoma City; Eugene Kingman, Tulsa; A. E. Kobs, Mountain View; Ernest C. Lambert, Okmulgee; Richard Kelvin Lane, Tulsa; Miss Louie LeFlore, McAlester; Mrs. W. L. Lindhard, Muskogee; Joe W. McBride, Anadarko; Philip P. McBride, Minneapolis, Minn.; Mrs. W. T. McCauley, Okmulgee; Medford F. McKenzie, Mangum; George E. McKinnis, Sbawnee; Mrs. James J. McNeill, Norman; Temple H. Morrow, Dallas, Texas; Cleveland Osgood Moss, Tulsa; Dr. H. D. Murdock, Tulsa; Clyde Musgrove, El Reno; Charles Arthur Naylor, Tulsa; Judge Monroe Osborn, Oklahoma City; Mrs. Merle Paynter, Ponca City; Dixie Robert Pike, Ada; Mrs. Nellie Reed, Nowata; Hubbard Ross, Fort Gibson; Mrs. G. W. Salter, Oklahoma City; Mrs. E. L. Sebastian, Oklahoma City; Eulah Mae Simpson, Oklahoma City; Dr. T. W. Stallings, Tulsa; William G. Stigler, Stigler; Mrs. Frances A. Tommaney, Oklahoma City; William Ernest Wells, Prague; Mrs. Louise Morse Whitham, Tulsa; Joseph Andrew Whitlow, Tulsa; Hugh Leon Williams, Oklahoma City; Mrs. C. P. Witten, Britton and Harriet A. Wright, Talihina.

Judge Thomas H. Doyle moved that these persons be elected to membership in the Historical Society. Motion was seconded and carried.

The Secretary presented the matter of printing pamphlets for circularizing purposes to increase the membership of the Society, and it appeared that the Harlow Publishing Company had submitted the lowest bid.

Gen. William S. Key moved that the Board authorize the printing of 5000 copies or more of this pamphlet under the direction of the President, to be paid for out of the private funds of the Society. Judge Robert A. Hefner seconded the motion which was carried.

The President presented a letter from Wm. Easton Hutchinson, of Garden City, Kansas, relative to Col. Sam N. Wood of Stevens County, Kansas, for whom Woods County, Oklahoma, was named, which was placed in the archives of the Society.

The President presented letters from Dr. John Francis McDermott of Washington University, St. Louis, Mo., Vinson Lackey, of Tulsa and C. E. Chouteau of Oklahoma City, relative to the places and dates of the settlement of the Chouteaus in what is now Oklahoma. Same were on motion received and directed to be filed with the Secretary.

Judge Thomas H. Doyle moved that the rules be suspended and that the Secretary and all other employees be re-elected for the ensuing two year term. Motion was seconded and carried.

Judge Baxter Taylor moved that the rules be suspended and that the present personnel of the officers, including the President, two Vice Presidents, Treasurer, Research Director and the two Presidents Emeritus be elected, and so declared elected for the ensuing two year term. Motion was seconded and Judge Taylor put the motion which unanimously carried.

Mrs. John R. Williams discussed the matter of securing for the Historical Society, a set of maps of Oklahoma published by the Oklahoma State Highway Department in co-operation with the U. S. Department of Agriculture, showing section lines, railroads and other valuable data.

Col. A. N. Leecraft moved that the Secretary request the Highway Department to furnish the Library with a set of these maps, without cost to the Society, since the Oklahoma Historical Society is designated as a State Depository. Gen. William S. Key seconded the motion which carried.

The President delivered a book entitled *Texas Jurists and Attorney Generals, 1836-1936*, by Ocie Speer, the gift of Attorney Will E. Orgain of the firm of Orgain, Carroll and Bell of Beaumont, Texas.

Judge Thomas H. Doyle moved that same be accepted and that the Secretary be instructed to express to Mr. Orgain the thanks and appreciation of the Society for this gift. Gen. William S. Key seconded the motion which carried.

Judge Robert A. Hefner moved that Will E. Orgain, Esquire, be elected an Honorary Life Member of the Oklahoma Historical Society. Dr. Emma Estill-Harbour seconded the motion which carried.

The Secretary reported that Judge Thomas G. Andrews had presented to the Historical Library, the manuscript of his book "Judicial History of Oklahoma" covering that of the Indian Territory, Oklahoma Territory and the State of Oklahoma.

Dr. Emma Estill-Harbour moved that this gift be accepted and that Judge Thomas G. Andrews be thanked for this donation. Motion was seconded and carried.

The President transmitted to the Society a book entitled *Geronimo, et al.* by Judge Thomas A. Edwards, of Cordell, Okla., which upon motion was accepted and the Secretary was instructed to express to Judge Edwards the thanks of the Board for this addition to the Library.

The Secretary read a list of the following transmittals from Dr. Grant Foreman: Manuscripts covering Presbyterian Missions and Missionaries in the Choctaw Nation, (gathered by Miss Sue McBeth, a missionary at Goodwater, Choctaw Nation in 1860), including letters from former missionaries to the Choctaw Indians, their wives, and children, and biographies of some of the early missionaries; the Muscogees or Creek Indians from 1519 to 1893; also an account of the McGillivrey family and others of Alabama, by Dr. Marion Elisha Tarvin, and also 20 pages typed; and Resolutions of the General Council of the Eastern Band of Cherokee Indians touching their relations with the government of the U. S., the state of North Carolina and with the Cherokee Nation West of the Mississippi River, and 11 pages in writing; also Biography of Joseph Rogers' family, with 11 typewritten pages and Chickasaw Commission to Dawes Commission, general outline upon which to enter into negotiations, with 5 pages

typewritten and John Drew Papers, dating from 1821 to 1860, with handwritten 92 pages.

Hon. John B. Meserve moved that these be accepted and that Dr. Grant Foreman and all donors be thanked for this contribution. Motion was seconded and carried.

The Secretary reported that Dr. Berlin B. Chapman, of the Teachers College, Fairmont, West Virginia, presented to the Society thirty-two pages of photostat copies of original documents in the National Archives, Washington, D. C., having to do with the strip of country on the north boundary of the Kiowa Reservation, known as "Neutral Strip."

Mrs. Blanche Lucas moved that same be accepted and that Dr. Berlin B. Chapman be thanked for this contribution. Motion was seconded and carried.

The Secretary reported that the following pictures and photographs had been received from Mr. Reuel Haskell, Jr., of Oklahoma City, Oklahoma: Gov. C. N. Haskell, first Governor of the State; W. H. L. Campbell, first clerk of the State Supreme Court of the State; Geo. M. Nicholson, a Justice of the State Supreme Court of the State; Group picture of members of the State Supreme Court, 1909; Group picture of the members of the State Bar Association, 1912; James I. Phelps, Justice of the State Supreme Court; John B. Harrison, Justice of the State Supreme Court; William A. Collier, Justice of the State Supreme Court; Group picture of the members of the State Supreme Court of Oklahoma, 1917; Judge R. L. Williams, third Governor of the State of Oklahoma and Col. Charles Lindbergh.

Judge Thomas H. Doyle moved that these be accepted and that Mr. Reuel Haskell, Jr., and all other donors be thanked. Motion was seconded and carried.

The Secretary presented to the Society a picture of Nelson Chigley, the grandfather of Mrs. Paul Lynch; a water color painting of flags that the area of Oklahoma has been under, and a group picture of St. Joseph's old school building and pupils of 1904.

Hon. W. J. Peterson moved that they be accepted and the Secretary and all other donors be thanked for same. Motion was seconded and carried.

The Secretary reported that Mrs. Frank Korn had presented enlarged photographs of herself and her late husband, Frank N. Korn.

Judge Thomas H. Doyle moved that they be received and Mrs. Korn thanked for same. Motion was seconded and carried.

The Secretary reported that Mr. Ray Phelps had presented to the Society a framed portrait of his father, the late Rev. G. Lee Phelps, missionary to the Indians for 37 years.

Judge Thomas H. Doyle moved that this portrait be accepted and Mr. Ray Phelps thanked for same. Motion was seconded and carried.

The Secretary reported that the portrait of J. B. Abrahm, painted by Frank Easton, had been presented to the Society by George Limerick.

Mrs. Blanche Lucas moved that it be accepted and Mr. Limerick thanked for same. Motion was seconded and carried.

The Secretary reported that Mr. John Easley, of Ardmore, had presented the portrait of Dr. Walter Hardy, painted by Renfro.

Judge Robert A. Hefner moved that same be accepted and Mr. John Easley be thanked for same. Motion was seconded and carried.

The Secretary reported that Mrs. Sofie Reed had presented the framed photographs of Rev. and Mrs. J. R. Hogue and Dr. and Mrs. J. H. Moore.

Col. A. N. Leecraft moved that these photographs be accepted and that Mrs. Sofie Reed be thanked for same. Motion was seconded and carried.

The Secretary reported that Mrs. Marcus B. Brewer had presented to the Society the picture of Theodore Roosevelt speaking in Muskogee, April 5, 1904.

Dr. Emma Estill-Harbour moved that this picture be accepted and Mrs. Brewer thanked for same. Motion was seconded and carried.

The Secretary reported that a group picture of the wives of the legislators, 1939, had been received, a gift of the Ohoyohoma Club.

Hon. W. J. Peterson moved that the Ohoyohoma Club be thanked for this group picture. Motion was seconded and carried.

The Secretary reported that the photographs of Mr. and Mrs. W. F. Post, father and mother of Wiley Post, had been presented to the Society by Mrs. W. F. Pcst.

Col. A. N. Leecraft moved that these be accepted and Mrs. Post thanked for same. Motion was seconded and carried.

It was reported that the work on the inventory of the holdings and property of the Society was making progress and that further report will be made at the next meeting.

The Secretary reported that all officers had filed written reports covering respective departments and their work during the preceding quarter.

Hon. W. J. Peterson moved that the Chair fix the date of the annual meeting for the membership of the Society to be held at Tulsa, and upon receiving a second put the motion which carried.

Gen. William S. Key moved that the President be authorized to fix the date and to appoint the necessary committees to arrange for the annual meeting at Tulsa. Motion was seconded and carried.

Hon. John B. Meserve moved that the meeting of the Board which would regularly be held in April of this year, be dispensed with, as the annual meeting of 1940 will be held about the time of the regular board meeting. Motion was seconded and carried.

The Secretary presented the report of the WPA Project, S-233, for indexing and cataloguing newspapers, Indian Documents, etc., which shows that in addition to the newspapers already indexed the following are being indexed: *Taloga Advocate*, *Lawton Constitution*, *Norman Transcript*, *Daily Ardmoreite*, *Hobart Chief*, *Coalgate Courier*, *Walters Journal*, *Daily Oklahoman*, and the *Chandler News*.

The report of Dr. Grant Foreman on the disposition of the County Records, and the geographical distribution of the membership of the Historical Society, was presented and accepted and continued for consideration at a future meeting

The Board expressed regrets on account of the illness of Mrs. Grant Foreman, and the hope of her speedy recovery and restoration to good health.

The Secretary was instructed to write letters to Judge Samuel W. Hayes, Mrs. Frank Korn, Judge William P. Thompson and Mrs. Roberta C. Lawson, members of the Board of Directors who were detained by illness, and to convey to them the sympathy of the Board and the hope of speedy recovery.

Judge Thomas H. Doyle reported the recent death of Judge James S. Davenport, a member of the Criminal Court of Appeals, also an ex-officio member of the Historical Society. The Secretary was instructed to write letters of condolence to his widow and daughters.

Hon. W. J. Peterson moved that the meeting be adjourned subject to call of the President.

James W. Moffitt,
Secretary.

Judge Robert L. Williams, President
Presiding.

NECROLOGY

JUDGE WADE HAMPTON KORNEGAY
1865-1939

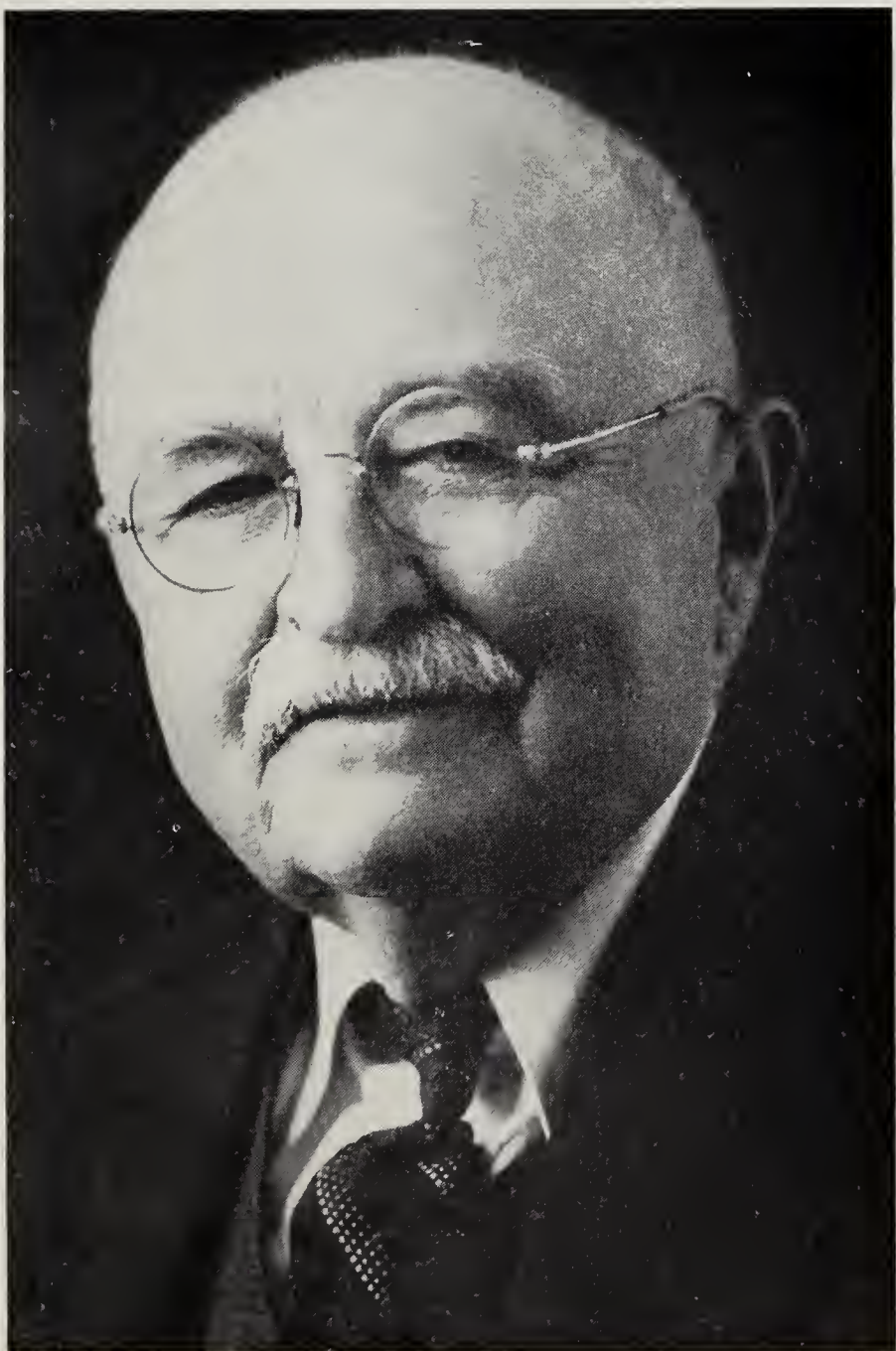
On Sunday morning, November 19, 1939, death came to Judge Wade Hampton Kornegay as a result of a heart attack at his home in Vinita. He was born in Duplin County, North Carolina on April 17, 1865. For forty-eight years prior to his death, Vinita had been his home where he was continuously engaged in the practice of law except for the period when he was serving as a member of the Constitutional Convention in 1907 which framed the present Constitution of the State of Oklahoma and while he served by appointment of the then Governor William H. Murray as a member of the Supreme Court of the State of Oklahoma in 1931 and 1932.

Judge Kornegay's ancestry on his father's side is traced to Holland and on his mother's side to Wales. They settled in America in a very early day; the father's in North Carolina and the mother's on the James River in Virginia. When the Civil War came, Judge Kornegay's father enlisted as a private soldier in the Confederate Service and was wounded in battle. He was in the retreat from Richmond which ended at Appomattox. Judge Kornegay was born while his father was absent serving in the army. He wrote of his father as follows: "He named me for General Wade Hampton of South Carolina who he had seen ministering to his soldiers who had been used to carry powder. All the medical supplies were gone and nothing was left save some flour which the General was personally sprinkling on the burns of his men. Father said on seeing this, he determined if the expected child was a boy, his given name would be Wade Hampton. I was the boy, the youngest of seven. Father always taught me that the war ended at Appomattox." Further referring to himself, he wrote.—

"I attended the local academy and seminary and entered the Wake Forest College, North Carolina, in my fifteenth year and graduated from the institution in 1884 with the degree of A. M. and being the class valedictorian. I taught school for four years and acquired the means required to bear my expenses for a summer law course under Professor John B. Minor at the University of Virginia in 1889, followed by the regular two year course at Vanderbilt University, taking the full course in one year."

Judge Kornegay was a man of great literary attainments and was particularly versed in the classics. His career as a college student was brilliant. I quote from a recent letter from Honorable John F. Schenck of Lawndale, Cleveland County, North Carolina, who was a fellow student at Wake Forest College with Judge Kornegay.

"The most striking and interesting thing which I remember about Kornegay was his entering into a contest for a Greek medal, which was awarded every year at Wake Forest College. At that time A. T. Robertson, who became a noted Greek scholar, was a member of the class studying Greek, and he stood so high in his class that it was taken for granted that he would be the winner of the Greek medal that year. I do not think any one was doubtful as to that matter. However, when the final and special Greek examination came, Kornegay was the winner. It was a mystery to most students how he managed to win the medal over Robertson, but afterwards I learned that Kornegay was in the habit of waking at 4:00 o'clock in the morning and usually put in his early morning hours at work, preparing for the contest."



JUDGE WADE HAMPTON KORNEGAY



WALTER FERGUSON

Judge Kornegay was married in the early 1890's to Nannie Louise Stafford of the Indian Territory, who survives. From that union were the following children: Jeanette, Clarence, Wade Hampton, Jr., and Louise, all of whom are living. The home life of the Kornegays was a happy one. Judge Kornegay was an honorable citizen, a believer in the Christian religion and a supporter of the Presbyterian Church. His career as a practicing lawyer was long, honorable and successful.

His remains, after an impressive and appropriate ceremony were laid to rest on November 21, 1939 in the presence of a large concourse of friends from all walks of life, in the Fairview Cemetery at Vinita, Oklahoma.

BENJAMIN MARTIN

Muskogee, Oklahoma

WALTER FERGUSON

1886-1936

Walter Ferguson, son of Thompson B., and Elva Shartel Ferguson, was born March 28, 1886, at Wauneta, Kansas, and died March 8, 1936. He was married to Lucia Loomis, November 7, 1908. Three children survive, Benton, Ruth Elva, and Tom B.

The only authentic picture of the people, conditions, or life in early day Oklahoma presented in Edna Ferber's malevolent novel, "Cimarron," sprang, not from the egoistic mind of the author, but from the understanding heart of the artist illustrator, V. C. Wyeth.

On frontis page and jacket we see a strong, reliant, clear eyed mother, guiding a team of sturdy farm horses over a rutty road. Perched upon the high spring seat of the wagon is the figure of a small boy, his eyes alert with eager interest. The mother's face is eloquent of faith in the future; of that fearless faith that ignores hardship and sacrifice; that asks only to work and to serve; a faith that makes a shrine of struggle, and reckons not the cost in weary, lonesome, hours, but counts that day well spent that sees security for her loved ones brought one step nearer.

The tense figure of the boy radiates excitement. One can hear his shrill, childish treble, as a coyote or jack rabbit bounds from its hiding place by the road side, or a cowboy, picturesque in chapps and spurs, bursts suddenly from a dry creek bed, riding hard on the heels of a straying steer. Only the present, the novel, entrancing present, absorbs the boy. But the future, the long, hard, coming years, have use for the sturdy body and active mind of that boy. He will not fail that future, for he is a pioneer, and is to be the product of pioneering.

The original of that illustration hangs in the hall of the Ferguson home today. It belongs there. It is the artist's conception of Walter Ferguson's entrance into the land he was to love so intensely; which he was to serve so devoutly, and which he was to see developed into a state that became his absorbing pride.

Exactly as pictured by the artist, the Ferguson family entered Oklahoma in 1889. The mother and son in a wagon containing their household effects, and the father following in another, loaded with a few fonts of type, and the primitive press which was the first crude equipment of the Blaine County Republican, for long years the champion of law and order, and cultural progress in western Oklahoma.

The heart beats of any community are heard and felt best in a newspaper office. It is the common nerve center that receives and records the thought, impulses, and activities of that community. Walter's infant

wails were drowned by the thud of a Washington hand press, and the odor of printer's ink was always, afterward, a haunting lure. His restless, roving spirit drove him into many and varied fields, but always, in any situation, he was the trained observer, the student of values, feeling the pulse of the public unerringly, and subconsciously swayed by that sixth sense which marks the real newspaper man.

Watonga, Blaine County, was a county seat and court town, remote, raw, and unorganized. Peopled by men and women of every class and creed, strangers from near and far who had become neighbors in a day. Walter lived his buoyant, boyish years in this environment. His young and plastic mind received and absorbed a thousand impressions from the clash of viewpoint and opinion that were fused in the melting and moulding of the strong, sturdy, cosmopolitan settlers into a commonwealth truly American.

Here was born his kindly tolerance. With his natural instinct for truth, he separated prejudice from reasoned conviction, weighed warped sincerity, and instantly recognized a subtle wrong. He learned to measure men. He had an instinct for friendship, and saw something interesting in everyone he met. Grown men who bought papers from a barefoot boy, before Watonga had a railroad, never forgot him, and hundreds of his nation wide friendships antedated his early 'teens.

No boy could ever know a stranger, or more complete assortment of men than Walter was thrown among. Temple Houston, with his long, black hair, high heeled boots, and tongue touched with fire; Jesse Dunn, dignified, astute philosopher; Chris Madsen, veteran of four wars, fearless, relentless peace officer; priests and preachers, gamblers, politicians, and lean, lank ranchers. Position and place, then or afterward, meant nothing to him, but in every man he sensed something that sets the individual apart from his fellows.

While young Walter was busy sticking type, selling Wichita Eagles, and running errands for the court house crowd he found ample time for the pranks and pastimes of the small town boy. He knew every fishing hole and turkey roost for miles around Watonga. Halloween and the old-fashioned "Fourth" found him in the thick of things. In after years he often recounted with relish an anecdote which he said established his rating in deportment.

A farmer brought to town a huge diamond-backed rattler he had captured. Someone suggested that the reptile was extremely dangerous and should be killed. "No, no," a bystander objected, "turn it loose, it may bite that Ferguson boy."

In a heated campaign his dignified father was addressing a Republican rally. Walter planted himself on a cracker box in front of the platform and proceeded to lead the applause. His enthusiasm focused the attention of the audience and the orator was forgotten. The one-boy cheering section had to be removed.

There may have been regret, but there certainly was relief when the "Ferguson boy" left town to attend Wentworth Military Academy.

While Walter was at Wentworth, his father was appointed Territorial governor and moved to Guthrie.

At Guthrie, at the age of seventeen, young Ferguson laid the foundation of his career as columnist, newspaperman and politician. His first serious effort was a column in the Shawnee Herald, published by Adj. Gen. Charles F. Barrett. "Over The Tea Cup" became a sensational news source. So much inside information appeared in the column that the Governor's advisors complained that the tea pot must be on the family

table. Walter was barred from future party talkfests, but his reputation as a political writer was established.

The seething territorial political pot boiled hottest at Guthrie. The State Capital was the ruthless Republican mouthpiece, and Frank Greer its able, vitriolic editor. Under his tutelage Walter found a wide field for his talents. Possessing rare political sagacity he rapidly developed into the territory's leading free-lance writer.

Here, again, Walter widened his acquaintance among the men who were making Oklahoma history. They all became his friends. All doors were open to him. He lambasted and satirized his Democratic friends unmercifully, but the absence of malice and venom, and the rare spirit of wholesome good humor, so pervaded everything he wrote, that those at whom he aimed his sharpest shafts became his closest pals.

While working on the Capital, Walter decided to complete his education, and matriculated at the University of Oklahoma. His irrepressible spirit could not be confined within the usual routine of the college curriculum. He established a news bureau, and wrote feature articles and short stories for the metropolitan papers, helped organize the first fraternity, Kappa Alpha, and played his full part in campus life.

All who have read Walter Ferguson's serious writing, have had no doubt of his moral courage, but less is known of his physical stamina.

While at Norman he went with a group of friends to the wilds of Canada on a hunting trip. It happened that they pitched their camp in a region infested by the "Wolf Boys," an outlaw gang as quick on the trigger as any of the famed gun men who roamed the western plains in "border" days. One evening while the college boys were resting around the campfire, Bud Wolf and his pack rode in upon them. Bud threw his six gun and peppered the coffee pot. The boys took to the brush—all but one of them. Ten minutes later, hearing no more shooting, they came slinking back, and there stood Walter, kidding the life out of Bud, and the outlaw was laughing.

Walter spent three years at the University, and returned to Guthrie as city editor of the State Capital. Here came the opportunity for some of his most important work. The constitutional convention convened, and while reporting its proceedings he was in close touch with the inside workings of that body. His salty wit enlivened his stories, and the coffee grew cold on a thousand breakfast tables, as the head of the house read the panning dished out in easy flowing satire. His penetrating powers of perception enabled him to picture the leaders as faithfully as a photograph.

Walter Ferguson had much to do with the making of the reputations that were established in the convention, and his unpublicized influence is reflected in much of the state's organic law. The real leaders, the men of ability, respected and loved him and eagerly sought his council. The four-flusher feared him. He was death to "stuffed shirts," for the only thing Walter Ferguson ever hated was pretense.

No one could have a deeper sense of the importance and significance of the constitutional convention than he, but even that could not suppress the flood-tide of his humor. He it was who dubbed the president, Wm. H. Murray, "Cocklebur Bill," and organized the famous "Squirrel Rifle Brigade."

His humor often had a deflating effect, and many a man who became a leader, was stronger and more sincere because a flash of Ferguson wit gave him a good look at himself.

Upon the convening of the first session of the legislature of the new state, Wm. H. Murray was elected speaker of the House of Representatives, and at once appointed Walter as Reading Clerk. Upon the floor of the House, he was in intimate touch with the proceedings of the important body, which made effective and gave life to the provisions of the constitution which had been ratified by a vote of the people.

There is no way to measure the weight of Walter Ferguson's influence during the sessions of those two fundamental lawmaking bodies; no way of knowing how many salutary provisions owe their existence to his interest and wise foresight, but certain it is, that he was both loved and feared by the members; that in caucus and council he was respected, and his influence was enhanced because it was universally understood that he "had no ax to grind."

After the adjournment of the legislature, Greer sent Walter all over the twin territories as a correspondent, and thus he saw at first hand, and often helped to supervise, their welding into the new state. He reported the amalgamation of the Oklahoma and Indian Territory Bar Associations, the medical associations, The Oklahoma and Indian Territory Press Associations, the merger of the educational associations, and in the final blending of a divided citizenship, long swayed by prejudice, and even deep-seated dislike, the friendly, tolerant spirit of Walter Ferguson was again of inestimable value. Men just naturally became friends in his genial presence. He kidded provincial prejudice out of them, just as he joshed the bravado out of Bud Wolf.

His work on the Capital was congenial, but Walter was independent, ambitious, and he wanted to be his own boss. He took a double plunge.

He bought the Cherokee Republican, and married Lucia Loomis, his college sweetheart.

For ten years this perfectly mated team worked side by side, enduring the hardships and sharing the joys that make the publishing of a country newspaper the most interesting and soul-testing experience on earth. Walter watched his wife (now a nationally known newspaper columnist), develop the talent that, to the day of his death, was the source of his greatest pride and joy. In the files he left was found a yellowed copy of her first story, and crumpled clippings of her first features.

The influence of the metropolitan press of the present day is in doubt, but the country newspaper is a power in the hands of honest, courageous publishers. The Fergusons made the Cherokee Republican more than a local news vendor. The editors had opinions and ideals, and fought for them.

Alfalfa county is solely an agricultural community. When a government agency limited the price of wheat, during the world war, the Republican commended the action. There was widespread indignation among the farmers, and hundreds cancelled their subscriptions, but the Fergusons, afire with patriotism, never wavered in their position, and so stressed their country's need that their readers were finally made to feel the thrill that comes from sacrifice for a righteous cause.

Walter continued his political writing. His column, "Bugscuffle Bugle" gave the paper a state-wide circulation. Office seekers he put on the pillory read it and shuddered; voters read it and laughed themselves out of a year's subscription.

He believed that a public officer should reflect the sentiments of his community. He lived squarely up to that principle. When the people of Alfalfa county elected him to the state legislature, he introduced and valiantly fought for the passage of a bone-dry liquor bill. The bill had teeth in it. The measure provided, not only for a fine, but for imprison-

ment for the mere possession of intoxicating liquors. No one could possibly enjoy a social drink more than the convivial Walter, but his constituents were dry, and as their elected representative, he considered their collective will an imperative mandate. He believed that in no other way could a representative democracy be made to work. He believed that probity in politics is essential in a republic, and that the lack of it constituted his country's most dangerous weakness.

The Republican was the first advocate of the construction of large lakes at public expense. It emphasized the benefits to be derived as means of conservation, recreation, and the probable influence on climate and rainfall. On the great Salt Plains in Alfalfa county is now being constructed one of the largest earthen dams in the nation. Soon countless thousands will enjoy the fruits of long, weary hours of research and effort contributed by the young editor to the public weal. The Great Salt Plains lake will be a fitting memorial to his vision, and to his passion for unselfish service.

During his busy years at Cherokee Walter found time to serve as postmaster for six years, and to perform the exacting duties of Chairman of the county exemption board during the war.

Few men will remember Walter Ferguson as a worker. They will forget his thoughtful editorials and articles; they will only vaguely realize that his broad, comprehensive knowledge of history and politics, and his grasp of the multitudinous causes and conditions that gave his beloved Southwest its color and romance, could only come from intensive study and thought. They will remember him as the genial, high spirited, fun loving host, transforming groups of worried men into laughing, singing boys, breaking through the artificial shell of their reserve with a pointed jibe, a wild tale, or an absurd anecdote.

Hundreds of men, day dreaming at their firesides, will recall the days and nights at T-Bone ranch in Alfalfa county, Nationally known writers, dignified judges, merchant princes, cold, calculating bankers, lawyers and doctors, men in all walks of life, famed for great achievement, will remember when they were completely disarmed and relaxed at T-Bone. They will remember when Walter slapped them on the back, and they found themselves, glass in hand, telling stories, making impromptu speeches, singing high tenor in off-key quartets, and loving their fellow men. They will remember that many of their finest friendships date from a Ferguson party on the plains. A dignified statesman will remember a leather-faced rancher he met in that spacious, rustic, mint-scented retreat. Senators, congressmen and globe trotters will remember the oil men and old timers, and best of all, the big jovial host who had them milling and mingling with the joyous abandon of care-free school kids.

No wonder that men, everywhere, came to Walter Ferguson when a favor meant much to them. No wonder Walter always knew a fellow by his first name who could turn the trick. He believed that man is his brother's keeper. He used his friends to help his friends, and multiplied the joys of all.

The T-Bone ranch is still there on the Alfalfa county plains; men still gather under the broad beams of the high-hipped roof, but the laughter is more subdued, the mood is reminiscent, for they're thinking now of a broad, infectious smile, a cheery voice now still, and they long for a hand clasp they can almost feel.

In 1909 Walter Ferguson became vice-president of the First National Bank at Oklahoma City. It was a radical change, but Walter was successful in his new avocation. He served six years as a member of the Federal

Reserve Board, and removed to Tulsa in 1927, becoming associated with the Exchange National Bank.

Big business made no change in Walter's personality. In his office in the somber bank, one heard the same hearty chuckle, and he filled the temple of the money changers with an atmosphere of warm, human friendship.

The field of history and biography was Walter's natural habitat. From early youth he collected and preserved items and objects which he knew would some day have great historical interest. When he located in Tulsa he selected a home with a large, unpartitioned attic floor. This room became a nationally known retreat and rendezvous. Upon shelves, and walls and ceiling he spread the mementoes that represent years of searching, hoarding, and understanding discrimination. It is a perfect panorama of the long years that saw the great Southwest struggle on under five flags to become the most democratic and cosmopolitan region on earth today.

Long shelves line the side walls of one end of the room. In the volumes that fill them is recorded about all that has been written about the region. Scores of them are out of print and priceless. Some are learned tomes crammed with tedious but essential data. Others are racy, readable stories of Spanish adventurers, French explorers, Indian warriors, border gunmen, and cattle kings. There are leather bound volumes containing the statutory laws of several Indian tribes—laws, that because of their simplicity, and fairness, put to shame the work of modern legislative bodies. The white man's Bible, printed in the tongues of so-called savage red men, lean against the bound record of solemn Indian treaties, all broken by white men. (Did Walter place them just that way to emphasize the exchange a primitive people made, of their simple religion for broken pledges?) Rare documents and manuscripts fill to bursting commodious files.

On the walls and ceiling hang hundreds of photographs showing the pictured faces of those who had part and place in the making of the Oklahoma we know. In one group on the west wall will be found the face of almost every editor and publisher who ground out the history of Oklahoma in the pioneer press. In another group are the statesmen, the judges, and lawyers, the men most active in public affairs. Photographs of noted Indian chiefs, of early day peace officers, and even of notorious outlaws, (most of them just stark, rigid, bullet scarred bodies), completes a pictorial biography of the most colorful state in all of the forty-eight. It is significant that almost every picture is autographed, "To My Friend, Walter."

There are scrap books containing incidents and anecdotes more revealing than many pages of prosaic written history.

At one end of the room stands the bar of the old Red Dog saloon at Guthrie. Even the original brass rail is there. Much of Oklahoma's history was made by men while leaning on this old rail. A roulette wheel and a poker table from another social center in early day Guthrie stands invitingly near by.

A rare map of the old ranches in "No Man's Land" and the branding irons of the cattle kings who owned them are placed in a conspicuous corner.

Mementoes of the outlaw days completely fill the back bar of an old saloon. Six-shooters carried by desperadoes who scorned to prey upon the helpless, but "shot it out in the open," hang beside the guns of intrepid peace officers who subdued them.



DOUGLAS H. JOHNSTON

This room reflects, as nothing else in the new state does, the color, the romance, the strain and struggle, the labor and the sacrifice, that went into the making of the unique commonwealth that is Oklahoma. It should be preserved in its entirety and placed where future generations can visualize the entrancing past.

Walter Ferguson was as much a part of Oklahoma as her broad, sweeping plains, and native hills. He was not only a part of its colorful history, but out of the very soul of him, dyed that color with some of its richest hues. He played his part in the pioneer's barehanded fight with nature in the raw. Where and while he worked and played, from infancy to manhood, all races, and all cultures, met, and mingled, and fused. He helped to make and mould a new and distinct social structure, and was, himself, its peculiar progeny.

Only in a primitive society do men outweigh possessions. Only there are men implacably measured as men. Courage, strength, and loyalty must be his, and generosity, and quick sympathy, are first essentials where roving want presses hard upon the heels of all. To Walter these qualities were innate, but were doubtless emphasized by his environment. Daily he saw sturdy men drain themselves of strength and substance for neighbor and friend, for community and state, and saw their lives grow full and rich from giving and doing. In the life of the hard-fisted frontiersman he found a premium placed on real manhood, and an utter disregard for station and things that was to become his code. And by that code he lived and died.

E. E. KIRKPATRICK
FRANK G. WALLING

Tulsa, Oklahoma

DOUGLAS H. JOHNSTON

In the veins of Governor Douglas H. Johnston was intermingled the best blood of the old South, and the best blood of the proud Chickasaw Tribe of Indians. His father, Colonel John Johnston, Sr., was closely related to Generals Joseph E. Johnston and Albert Sidney Johnston, of the Confederate Army.

After assisting in the emigration of the Chickasaw and Choctaw Indians from Mississippi to Indian Territory, and over the "Trail of Tears," Colonel Johnston returned and settled among the Indians and married Mary Cheadle, a Chickasaw Indian, and a member of the well known family of Kemps.

Toward the end of the Civil War, Colonel Johnston died and was buried at old Fort Washita near the present city of Durant, leaving a family of four boys of which Douglas H. Johnston was one. He was named for General Douglas H. Cooper who commanded the Chickasaw and Choctaw troops in the Civil War. Governor Johnston grew to manhood in the Chickasaw and Choctaw country and was educated in the Indian schools and academies.

In 1884, at the age of twenty-six years, he was made superintendent of old Bloomfield seminary, an institution for the education of Chickasaw Indian girls. This institution was, in later years, moved to the city of Ardmore, and it is now maintained by the United States Government as Carter Seminary. Governor Johnston held this position for thirteen years, or until 1897.

When first elected governor of the Chickasaw Nation, in 1898, the tribal reign was supreme over the old Chickasaw Nation, which comprised the southwestern one-fourth of Indian Territory.

Early in his first administration, both the Indians and the United States realized that the "Atoka Agreement" of 1898 was defective and must be superseded by a new agreement. Therefore, in 1902, the "Supplementary Agreement" was negotiated and ratified. Under this agreement the wrongs contained in the former agreement were righted; and the lands and moneys of the Chickasaws and Choctaws have been divided and distributed among the enrolled members.

It is deemed appropriate to set out some of the most notable achievements of Governor Johnston, on behalf of his Nation and people.

When the life of the Chickasaw tribal government was endangered by the non-payment of tribal taxes and the surrender of Chickasaw schools was demanded, he went direct to President Theodore Roosevelt, and executive orders for the collection of tribal taxes and the retention of the tribal schools, were made; and thus the life of the tribal government was saved and the control of tribal schools was retained to the end of the treaty period.

When some four thousand white adventurers from the surrounding states, by fraudulent representations and perjured testimony, forced themselves upon the tribal rolls, through judgments of the United States Courts, and took possession of tribal lands, Governor Johnston again appealed to President Theodore Roosevelt. The "Supplementary Agreement" of 1902 was made and a new court, for the retrial of the cases, was created. The cases were retried and the claimants were ousted from Indian lands.

When Oklahoma statehood came on, in 1907, the new state, sorely in need of taxes, sought to tax Indian lands, in violation of treaty guarantees. The memorable "Choate Case" was filed and carried through the intermediate courts to the Supreme Court of the United States. In 1912 the great Court rendered its opinion, holding that treaty guarantees, relating to taxation, were binding on Oklahoma; and thus again were the rights of the Indians made secure. When the period of tax exemption expired in 1926 and 1927, many original Indian allottees were still alive and in possession of their lands. Restricted Indians of half blood and more were still unable to pay taxes, and taxation still meant confiscation. The President and Congress were again appealed to. The result was the passage of the Act of 1928, making inalienable and non-taxable one hundred and sixty acre homesteads of restricted Indians; and thus these helpless people were made secure in the possession of their homes for another period of twenty-five years. When it appeared that the affairs of the tribes were drawing to a close, Governor Johnston asserted, to the President and before Congress and the Federal Departments, conceived that considerable moneys were due and payable to the tribes. The Act of 1924 was passed providing for the trial of all claims against the Government. These suits, involving many millions of dollars, have been prepared and filed and are now pending in the United States Court of Claims, and it is expected that they will be finally disposed of in the near future.

The wife of Governor Johnston, who was Betty Harper of distinguished Chickasaw Indian ancestry, was a teacher at Bloomfield Seminary, at the time of her marriage to Governor Johnston, and she, and the children and grandchildren, while they are left to mourn, are comforted by the deepest sympathy of mourning friends throughout the old Chickasaw Nation, the State of Oklahoma, and extending on to the National Capital.

Governor Johnston served as the Chief Executive of his Nation continuously, since his first election in 1898, to the present time, with the exception of two years from 1902 to 1904. He was still serving at the time of his death, with the consent of the President of the United States, being the last elected Chief Executive of his tribe under the Chickasaw Constitution, and it is gratifying that he was permitted to serve them



MRS. ANNA C. TRAINOR MATHESON

to the end of his long and useful life. Thus, throughout all the years, from 1898 to the present time, Governor Johnston stood as the accredited representative of his Nation in all matters affecting the well-being of his people. By the exercise of a courage of the highest order, and an immovable firmness in the official conduct of all matters affecting the rights and interests of his Nation and people, he has won and held the respect and admiration of public officials, both in Oklahoma and at Washington.

Melven Cornish

McAlester, Oklahoma

MRS. ANNA C. TRAINOR MATHESON
1872-1939

Anna C. Trainor was born December 15, 1872, at Tahlequah, Indian Territory. She was a daughter of Thomas Trainor, an adopted white citizen of the Cherokee Nation. Her mother, Lucy C. Trainor, a native of that tribe, is remembered in Cherokee history as a courier who carried messages for Confederate officers during the Civil War. Anna Trainor was one-sixteenth Cherokee blood and from early childhood was noted for her beauty. She attended the Cherokee Female Seminary at Tahlequah during the terms commencing September 6, 1886; February 14, 1887; August 26, 1889 and ending December 13, 1889, although there is no record that she was graduated from that institution. She was also a pupil of Harrell Institute in Muskogee and taught school before her marriage to Albert Stidham, a member of a prominent family of the Creek Nation. By this marriage she had a son, Clifford Stidham now of Kansas City, Missouri.

After the death of her husband Mrs. Stidham was married to Dr. Leo E. Bennett on Tuesday, April 16, 1895, at the residence of Mr. Buck Rogers in Muskogee. J. A. Winston, clerk of the United States Court, performed the ceremony in the presence of the immediate family and a few intimate friends. Dr. Bennett was the founder of the Muskogee Phoenix, Indian agent for the Five Civilized Tribes, and later United States marshal for the Indian Territory. By this marriage two daughters were born, Anna Lee (now Mrs. Del Sanders of Kansas City, Missouri), and Martha McKinley (Mrs. J. C. Brooks of Jefferson, Texas). The family also included the three children of Dr. Bennett by his first marriage, Gertrude, Lonie, and Leo E. Bennett, Jr. In addition Mrs. Bennett reared her beautiful sister Nevermore Trainor, one of her brothers and the son of a cousin; in late years by the care of several grandchildren she proved herself a veritable "mother in Israel."

During the married life of Dr. and Mrs. Bennett they made several trips to Washington when they were entertained in the White House by President and Mrs. McKinley who greatly admired Mrs. Bennett because of her beauty, amiable disposition and charm of manner.

Dr. Bennett died at Mineral Wells, Texas, May 28, 1917, and several years later Mrs. Bennett was married to Warren R. Butz of Muskogee who died in 1930; five years afterward Mrs. Butz became the wife of Mark Matheson who died the following year.

Because of her celebrated beauty and the fact that she was a native of the Indian Territory Mrs. Bennett was selected to represent the eastern portion of the new state of Oklahoma at the pageant in Guthrie, November 16, 1907, where a symbolical marriage ceremony was performed by the Rev. W. H. Dodson of the First Baptist Church of Guthrie, between the two territories represented by Mrs. Bennett as the bride and Mr. C. G. Jones of Oklahoma City as groom. Twenty-five years later at the celebration of the silver jubilee of the state before the State Historical Society Building in Oklahoma City the same bride, then Mrs. Warren R. Butz, and the late Gen. R. A. Sneed represented the bridal pair.

As on the first occasion Mr. W. A. Durant read the words giving the bride away while the identical marriage ceremony was performed by the Rev. James McConnell of Vinita, Oklahoma.

Mrs. Matheson died Saturday, August 19, 1939, at Muskogee and her funeral was held in the First Presbyterian Church in that city. The service was read by Verald Davis, Christian Science reader and interment was made in Greenhill Cemetery, Muskogee.

A devoted wife and home-maker, Mrs. Matheson also possessed great executive ability. The orphan children she cared for and her war work testify to her humanitarian interests. In addition to her beauty she had unusual charm and she was never heard to make critical or unkind remarks of other people. She met life with a smile in spite of troubles that would have overcome most persons.

Carolyn Thomas Foreman.

Muskogee.

THE INGRAMS

Charles Thomas and Benjamin Stone, father and son.

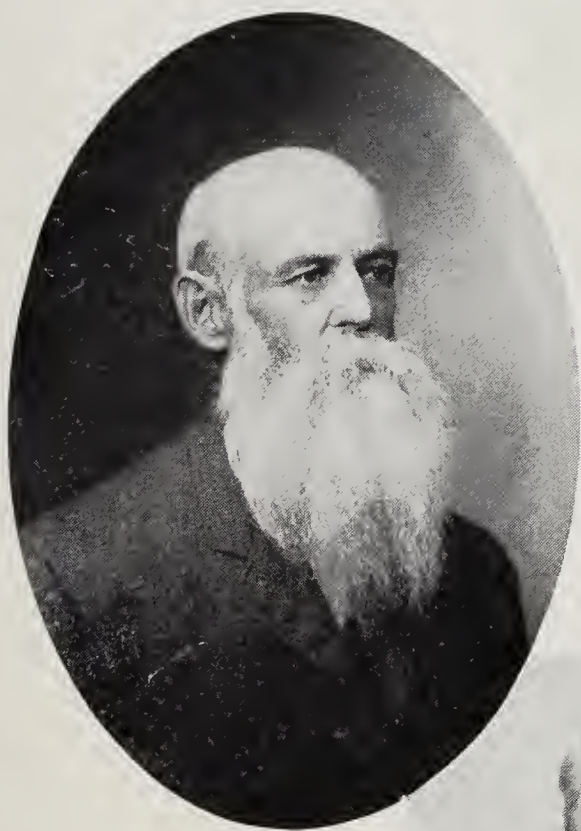
(1) Charles Thomas Ingram was descended from ancestors of Colonial Virginia, directly traceable to an early period in the Eighteenth Century to Pugh Price, who married Jerusha Penick (second wife). The eldest son of said marriage, Charles Price, born in 1757 and died in 1790, married Betsy Haskin. Charles Price served in the Revolutionary War, as Captain, in Thomas Watkins Troop, Virginia Dragoons.¹

(2) John Price, son of Charles Price and Betsy Price, nee Haskin, born in Virginia in 1768, and died in 1823, married, first wife, Miss Ranson in 1789 in Virginia and married as second wife, Nancy Harrison Wilson in 1819 in Cumberland County, Virginia; children of first marriage, Marie G., William, and John; children of second marriage, Charles, Alben, and Richard Wilson.

(3) Said Marie G. Price, (sometimes called Mariah), daughter of said John Price and his said first wife, Miss Ranson, was born December 12, 1807, died May 28, 1849, Chariton County, Missouri, having married John C. Ingram May 1, 1824 in Prince Edward County, Virginia; seven children born to this union, to-wit, Charles Thomas, Dabney, Dick, John, Mary, Anna, and Louise.

(4) Charles Thomas Ingram, son of John C. Ingram and Maria G. Ingram, nee Price, was born in Prince Edward County, Virginia, November 16, 1838 (died in Durant, Oklahoma, January 25, 1908, and buried at Bonham, Texas), moved with parents to Chariton County, Missouri. In 1859 he located at Bonham, Texas. After beginning of war between the states returned to Missouri in 1861 and enlisted on December 31, 1861 at Springfield, Missouri, as a private in Company F, 3rd Regiment Missouri Infantry, Confederate States Army. The muster roll of that organization in War Department at Washington, D. C., shows his age 24 years, born in Virginia, and residence then at Brunswick, Chariton County, Missouri, and roll last on file for July and August, 1864, shows him present with his command. No record is found of him in the War Department subsequent to August 31, 1864, but Collection of Confederate records there on file is incomplete. He actively served at all periods until close of hostilities.

¹ War Department Records, Washington, D. C.



THE INGRAMS (FATHER AND SON)

After enlistment he continuously served in said regiment under Major General Sterling Price, Co. F, 3rd Mo. Infantry, C. S. A., Cockrell's Brigade, as a Whitworth sharpshooter (the Whitworth rifle used by him now being in the possession of Mrs. Ed L. Speairs, his daughter, in Oklahoma City, Oklahoma). When General Price's command was surrendering, Charles Thomas Ingram on his horse with his rifle made his way farther south to join Major General Kirby Smith's command, but on reaching same, finding that they too were surrendering, he then on his horse with his rifle made his way to Bonham, Texas, resuming the life of a civilian, and where he continued to reside until the spring of 1897. On December 20, 1870 he married Maria Olivia Stone in Fannin County a few miles south of Bonham. To this union came four children, one of whom was Benjamin Stone, born November 7, 1871, died November 19, 1939, in St. Anthony's Hospital, Oklahoma City, and buried in the cemetery at Bonham, Texas, by the side of his father and mother.

The father, who had been engaged in the mercantile business at Bonham, Texas, for a number of years, in the early spring of 1897 moved to Durant, then in the Choctaw Nation, Indian Territory, engaging in the mercantile business, leaving his son Benjamin Stone at Bonham to wind up the business, and then to come to Durant in the fall, which he did.

On June 29, 1898, his son, Benjamin Stone, married Nellie Bouton. The father, with the assistance of the son, continued in the mercantile business at Durant until his retirement from business in 1905. Then the son, Benjamin Stone, became connected with the Durant Cotton Oil Company and its gin department and continued in that connection the rest of his life except when he held the office of Deputy County Treasurer. Benjamin Stone Ingram had two sisters and one brother, all of whom are living, to-wit, Mrs. Joe Carraway, San Antonio, Texas, Mrs. Ed L. Speairs, Oklahoma City, and Charles Ingram, Los Lumas, New Mexico.

To the union of Benjamin Stone Ingram and his wife, Nellie Bouton, came three children, all of whom survive him, to-wit, Whitsett Ingram, Oklahoma City, Mrs. R. T. Farnsworth, Tulsa, Oklahoma, and Bouton C. T. Ingram, Dallas, Texas.

On the Stone side the family lineage is traced as follows:

(1) To Clack Stone, who married Elizabeth Motley, to which union a son, Samuel Stone, came.

(2) Samuel Stone (father-in-law of said Charles Thomas Ingram) born in Pennsylvania, 1809, moved to Tennessee in his early youth where he remained until 1852 and then came to Lawrence County, Missouri, and in 1861 to Fannin County, Texas, and died at Bonham, Texas, September 30, 1886; married Martha A. Turner in 1836, when she was 18 years old, who was born in Wilson County, Tennessee in 1818, and died at Bonham, Texas in 1901. Her father was James Turner, who came from Tennessee to Arkansas in an early day. Her mother was Kessie Hunter, an only daughter with six brothers, Alfred, Charles, Samuel, Clark, Rufus and Oak.

(3) To the union of Samuel and Martha Stone, nee Turner, six children came, to-wit, Ben Stone, killed in the Confederate service by a Federal neighbor, January 24, 1864; Mary Olivia, born in Lawrence County, Tennessee, March 4, 1839, died in Bonham, Texas, May 8, 1897; Delia, died in Bonham, Texas, November 21, 1921; Obediah Rufus, died in Bonham, Texas, November 8, 1889; Betty Kessie (Mrs. Hade Whitsett) born November 8, 1848, died in Bonham, Texas, November 25, 1931; Charles Alfred, died in Bonham, Texas, December 13, 1891.

(4) (a) Maria Olivia Stone, born in Lawrence County, Tennessee, March 4, 1839, married to Charles Thomas Ingram in Fannin County, Texas, December 20, 1870, and died in Bonham, Texas, May 8, 1897.*

Charles Thomas Ingram was a fine citizen, gentleman of the old South, a patriot, a gallant soldier, and faithful to every trust.

The son, Benjamin Stone Ingram, was a chip off the old block.

R. L. Williams

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- *Ingram Family (a) (1) Family Bible
 (2) "John Price—The Immigrant," by Rev. Benjamin Luther Price, Minister, First Presbyterian Church, Alexander, Louisiana.
 (3) National D. A. R. Nos. 89173 (Mrs. Francis Mitchell Strouse)
 (4) National D. A. R. Nos. 276233 (Miss Anne Ingram)
 (5) Historical data, Newspaper clippings, family records of Mrs. Ed L. Speairs, Oklahoma City, Oklahoma
- Stone Family (b) (1) Dodd City Newspaper, August 27, 1901
 (2) Family Bible in possession of Mrs. Ed L. Speairs
 (3) Authentic information in possession of Hade Whitsett whose wife was Bettie Kessie Stone.



DENNIS T. FLYNN

The Chronicles of Oklahoma

Volume XVIII

June, 1940

Number 2

DENNIS T. FLYNN

BY VICTOR MURDOCK

The life of Dennis T. Flynn, identified vividly with Oklahoma in the commonwealth's formative stages, is that species of biography which is history. In reviewing Oklahoma's initial years it is not possible to think of Oklahoma without including Flynn in the survey, or of Flynn without including Oklahoma. In the centuries to come the commonwealth will carry certain indelible evidence of his distinguished part in its earliest hour, together with a survival of some of the flavor imparted to the pioneer period by Flynn's own personality, and unquestionably due to his character.

This enduring place of Dennis Flynn in Oklahoma's history is assured because he exemplified in his life the ambitions and achievements of a majority of the individuals who made up the infant domain and who vitalized it with their vision and industry.

Indeed his career comprehends the spirit and substance of the era which made the evolution of the present day Oklahoma inevitable.

BEYOND HIS EXPECTATIONS

That career can be divided for convenience into three periods. The first finds Dennis Flynn as a youth caught in the sweep of a westering tide, common at that time to Americans who were not rooted to the place of their parentage. The second finds Dennis Flynn as a fairly young man helping with a firm hand to forge the frame work of a new social unit—a state. The third finds Dennis Flynn living in ripened age to see his most glamorous imaginings surpassed in realizations which enriched not only the commonwealth but himself.

As with the many of the earliest Oklahomans Dennis Flynn's biography begins in an eastern state, which at the time had little or no direct contact with the deep, remote interior of the continent.

As with a majority of the earliest Oklahomans Dennis Flynn was to push west and first to serve an apprenticeship in pioneering at the borders of the new land he was destined to help build.

As in the case of all Oklahomans of his era he was privileged to see the new domain dramatically exceed all his early expectations.

EARLY BECOMES AN ORPHAN

Dennis Flynn was born February 13, 1861 at Phoenixville, Chester County, Pa., his father Dennis Flynn being from Cork, Ireland; his mother Margaret Clancey who came also from Ireland after she was grown. When Dennis was nearly three his father died. His mother, who passed away in 1906, took him as a baby to Buffalo, New York in 1863. The child went into a Catholic orphanage near Buffalo, New York, there as he grew up to attract the attention of the superintendent, Father Hines. The boy Dennis learned to set type and to handle type-forms. When he was twelve Father Hines placed him in Canisius College, Buffalo. During his four years there Dennis Flynn finished his education. At sixteen he was a printer, and if need be, was able to show himself a capable business man. Most of all he was a personality. Out of school he managed a saw mill for Father Hines on a farm near Arcade, New York, for a while. Thereafter he adventured down to New York City and learned the craft of broom-making, pursuing it for a short period.

HE TURNS TO THE WEST

When he was around twenty-one years of age, the urge came to Dennis Flynn which was to turn his eyes to the West. He started in 1882 for the Territory of Washington. Stopping off at Riverside, Iowa, to visit relatives, he bought the local newspaper, the Herald, because it could be purchased at a bargain. Within six months, the old urge bidding him to be up and onward, he sold the newspaper and headed again for Washington territory. However, a fellow townsman asked him to accompany the townsman's son to Girard, Kansas. Flynn did this. In the eastern Kansas town these young men heard of desirable land available in Western Kansas, in Barber county, and induced a third youth to join them. These young men invested their capital in a yoke of oxen, a wagon and supplies and set out for the promised land. They had to learn to drive their oxen. But at the end of three weeks they did learn. Eventually young Flynn was sent ahead to spy out the land. He arrived at Harper, Kansas, by stage coach and progressed beyond that place by walking. He was searching for homesteads for his young friends and himself.

When these young men had settled on the land they were attracted to a new town, Kiowa, with a population of twenty-five nearby. Flynn determined to move to town and start a newspaper. The Kiowa Herald was the result. Now he met Addie M. Blanton, daughter of a Kansas pioneer. They were later to be married. When the railroad extended into that county it missed the town of Kiowa, which promptly moved and became New Kiowa

with Flynn acting as agent of the townsite company. In the meantime he had been studying law under an attorney in Medicine Lodge, and was admitted to practice.

IN ON THE FIRST TRAIN

At this period personality was again playing the dominant part in this young man's life. It won the local Republicans to him. He became postmaster (December 5, 1884 to July 17, 1885). He was city attorney 1886-1889. He was now in the town-lot business, was making land loans, writing insurance, was running a newspaper and practicing law. This was a period in which he had his first experience of prosperity. It was to be short. Times tightened. The Kiowa Herald was sold at a loss.

Dennis Flynn had now served his apprenticeship as a pioneer. At his feet in Kiowa stretched another unoccupied domain. It was Indian land mostly. At its center was a compact body of land called Oklahoma. It was not Indian land. It was public land. In 1888 Congress decided to open this fragment of public land to settlement. On April 22, 1889 it was opened. Before that date Dennis Flynn had noted that a place called Guthrie in the new country was to be a land office town. He asked Congressman Samuel R. Peters of Kansas to have him named postmaster there. Peters did. In the race by which the original Oklahoma was settled that day, Dennis Flynn reached Guthrie on the first train and staked out a lot adjoining the acre reserved for the government. There, after his commission arrived, he set up a frame postoffice and managed to get the population its mail, working day and night himself because of insufficient clerk hire. He was postmaster at Guthrie from April 4, 1889 to December 20, 1892.

It was at the window of this postoffice that the personality of Dennis Flynn most impressed itself upon that whole community where every man was a stranger to his neighbor.

HIS ARRIVAL IN WASHINGTON

Here was a young man. He was alert of eye—and understanding. He was quick of speech—and clear. He was kindly of heart. He was unafraid. And his whole manner made certain that he wanted more than he wanted anything else on earth at the moment—friends. Of course he was foremost in local politics. He was made the first Oklahoma member of the National Republican Committee. When in 1890, a year after the opening, a territorial delegate was to be elected to Congress, Flynn ran for Congress. The power of the new territorial governor, Steele, was sufficient to prevent Flynn's friends from giving him the nomination, D. A. Harvey winning. In the next two years Dennis

Flynn overcame that reverse. He marshalled the political forces in the Indian reservations lately added to the original Oklahoma, (the Cheyenne and Arapaho reservation among them) and won the nomination and election.

In Washington with its thousands of public officials, Dennis Flynn immediately made a remarkable personal impression. He was a territorial delegate and without a vote. He had nothing with which to bargain. But he had personality and it came into play immediately in a wonderful way. All Congress, Senators and Representatives, came to know Dennis Flynn of Oklahoma because of his anxiety about his constituents and his incessant solicitation in their behalf largely on a single score. This appeared through the fact that settlers on Indians lands had to pay for their "claims" within a definite time. Great numbers of settlers could not make these payments on time and Flynn set out to have Congress extend the date of payment. Beaten in the House where he had a seat, he was able to make the postponement law when in the Senate it was adopted as a rider to an appropriation bill.

HIS CAMPAIGN FOR FREE HOMES

At the next election in Oklahoma Flynn was returned to Congress and he set out on a campaign to improve on the extension of time payment idea by doing away with the payment entirely and thus have his constituents come into the possession of their homesteads free. At the outset Congress declined to give serious consideration to the proposition, although Flynn's ceaseless contention for it gained it an increasing audience. Congress at first could not see its way clear to accommodate this insistent young delegate at so high a cost to the government.

Therefore the exemption was not granted at the start. Flynn was confident that in time it would be and so asserted. But at the next election, 1896, he was beaten for delegate by a coalition of Democrats and Populists. Flynn went back to Guthrie and as a member of Overstreet & Flynn, Attorneys, turned his attention to the practice of the law. Perceptibly he had cooled toward politics. But in 1898 a Republican convention at El Reno dramatically nominated him after, in a personal appearance, he had formally declined to run. He did run, and after election returned to Washington to see his free homes idea triumph.

Following this election Flynn was to serve four years more in Congress, always a delegate, but by reason of his personality prominent and powerful in legislation affecting the affairs of Oklahoma now waxing great and nearing the place where statehood could not be denied.

HIS WORK FOR OKLAHOMA

I should hazard the guess that at this time Dennis Flynn's keen edge of eagerness in politics began dulling. It does dull often in public life.

Flynn had become expert in the history and the laws of land in America. He knew and was skilled in the relations of the Federal government to its territories. Nothing of moment transpired between the two capitals, Washington and Guthrie, in that time without Flynn's knowledge and seldom without his counsel. He worked for Federal enactments and departmental regulations which would help Oklahoma. In this category was the aid Oklahoma was to be assured from school lands in the Cherokee Strip; the provision of funds for court houses and schools in Lawton, Hobart and Anadarko from the sale of townsite lots, the substitution of a number-drawing for the old "horse race opening" when the Wichita, Kiowa and Comanche reservations were made available to settlers.

During his service in Congress Dennis Flynn knew all the great figures of his time with a contact that was something more than political, an intimate contact which can again be accredited to his personality. Always diligent in national politics he had liked Thomas Brackett Reed in the 1896 presidential nomination more than William McKinley. This made Flynn some trouble in Oklahoma political affairs under McKinley but not for long. When Theodore Roosevelt succeeded McKinley, Flynn was a consultant at the White House. He did not always have his way in patronage. But he frequently did. In the line of Republican presidents subsequent to statehood Flynn had friends, but his earlier intimacies at the White House were not repeated in the same degree.

This might be traced to the fact that he had withdrawn from personal politics markedly. He did not stand for the nomination for territorial delegate in 1902.

OUT OF PERSONAL POLITICS

He had come to the end of his political work—the erection of a skeleton of a new commonwealth. Did he know that the pattern of Oklahoma henceforth was not to parallel his political desires? I do not know this, for certain, but I think that Dennis Flynn felt, long before statehood, that single statehood, instead of double statehood, meant the end of his personal political advancement to the Senate, for he must have realized that the Democratic party normally would dominate the coming state of Oklahoma because of the inclusion of the Indian territory.

Added to this motive in removing himself personally from politics was unquestionably another urge. It was an anxiety

which comes to most men in middle-age, an anxiety to assure themselves of material estate. Every one had entered Oklahoma with the purpose of increasing his prosperity. Flynn did. Now he was no longer young. Politics is usually a poor provider in this world's goods.

All about him in Oklahoma Dennis Flynn saw men advancing in their material well-being. The domain had developed sensationally, almost immeasurable riches. Communities were crystallizing into opulent cities.

Once after 1902 Dennis Flynn ran for office in Oklahoma, for the Senate in 1908. But it was as a party sacrifice. His hope was not in it nor his heart.

LATER YEARS OF HIS LIFE

After 1902 he went back to his home life, Addie Blanton Flynn and his boys, Streeter and Olney, who have become eminent since in the legal and oil circles of Oklahoma. When the head of the legal department of the St. Louis and San Francisco railroad asked Dennis Flynn to form a law partnership to represent the railroad at Oklahoma City, Flynn became identified as an attorney to Oklahoma in the firm of Flynn & Ames (C.B.)

With Ames, Flynn became an owner in the Oklahoma Gas & Electric Co., sold later to H. M. Byllesby. Afterward Flynn became one of the founders and officers of H. M. Byllesby & Co., Chicago. In the latter years of his life he was connected with one of the larger banks of his state. He proved as able a financier as he had been land pioneer and territorial delegate.

Dennis T. Flynn's personality justly can be placed at the bottom of his success in life and his satisfaction with life. He wanted to win, not only in big things but in little things. He wanted friends, not only selfishly but unselfishly. And in his passion for winning and in his passion for friends, he had a most uncanny capacity for dramatizing incidents in which he had had part personally. Any reminiscence Dennis Flynn recounted was vivid with a vigor and vitality that fascinated the auditor. A thousand stories in Oklahoma with Flynn at their center, soon to become legends, alone will suffice to keep his memory green.

THE VITALITY OF HIS PERSONALITY

This was his secret—the vitality of his personality. In 1925 Bishop Francis C. Kelley recommended the appointment of Dennis T. Flynn and the Pope appointed him Knight of the Order of Saint Gregory, highest order conferred on a civilian by the Catholic church.

Bishop Kelley in June, 1939, delivered the funeral address over Flynn's bier.¹ In the course of it the Bishop said that he had been strangely conscious while preparing the address the night

before, of an incisive and inescapable impression that Dennis Flynn was not dead.

This was a manifestation of the vitality of Dennis Flynn's personality. It could thrust itself forward despite the evidence of death. It will, I feel certain, succeed in defeating the forgetfulness to which the future consigns so many of a country's pioneers.

To my mind it would be tragic indeed if the future history of Oklahoma should omit pictorially a scene depicting a characteristic campaign meeting addressed by Dennis Flynn. Such a meeting epitomized completely the pioneers of Oklahoma and their day. Flynn was driven to hundreds of such meetings overland, often at such great distances that he took provisions along. Sometimes he camped in the open. Frequently he spoke on the street; or in a fraternity hall; or in a church; or a rudely constructed arbor with a brush roof; sometimes in a frame school house. Such a school house meeting at night presented an unforgettable spectacle where few and none too certain kerosene lamps gave light.

A PIONEER FLYNN MEETING

Men, women and children, some of these in arms, filled the room to its last inch. Auditors actually lunged on the words from the lips of this young campaigner. Their eyes never left his eager face, evidencing so plainly his anxiety for their friendship; not a note of his musical speaking voice escaped them. He was talking things to which all their intimate interests were tied—the land and the intricacies of the law which confer ownership from wilderness to aborigine, from aborigine to intruder, and from intruder to civilizing settler. He preferred campaigning in those new areas where the formative processes in society had only begun. The picture of the Flynn meeting on the frontier is applicable not only to the history of Oklahoma in its entirety but to all its parts, the Cheyenne and Arapaho country, the Kickapoos, Otoes, the Sac and Fox, Cherokee strip, the Kiowa, Comanches, Caddos, Wichitas, and all the other segments which were included from time in the Oklahoma circle. Somehow there should persist in the ultimate story of Oklahoma, in the midst of all its mounting wealth and its accumulating culture, the vision of this young, slender pioneer, alert, vital, vivid, facing a pioneer audience, every soul in it as avid of progress, as ambitious of social advance, as eager for the glory of Oklahoma as himself.

. In such a scenic setting he was every inch the frontiersman facing fellow frontiersmen and forging before them, with dauntless spirit, the destiny of a new American unit after the pattern of his and their deep desire and faithful to his and their shining dream of another great, glamorous commonwealth.

¹ Mr. Flynn died at Oklahoma City on June 19, 1939.

WILLIAM BENJAMIN JOHNSON

By CLARENCE B. DOUGLAS

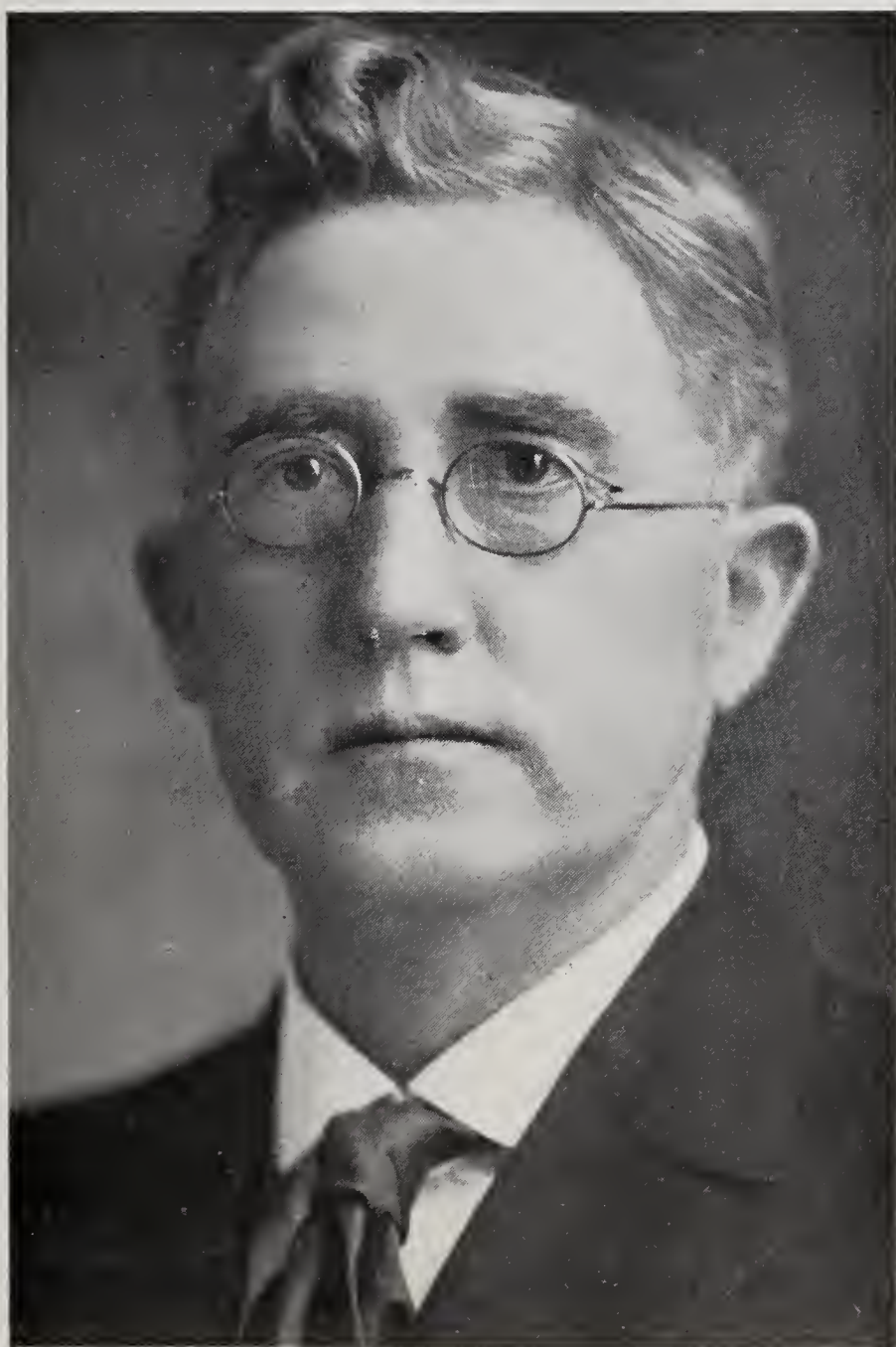
William Benjamin Johnson, son of Thomas Benjamin Johnson and Sarah Jane Slater (Johnson), was born near Big Bone Springs, Boone County, Kentucky, on November 18, 1860. In his youth, his parents moved to Covington, Kentucky, where his father was engaged in farming and flatboating tobacco and other supplies to New Orleans by way of the Mississippi River. He received his B. A. degree from Ghent College, Chentae, Kentucky, in 1879, and his LL. B. degree from the University of Michigan, at Ann Arbor, in 1882. Johnson came to Gainesville Texas, in 1882, where he entered the law office of Davis & Garnett, although not as a member. He married Annie Conlee of Gainesville, Texas, on January 26, 1886.

In 1890, Johnson was appointed United States Commissioner at Ardmore, Indian Territory, and moved to Ardmore, where he resided until his death April 22, 1939. He resigned his position as U. S. Commissioner and formed a partnership with A. C. Cruce under the firm name of Johnson & Cruce. Later Lee Cruce, the second Governor of Oklahoma, joined the partnership and the firm name was changed to Johnson, Cruce, & Cruce.

On January 14, 1898, he was appointed by President William McKinley as Attorney for the United States Courts for the Southern District of Indian Territory, succeeding his former partner, A. C. Cruce. On December 17, 1901, he was appointed by President Theodore Roosevelt, to succeed himself for another four years from January 14, 1902, which position he continued to hold until 1906. On December 18, 1905, President Roosevelt, through the Attorney General ordered his removal from office and the same day the President canceled the former order of removal, both telegrams being received December 18, 1905.

On April 11, 1911, Johnson was appointed Lieutenant Colonel on the staff of Governor Lee Cruce, his former law partner and on November 25, 1912, was appointed delegate to the American Mining Congress at Spokane, Washington, by Governor Cruce. He was admitted to practice before the Supreme Court of the United States on April 18, 1927. With the breaking up of the tribal relations of the Five Civilized Tribes of Indians in 1906, Johnson was appointed by the government of the Chickasaws to represent that nation in all matters of citizenship and allotment of lands; he served in this capacity until practically all legal matters had been concluded.

On April 22, 1889, when "Old Oklahoma" was opened, he was a passenger on the first train north, into Oklahoma. He described that momentous event as follows:



WILLIAM BENJAMIN JOHNSON

On April 22, 1889, the forbidden territory of Oklahoma was opened for settlement. I was a passenger on the first train on the Santa Fe that went north. There were many from Gainesville, Texas, many of whom I have forgotten but I do remember Pat Ware, W. A. Ledbetter, John Lewis, Moran Scott, Charley Gilpin and D. B. McCall. Scott was a small man and McCall a large one and very portly. These two made themselves the entertainers of the crowd. When the train reached Ardmore, then a small hamlet, they got out on the platform and said they would give a bear dance. Scott had a small string around McCall's neck and led him out and caused him to dance around and with him, to the amusement of all. At Pauls Valley, this was repeated.

No one was to enter the Territory until noon, so the train remained at Purcell until the time arrived to go in. John Lewis, while at Purcell, went to each place and purchased all the pint tin cups they had and when he returned with the cups on a twine, the bunch was so large he could not enter the train. He was not to be headed off, so he went to the rear, got up on the platform and let the cups hang out. No one could find out what he wanted with them. After we reached Oklahoma City, he sold them for 25 cents each, making a handsome profit, for no one, it seems, had made any arrangements like that, and the only drinking place was a well near the depot. During the next day, a man took charge of the well and sold one all he could drink for a nickle. The soldiers discovered him there and made him skip out.

There were many amusing incidents on that crowded trip. Every available space was occupied, and the train, after it left Purcell, travelled only about five miles an hour, so that those who wished to do so could drop off, which many did, to secure a homestead. The first night no one could find a place to sleep, so several of us slept on the ground under an elm tree east of the City, and it was not so warm or pleasant.

To his marriage with Annie Conlee, four children were born, three of whom survive him, Doran Garnett Johnson, Grace Johnson Ward, and Thomas Green Johnson. The fourth child, William Dougherty Johnson, died in infancy.

Near the close of a busy life he was made a member of the "Oklahoma Hall of Fame," November 16, 1938. At the time of his death he was the senior member of the law firm of Johnson, McGill & Johnson in Ardmore.

The firm of Johnson, Cruce and Cruce wrote its name large on the legal and political history of Indian Territory and the State of Oklahoma. Johnson, a Republican, was appointed by Presidents McKinley and Roosevelt, United States Attorney for the Indian Territory and President Grover Cleveland appointed A. C. Cruce to the same position soon after his inauguration. Lee Cruce, the Junior member of the firm, was elected Governor of Oklahoma succeeding C. N. Haskell, the first Governor of the State. Lee Cruce married a woman of Indian descent and was for years the trusted adviser of the Chickasaw and Choctaw Indians. A. C. Cruce late in life was the law partner of Judge C. B. Stuart and was considered one of the ablest attorneys in Oklahoma at the time of his death. On the seventy-fifth birthday of Johnson, business

was practically suspended in Ardmore, his home for almost fifty years and the day was officially designated as Johnson day, a tribute to him.

W. B. Johnson was a strange combination politically—a Kentucky born and Texas reared Republican. In Gainesville, Texas, he was President of the Harrison and Morton Republican Club and soon after reaching his majority his name was presented to a Texas State Republican Convention for the office of Attorney General of Texas. Soon after his arrival in Ardmore he with four others, Stephen A. Douglas, C. M. Campbell, John S. Hammer and Judge John Hinkle organized the first Republican club in Indian Territory. The party gave him its highest honor, the nomination for United States Senator in later years and he served also as a Presidential Elector for Oklahoma Republicans.



RICHARD BRIGGS QUINN

RICHARD BRIGGS QUINN

BY ELSIE CADY GLEASON

One of the most influential and intelligent builders of the Panhandle of Oklahoma, R. B. Quinn, died June 10, 1939. For fifty-two years he had worked quietly and earnestly for its development. No man was more frequently quoted, as he successfully edited in turn the *Hardesty Herald*, the *Guymon Herald* and the *Guymon Tribune*. After fourteen years as a United States Land Commissioner, he resigned with a perfect record. As United States Marshal for the western district of Oklahoma, he was complimented by President Coolidge and President Hoover for his excellent handling of criminals in seven years of service.

His life falls into three periods: (1) at Hardesty where he waited fourteen years for a railroad that never came; (2) at Guymon where he was a member of the townsite company and active in its civic and educational development; (3) at Guymon and Oklahoma City, after statehood, where he worked for the growth of Texas County, and as United States Marshal.

Richard Briggs Quinn, known in later years as R. B. (Dick) Quinn, was called by the nickname by all who knew him from 1887 to 1907. The newspapers of that period rarely used "Mr." as a prefix to any name. Will E. Bolton, editor of the *Woodward News*, answered to Billy, W. I. Drummond, Beaver *Herald* editor, to "Pete." In referring to Quinn in his paper Mr. Bolton used "Colonel Dick Quinn," as did the *Cimarron News*, but the news sheets of Beaver City called him "Dick Quinn" and such he shall be called in the story of his life at Hardesty.

No-Man's-Land never had a railroad. The original survey of the line known as the Golden State Limited of the Rock Island system laid tracks through the valley of Coldwater Creek not far from its mouth. It seemed a splendid location, as it was in the center of an excellent grazing country. In 1886 rumors of an extension across the strip which lay between Kansas and Texas were widespread, and settlers began to drift onto the plains that Texas, Kansas, Colorado and New Mexico had not included within their boundaries.

On January 10, 1887, a youth of nineteen stepped off the Rock Island train at its terminus, Greensburg, Kansas. He was a slender lad about five feet, seven inches tall, with an erect carriage. A firm mouth and chin and large brown eyes which kindled into laughter if any fun was being planned, or became cold, severe and stern if any injustice was to be righted, marked his face with the courage, determination and honesty which were to characterize the man of later years. After looking over the town, he found a man with a buckboard who was willing, for pay, to drive him to the end of the rail-

road survey. Arriving there, a second Jehu with the same type of conveyance agreed to take him to his destination.¹

The last driver was inquisitive and learned that his companion was Dick Quinn, who had been born at Roanoke, Missouri, in 1869. His father had been a captain in the Union army, but his mother was a strong Southern sympathizer. Some years after his father's death, his mother had married Mr. W. A. Sullivan. Dick had a brother, Wallace Quinn,² and two little sisters, Carrie³ and Olean⁴ Sullivan. For the past two years he had been working on the *Legal News* in Chicago, and he was now on his way to visit his mother's brother, Charlie Briggs.

After the drivers left Kansas they passed through vast stretches of slightly rolling land—a grey expanse of dead grass, broken by an occasional clump of leafless cottonwood and hackberry trees standing along small, shallow, sandy-bottomed streams. (Many of the cottonwoods had been cut down during the storm of 1886 to allow the horses to eat the leaves.)⁵ All through the country were wide paths which the cowmen called trails. Sometimes there were ten or twelve of these close together, worn down to the sod with no vegetation showing, to the width of a hundred yards. These were the highways of No-Man's-Land, along which herds of cattle passed on their way to northern markets and on which freighting wagons and mail coaches traveled. Cutting from the trail at varying intervals were the marks of wagon wheels which led to a squatter's home, or a well-worn road stretching some distance to a ranch house or a small settlement.

As the riders approached Coldwater Creek they traversed a valley about half a mile wide, through which a stream ten feet wide and a foot deep flowed with a clear, rapid current. There was a good heavy soil covered with buffalo grass and free from prairie-dog holes.⁵ Not a tree was in sight, except one young cottonwood that stood about a mile northeast of the settlement.⁶ At the mouth of the Coldwater they turned west one mile to "Johnny Fulkerson's Place." It was just a family settlement, but "a pretty good town in 1887 in No-Man's-Land," for it had a store, a saloon, a wagon

¹ Interview with R. B. Quinn by E. C. Gleason in 1937. Many newspaper clippings kept by Mrs. Quinn over a long period of years furnished considerable information.

² Died, 1913.

³ Mrs. John H. Lott, Eugene, Oregon.

⁴ Mrs. Olean Crow, Oklahoma City, Oklahoma.

⁵ O. M. Nelson, 1939.

⁶ Mrs. Crow drove over to the mouth of the Coldwater in 1931 to look for any trace of "old" Hardesty and was confused because there were so many trees, some of them twenty feet high. This growth of trees seems to prove statements of early residents that the vast herds which grazed there ate off the seedlings as they came through the soil.

yard and six or seven regular homes. Of the four types of houses in this country (the dugout, the half-dugout, the frame "shack" and the sod house), the last-named was found here, though some had shingle roofs. Lumber had to be hauled by team from Dodge City, Kansas, and was too expensive for extensive use.

Very shortly after Dick Quinn's arrival the settlement was named Hardesty, to honor Colonel Jack Hardesty who had a camp east of it and a large ranch on Chiquito Creek. No one remembers what became of the Fulkersons. In the spring, when Mr. W. A. Sullivan arrived with his family, he bought the store from its owner, a man whose last name was Frank. A new sod building was erected opposite the corral to house the stock of goods. In a short time he brought a large frame building from some deserted town and built it onto the "Farmers' and Rangers' Store." The addition was used for the home, and the large dining room always had a place for the family and a half-dozen or more transients—cowboys, adventurers, freighters, land prospectors and ranch owners. The store was usually cared for by the family, as Mr. Sullivan was a freighter as well as store owner.⁴

The building owned by Frank was rented to "Herb" Craig for a saloon. Prior to Craig's arrival the town's saloon, located just north of the corral, was owned by Billy Bailey,⁷ who left the country shortly before the Sullivan family came to Hardesty. Dick Quinn and Mr. Briggs homesteaded south of the Coldwater, but Mr. Sullivan bought the homestead of Frank, which was a mile northeast of the store. The "six or seven houses" were built along the road between and just beyond those shown on the plat. For years the only graves in the lonely little cemetery on the hill northwest of town were those of Silas Eldridge and a Mr. and Mrs. Joe Cruse who were frozen to death in the blizzard of 1887 while attempting the trip from Hardesty to Beaver.⁴

Hardesty was not far from the Jones-Plummer trail and only a mile from the old National Cow Trail from southern Texas. Often immense herds camped at the mouth of the Coldwater, when the bellowing of the cattle and the songs and shouts of the cowboys would be heard in the little settlement. The next day thousands of head of cattle would pass slowly along the trail in sight of town. Hardesty was the crossroads where the road from the county seat

⁷ Mr. Nelson was told that the town of Hardesty began when Billy Bailey and Joe Cruse opened a saloon. He reports: "Bailey and Cruse had helped Scranage of Beaver City start the town of Grand Valley, but Scranage wanted to run everything, so they moved over to the Hardesty location to start a town of their own. Someone put in a stock of groceries and a feed yard in a short time." In the *Guymon Herald* of November 22, 1906, Dick Quinn stated that "old" Hardesty was first located on the south side of the creek by Dodge City parties, but was shortly moved to the north side.

and the trails from Coldwater and Beaver Valleys met the Kansas-Texas trails.³ Frequently foreign herds grazed all winter near Hardesty and those on the way to market stopped to rest for several days. Three thousand Bell (Texas) cattle were turned out for months in 1893⁸ and four Bell herds aggregating eight thousand were later held in the vicinity.⁹ (The Bell cattle were usually supervised by John Taylor, who was considered one of the finest and most experienced "bosses" in the business. He always was dressed in the most elaborate and expensive clothes and would be the idol of the movie fans of 1939 could he have lived so long!) A herd of twenty-two hundred T O and some Three-block cattle from New Mexico passed along the trail. An "outfit" which had a team of twenty oxen all yoked together and hitched to a tank on wheels with three wagons and a cart trailed together followed, one man handling the whole "shebang."¹⁰ A K Y herd from New Mexico grazed close by, and a T O herd from Lincoln County, New Mexico, moved near town in 1894.¹¹ In those days practically all livestock was turned loose on the range to shift for itself. The early day cowman sought a place along some stream, usually flanked by a hill which meant a windbreak. The only time the stockmen received the benefit of grass lands far removed from streams was when the big rains filled the upland lakes, when herds were rounded up and driven to such places to be held as long as the water remained.¹²

⁸ Hardesty *Herald*, June 22, 1893.

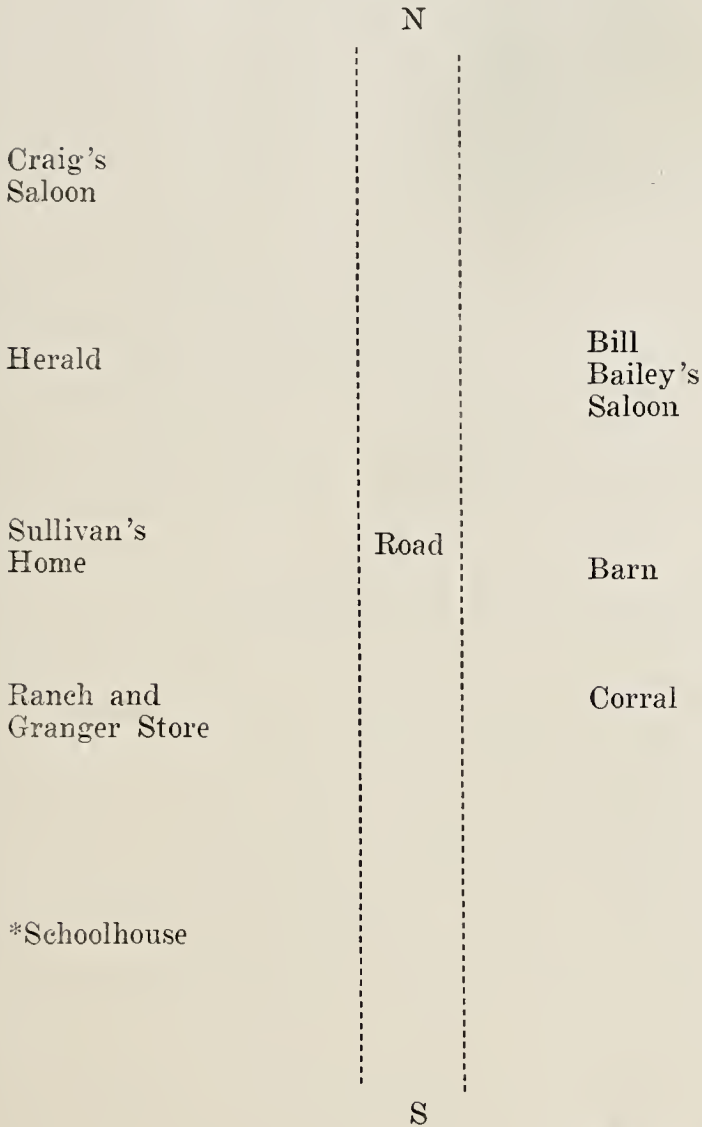
⁹ Hardesty *Herald*, August 24, 1893.

¹⁰ Hardesty *Herald*, October 19, 1893.

¹¹ Hardesty *Herald*, June 28, 1894.

¹² Guymon *Tribune*, August 11, 1921.

PLAT OF HARDESTY, 1889



—by Mrs. Olean Crow

* The schoolhouse, a one-room sod building, had a half window on the north and south sides, with a door facing the road. The teacher used a table and chair but the students had no desks and were seated on benches. All the equipment was crudely constructed of rough lumber.

The above are only a few instances of the numbers of cattlemen who made Hardesty a congregating point. While the herds rested the cowboys celebrated in town. From 1887 to 1901 it was a popular place to stop, and cattle buyers from Kansas City, government officials hunting thieves escaped from Texas, candidates for Congress from the eastern part of the Territory, ranchmen from Hansford County, Texas, travelers and salesmen, all stayed overnight. Dick formed friendships with some of them that lasted through his lifetime.³

Dick's first job at the little settlement was "holding horses." Each cowboy had seven or more mounts which were kept together in the daytime but turned out to graze at night. His work was to round them up in the early morning hours so they would be ready for the drive at sunrise. The pay was fifteen dollars a month. Mr. Briggs and Dick "batched" in an old sod house south of town that winter. When he was not busy he often joined those who were gathering buffalo bones on the prairie. Frequently a wagon could be loaded in half an hour, for twenty-one large skeletons might weigh a ton.⁵

In the fall, Dick Quinn taught a subscription school in the Bertrand neighborhood, six miles east of Hardesty. In an old hump-backed sod structure with a fireplace in one corner he instructed fifteen pupils, ranging in age from six to forty-two years, receiving in return room and board and fifteen dollars a month.

He was persuaded to start a Sunday School which was well attended. All the men wore guns, stacking them in the corner near the fireplace during services. One Sunday during a discussion of the miracles one man said he believed in them because he knew of a field of wheat that blew out, settled across the road, rooted and made a good crop. It happened that the speaker was a member of the Johnson family which had been at enmity with the Eldridges for a long time. An Eldridge spoke up, remarking that the statement was a lie and he knew it was a lie. In a minute a free-for-all was in progress. Luckily the guns were stacked. Quiet was restored by a disinterested person who grabbed his gun from the corner, waved it at the fighters, shouting that Sunday School would go on or he would know the reason why it didn't.¹³

Dick Quinn's own account of the Eldridge-Johnson trouble and its final settlement, appearing in the *Guymon Tribune* for July 21, 1921, under the title: "Early Day Justice and Court Scene in No-Man's-Land" follows:

"After the misunderstanding over the miracle between the Johnson clansmen and the Eldridge boys . . . the eat-'em-alive members of the Johnson family declared war on the Eldridge boys, of whom there were three—Ben, Silas and Marion. One Sunday evening as the Eldridges were riding along Beaver Valley on their return from a party down the

¹³ *Guymon Tribune*, July 14, 1921. An Early Day School, by R. B. Quinn.

river, they were waylaid by Charlie Johnson and other members of the family, the Johnsons shooting from behind an old sod wall. The Eldridges divided forces and flanked the Johnsons, who made a run for home and arrived safely, but made fast time. A few days later they did the same thing and were again routed out, but this time the Eldridge boys followed them too close to the home building and Silas was killed just as he turned to seek shelter behind a sand dune, the shot hitting him squarely in the back of the neck. . . . Then the Johnsons kept the body covered and refused to permit disinterested citizens from recovering it. In view of the fact that there were seven or eight of the Johnsons able to use artillery, it was not deemed a boy's job to resist their battlements, so a runner was sent up to Hardesty (it was Old B. C.). He and Quinn rode up the Coldwater, getting a posse together to go down and take charge of the situation.

"About twenty-five men finally went down to the scene of action, but the Johnsons refused to let them get near the house. Finally . . . W. A. Sullivan fastened a white handkerchief to a stick and walked straight up to the Johnson home, where, after a parley, they agreed to surrender, give up all arms and ammunition, if guaranteed a fair hearing by the people. At that time there was no law in this section except force and the natural tendency toward fair play among western people. When the clan surrendered the house was searched and seventeen guns of all calibre were found and ammunition in abundance—and in the artillery there was one big buffalo gun of fifty calibre. The house was made of sod and at intervals around the walls about four feet from the floor, the searchers discovered loop-holes, showing that the Johnsons had erected the same both as a home and as a defensive feature in case of trouble. The whole tribe, except the women of the family, were brought to Hardesty, where a trial was arranged.

"Some one hunted up a copy of the Nebraska statutes and made a hasty review of the trial of criminals, which resulted in the selection of a trial judge, a prosecutor and some one for the defense, and a jury of six men. Then the trial proceeded, lasting the best part of three days. The Eldridge boys had erred, but were not severely criticized. . . . In reviewing the case of the Johnsons the judge and jury felt that they were too many of them to hang—probably most too much trouble and trees were scarce, so the verdict was that they were to be banished after having about fifteen days to assemble their holdings and get ready to be on their way. This was done, and before long the tribe was on the move and were escorted some distance by local citizens. There was some expense, time and trouble attached to the trial, so it was arranged for the Johnsons to surrender several steers which were sold to pay costs.

"As a sequel to the steer business . . . the Johnsons located in an eastern Oklahoma county after the Run of 1889 and the man who purchased the steers . . . obtained land in the same county. On making the discovery the Johnsons undertook to recover the steers through the courts of that county. But when the judge heard the evidence he ruled against the Johnsons, holding that in the original deal in No-Man's-Land the people had acted as nearly according to law as it was possible for them to do under conditions as they existed and that the original trial had been conducted in a manner as fair as was possible for men without the jurisdiction of any court.

"The trial was a most interesting scene. The men named to represent the defendant and the state each made arguments to the jury and put up a real fight for their clients. Now and then one of the attorneys would do a little cussing and occasionally when the judge was provoked he would do likewise. . . . Practically every one but the prisoners wore

side arms. It was . . . the most typically western court scene ever witnessed in the U. S. . . . as this was a section without law, marked on the maps as No-Man's-Land, a locality without the jurisdiction of any court and not included in any U. S. Marshal's district. The only authority that could perform was to send U. S. soldiers and this was done only once in the Jack Hardesty War to prevent Texas herds with Texas fever crossing No-Man's-Land."

The judge who sat on this case was the local justice of the peace who had been asked to take the position by the town committee, which was self-elected. He became known as B. C. or Old B. C. Dick wrote a series of articles about him in the *Guymon Tribune* between 1921 and 1926, principally to entertain old friends of the Hardesty days who either lived at Guymon or subscribed to the paper. A very short one follows:

"We remember the time B. C. and his wife, Marty, crossed the Beaver when the creek was up. Old B. C. was tall and slender, considerably over six feet, and weighed about a hundred and twenty-five pounds. . . Marty was short and thick and weighed probably two hundred and fifteen. . . Any way they came down to the Beaver and it was up. On the high bank was an old-fashioned sorghum vat such as is used for boiling that product down to the proper consistency. Marty was loaded after some effort, then Old B. C. climbed in. When about half way across Marty teetered the boat, considerable water was shipped in and the vat settled to the bottom. Marty was frantic, likewise Old B. C. was duly agitated.¹⁴

"Finally Old B. C. stooped a little and Marty climbed on his back, but when her weight was brought to bear on the situation, she drove B. C. down into the sand as effectively as though he had been hit by a pile driver. So Marty sat plump in the water. . . An additional rise soon followed, but the couple waded out amid the most awe inspiring flow of profanity ever witnessed by the writer up to this time. . . The sorghum pan was lost for all time."¹⁵

B. C.'s first case concerned a new settler who was charged with setting dogs on range cattle, a very serious offense. The justice opened court with: "Gentlemen, if you are all set, we'll proceed with the rat killin', jine issues and go to bat." The person who was acting for the accused had been studying the only copy of statutes (Nebraska) in town . . . and offered a demurrer, the first in Beaver County. B. C. didn't know what it was, so he adjourned court. A few citizens visited the defendant later, and the misdemeanor was not repeated.¹⁶

The Run of 1889 took most of the settlers living near Hardesty out of the country. Dick Quinn, driving a team for a friend, went with a caravan of thirty covered wagons, belonging to as many families. He returned in a short time, suffering from malaria contracted in the lower country.

The first and original survey of No-Man's-Land was made in the early 70's and extended only twenty-four miles north of the Texas line, including what is now known as townships 1, 2, 3, 4,

¹⁴ Quicksand was found in many creeks in No-Man's-Land.

¹⁵ *Guymon Tribune*, June 23, 1921.

¹⁶ *Guymon Tribune*, December 14, 1922.

with zinc pots placed at intervals of two miles around each six-mile-square township. The remaining portion of the country north of township four to the Kansas line was left unsurveyed until 1889-1891.

During the late summer of 1889, Captain C. F. Hackbush, an experienced government engineer from Leavenworth, with about seventeen men, divided these townships into quarters. Dick helped in this work. The way they measured was to tie a rag to a wagon wheel and count the revolutions. "Not many zinc pots had to be moved more than two feet to get them exactly correct."¹⁷

In the fall Dick went to the head of the Cottonwood, a short distance southwest of Guthrie, with a small herd of cattle belonging to settlers who had moved to that locality in the Run. Later Dick lived in a tent with a crew of other cowboys holding some twelve hundred head of cattle for Lew and Frank Kramer at the mouth of Dry Creek, three miles east of Hardesty. One of the worst blizzards of No-Man's-Land came November the second. The cattle drifted before the storm. The men had to get up every three or four hours to round up the strays. The next day they went to the sand hills north of Beaver to hunt for cattle. After an all day search they came back in a rain to find there was no dry fuel (the buffalo chips had been soaked by the snow and rain) and no food prepared, so all went to bed hungry. The next morning they rode a mile up the trail to take off the roof of Billy Bailey's claim shack. Later, Billy said he'd have done the same. Some of the cattle were not found until the spring round-up the following year.¹⁷

In 1887 the cowboys were well dressed, with tailored boots, suits of California cloth and large Stetson hats. A merchant at Hardesty advertised: "Stock saddles, \$25 — \$45. I use the best California skirting and the Frieske Tree. I make a ladies' ranch saddle for \$25." Gallup and Grazier saddles were the best procurable.

"All the boys carried six shooters and a short gun on their saddles. Southern lads wore big, long-bladed knives. It was a fine sight to see a bunch of cowboys start off, the sun shining on their silver-mounted bridles and spurs inlaid with silver, sixty feet of saddle rope woven of horse hair, Navajo blankets, white California pants. The Stetson was the most used, but the boys from the South used Mexican peaked hats. The cowboys wore seven dollar pants every day, used silver-mounted bits and a pearl-handled six shooter, but were satisfied with beans, bacon and coffee at the chuck wagon."¹⁸

As early as 1895 Dick wrote: "The joyous cowboy is fast fading away. He used to be gay, naturally restless and very emphatic when he was 'bowling up.' No longer is he some dresser, for he wears overalls, wants sugar in his coffee, oatmeal for breakfast and cigarettes. And where he used to sit in dollar stacks, he is now

¹⁷ Guymon *Tribune*, November 10, 1921; October 18, 1923.

¹⁸ Hardesty *Herald*, July 12, 1895.

contented with an ante of one-come-along-two."¹⁹ When fences began to spring up everywhere, good clothes began to disappear. "Overalls were good enough for barb wire."

In March, 1890, the people of No-Man's-Land believed the Organic Act for Oklahoma would be passed at once. They were convinced that when this was done the Rock Island would build along the survey through Hardesty. It was a boom time for the village. A number of men from Liberal and its vicinity came to Hardesty late in the month. As Liberal was the end of the railroad line, all kinds of vehicles, surreys, buggies, road carts and farm wagons were used to accommodate the large party. Mr. W. A. Sullivan, postmaster and store-keeper of Hardesty, greeted the visitors, who looked over the townsite. A meeting at the schoolhouse followed, when A. Howenstine was elected chairman and W. T. Gibson, secretary. After several speeches favorable to building a city at the location, a town government was organized. A. Howenstine was elected mayor, W. A. Sullivan, city clerk, and T. J. Bertrand, J. S. Hungate and Charles Toler, councilmen. After the meeting, each person drew a number, and business lots were selected as desired as the numbers were called successively. Among the citizens from Liberal were the Honorable C. C. Robertson, G. C. Brown, M. A. Nelson, J. C. Swiler, Dr. H. H. Sutherland, A. Russell, John Dubois, W. T. Gibson, J. C. Powell, J. W. Black, H. Billings, Honorable W. H. Day and Lambert Willstaedt, editor and publisher of the *Liberal Leader*.²⁰

"The lots sold rapidly, the purchaser agreeing to put improvements on the lot to the value of no less than two and a half dollars for a residence lot or five dollars for a business lot. Some buildings were hastily erected, but on most of the lots a wagon load of rocks, hauled by two or three men who did a thriving business for a few days, was the only improvement made. The rock piles remained long after the buildings had been destroyed by tornadoes or moved away, and mystified newcomers in later years wondered at the regularly-placed mounds of stones. Captain Turley, brother of one of the directors of the Rock Island, took a homestead south of the townsite. Mr. Ben Clover, a Congressman from Kansas, and his sons and relatives located homesteads."³ "Every one who started a town expected it to be a county seat."

Dick helped to take the 1890 census, driving over the country in a cart between the ranches which lay miles apart, and recording the names of all the inhabitants. By the Organic Act of May 2, 1890, No-Man's-Land was attached to Oklahoma Territory, to be known as Beaver County.

Mr. Lambert Willstaedt, who visited Hardesty with the group from Liberal, was persuaded to start a newspaper in the boom town. Dick Quinn was engaged to run the office and edit the paper, and went to Liberal to get the press. On the return trip the horses became unruly in crossing the Beaver and refused to pull

¹⁹ Hardesty *Herald*, August 16, 1895.

²⁰ *Liberal Leader*, Liberal, Kansas, March 25, 1890.

up the south bank. Boss Neff, who happened along, saved the press from the quicksand by quieting the team and making it pull the wagon out.²¹

This press, which has been placed in the No-Man's-Land Historical Society's exhibit at Goodwell, has an interesting history. Mr. Quinn bought the press in 1901, when it bore a plate on which the maker's name was stamped. As he remembered it, it was something like "Bronstrub." It developed in the research made by Mr. Kirke Mechem, secretary of the Kansas Historical Society, that Frederick Bronstrup of Philadelphia was the successor of Adam Ramage, who began business in 1800 in the same town. "There is no doubt the Guymon press is one of the old Ramage type, though Bronstrup placed his plate upon it. It does not lessen the value as a genuine product of one of America's first press makers."²²

The Hardesty *Times* began publication in October, 1889, with Dick writing copy and setting type. Frequently cowboys loafing in town helped to print the paper. The enterprise failed, however, and Dick took over the "outfit" sometime in March, 1891, for wages due. He changed the name of the paper to the Hardesty *Herald*, which was published continuously until the spring of 1901.

The *Herald* was a four-page weekly which came with the inside sheets filled with printed material, leaving the outside ones for local news and advertising. It was seventeen by twenty-four inches in size, published each Friday and cost a dollar a year. In 1893 the three center columns of the front page were filled with notices for publication of homestead entries. At the left column were professional cards of men of Hardesty, Beaver and Liberal, Kansas. The two right columns were covered with advertising. The back page devoted three columns to exchanges, wit and humor, and editorials on Hardesty matters. The fourth column was ample for local items, while five and six carried local advertisements, with a frequent notice of some magazine, patent medicine or sewing machine. During the 90's the Chicago InterOcean, Scientific American and Cosmopolitan advertised continuously, the advertising cost going to the Print Paper Company.

The paper was printed in his combination home and office, a seventeen by twenty-four foot sod building, elevated about eighteen inches and divided into two rooms. Along the twelve-foot north wall of the office, conveniently close to the windows, were two type cases. Back of these was a table where the forms stood, while the press was opposite it. The arrangement left a small open space near the entrance.⁴

²¹ Boss Neff, 1939.

²² Kirke Mechem, *The Mystery of the Meeker Press, Kansas Historical Quarterly*, IV (1935).

Boss Neff tells the following story concerning this office: "One day I was standing inside the open door, holding the reins of my favorite horse, Red, while I visited with the editor. Suddenly Dick said, 'Come in, Red.' I pulled on the lines as I repeated, 'Come in, Red.' Old Red didn't do a thing but jump up and in with all four feet. Dick was sure enough scared for he thought Red would upset the cases, but I got him out before any damage was done. That's the only time I ever heard of a horse going to see the editor."

The *Herald* had subscribers in Texas, New Mexico, Kansas, Missouri and throughout Oklahoma. "Dick was a forceful, fearless, fair writer."²³ "He was adapted to country newspaper work and ran his paper for all there was in it. On account of its location in the center of a prosperous cattle country, its advertising patronage, especially from Liberal, was profitable, and when the country opened for settlement the *Herald* fairly groaned beneath the load of final proof and contest notices. Dick . . . became an important factor in the political and other affairs of that country, represented his town in quarrels with its rivals, attended political and statehood gatherings in Oklahoma, and became a well known, popular and important factor in territorial affairs."²⁴ Will E. Bolton of the *Woodward News* wrote that the Hardesty *Herald*, edited by Colonel Dick Quinn, was full of meat concerning the interests of cowmen.²⁵ The week following Dick replied in his paper: "Tut, tut, Major, that title of Colonel don't go. This country rivals Kentucky in Colonels, Majors and Captains, and we prefer the distinction of being the only Private out this way." There was no paper in Old Beaver County whose opinions were more frequently used in the exchange columns of the weeklies than that of Dick Quinn. Mr. Fred Barde, Oklahoma representative of the *Kansas City Star*, frequently quoted the *Herald*. He called its editor "the little czar of No-Man's-Land."

Dick always went to Beaver for every term of court and stayed until the sessions were ended. It was a reunion time for all. Once a cowboy stranger rode into town, and seeing such a number of men, asked Dick, "Why the big crowd?" He replied, "O, just a meeting of the deputy sheriffs."²⁶

There is no doubt that Dick spoke his mind in his editorials. The *Herald*, disgruntled at the Republican ticket of 1895, announced it would go independent in all things and neutral in nothing, and thereafter would select its own candidates for their own qualifications. Dick was an ardent Republican and when he was not carry-

²³ Beaver *Herald*, July 21, 1921.

²⁴ Enid *Weekly Eagle* quoted in the *Guymon Herald*, February 6, 1908. Dick Quinn, by J. V. Admire.

²⁵ *Woodward News*, November 15, 1895.

²⁶ W. T. Quinn, 1939. No relative of Dick Quinn.

ing on a war with the Democratic papers at Beaver or exposing the misdeeds of Democratic county commissioners, his editorials gave detailed explanations of new legislation, or any other matter of general interest. A few of the subjects discussed were: irrigation, fences, foreign cattle damages, primary elections for county officers, fire guards, alfalfa, trees and more tree planting, better schools, free range, simplification of mail routes, the going-to-be-greatness of Hardesty when the railroad came. But first and foremost the paper stood for what Dick felt would make a great country. He was frequently asked to write explanations of events in Eastern Oklahoma and often he was to state his position in matters of moment in national affairs. He also sustained the reputation of his part of the country by telling some first-rate fish and other stories. He devoted more space in the *Herald* to wit and humor than most of the other weeklies.

* * * * *

The newspapers of No-Man's-Land and Old Beaver County recorded the events of the cattle range industry and its decline. In the 1880's news editors, settlers and cattlemen believed the last named had a right to the range, for they had plenty of money to spend. The Boomer movement, the prospect of a railroad, and severe blizzards changed the sentiment slowly.

The first mention of free homes in the Hardesty *Herald* was in the issue of April 23, 1893. Dick Quinn was one of the first persons to sense the change homesteaders would make in the life of the country and tried to keep down the sentiment against them. "Long ago in this country the marked distinction between cowmen and grangers was obliterated. Every granger works to gather a herd. There are no cattle barons in this country. Nearly every settler has a few hundred acres more than he owns under fence—and it may be said this country contains few who are not able to fence." There were dozens of men located on rivers and creeks in Beaver County who owned one hundred to three hundred head of cattle and ten to fifty horses. They raised some feed, cut the grass and had a good garden fixed for irrigation, and they did not have to plow and hoe all day—and each year had a bunch of cattle to sell. One man raised such a fine crop he called his ranch a farm!

Free range had been the salvation of Beaver County,²⁷ and the *Herald* believed the longer it had free range, free grass and free water the longer it would flourish.²⁸ But there appeared more people after claims and the *Herald* hoped to see every available section occupied by a settler.²⁹ However, it maintained, the owners of large herds turned out to graze should pay for the support of the

²⁷ Hardesty *Herald*, November 23, 1894.

²⁸ Hardesty *Herald*, May 10, 1901.

²⁹ Hardesty *Herald*, March 15, 1894.

county government or the schools.³⁰ The *Cimarron News* scoffed at the idea that farming would pay along the Rock Island and believed the cattleman's second chance would come in six years.³¹ Beaver County was considered a grazing district by the Interior Department and it was not necessary to plow and plant . . . as a patent would issue upon proof of grazing.³²

The first land office for Beaver County, located at Buffalo, was opened June 11, 1890. It was moved to Beaver after the first inspector visited the country, but was consolidated with Woodward County on September 7, 1893. The removal of the office from the county was considered a great loss, as the distances to be covered by team from the lands west of Beaver made trips very difficult.

In 1893 the total cost of one hundred and sixty acres was, filing and final proof, about twenty dollars. During March, eleven land entries were filed on. Seven thousand and forty-six quarters were filed on in the year ending June, 1898. The following year four thousand one hundred and seventy-six applications were signed, making a growth of ten thousand new families in two years. There was still more than 6,000,000 acres of vacant public land and an increasing number of filings continued until the peak was reached in 1903 when they averaged twenty-five a day. One hundred and fifteen thousand acres were filed on or assigned in 1905.³³ The governor's report of 1906 showed that there were no entries in 1906 for all the land had been taken.³⁴

Thus Beaver County filled up with homesteaders. The greatest trouble they had with the cattlemen dealt with water rights. The newcomers often tried to squeeze the ranchers from the streams. A nestor could file a claim a quarter of a mile wide along a stretch of creek.³⁵ As early as July, 1899, Special Land Agent C. M. Crocker reported that hundreds of wells were being drilled on ranches, indicating that they had begun to take care of their herds on their own lands.³⁶

The worst storm Beaver County experienced was in 1886, when many ranchers lost up to seventy-five per cent of their cattle. A blizzard on April 6, 1895, killed in the neighborhood of thirty per cent, or the animals starved following it. The most devastating one came on February 16, 1905, when the thermometer dropped below zero. Thousand of cattle had their hoofs frozen off and stood

³⁰ Hardesty *Herald*, March 29, 1894.

³¹ *Cimarron News*, July 26, 1901, quoting the Kansas City Star.

³² Kansas City Star, August 9, 1903.

³³ U. S. Department of Interior. Commissioner of General Land Office. *Annual Reports*, 1905, 1906, 1907.

³⁴ Oklahoma. *Governor's Report to Secretary of the Interior*, 1906.

³⁵ Kansas City Star, February 20, 1900.

³⁶ Kansas City Star, July 21, 1899.

about on stumps until they died.⁵ This storm convinced the stockmen that Beaver County was not exclusively grazing country and that they must run smaller herds and grade them up, and, if the land should go back to its former condition, it would be better for them because they could buy deeded land.³⁷

"Jack Hardesty was perhaps the first big range stockman to begin to shape up to quit. Early in the nineties he rounded up his herd and either shipped them to market or drove them out of the country . . . making no effort to intimidate settlers who were coming into the country in considerable numbers."³⁸

* * * * *

Hardesty citizens recall watching a peculiar cloud formation move across the beautiful valley August 12, 1893. It brought a cyclone followed by a deluge of rain. It struck suddenly, for the Sullivans started through their home toward the sod store. As they opened the door, the roof was ripped off. The wind and rain beat with indescribable force against the sod walls, but they withstood it all, and later a new roof made the building as good as new. The barns, printing office, saloon and ranch houses were all destroyed. The *Herald* office was not worth repairing and everything in it was plastered with mud. Dick's new office was made of lumber, gathered from the wreckage. Letters from front signs of former buildings were observable on the boards used in the building.

Difficult times followed. The *Herald* was offered for sale July 10, but was off the market a week later. Dick Quinn was appointed township clerk on July 27 and made final proof on his claim October 12. The November 2 issue of the newspaper was reduced to eleven by fifteen inches, "all printed at home—the only all home print paper in Beaver County," because on several occasions the Liberal mail had been delayed as long as ten days at a time and the appearance of the paper depended on the arrival of the stage. Many final proof notices, which had to be printed weekly to retain their legality, were carried in the paper at this time.

"During the years when times were hard and people had a hard time getting along, Dick Quinn was always their friend and turned no one away empty-handed. He always said what he thought and was not afraid of any one. There were many gay cowboy parties in Dick's office. He had much to do in forming public opinion and his influence was felt by all."²⁶

"There was a mystery about Dick I cannot solve. How any man could have ridden the old ranges with Texas boys and drunk the cup that cheers so many years with Texas cattlemen and still be a Republican! He did it and that shows how independent he was."²⁴

Early in 1894 Dick was elected clerk of the school meeting. On July 27 the Hardesty *Herald* returned to its former size and was printed on a new light-running and comparatively noiseless Army press. At the Kingfisher Statehood Convention the Beaver

³⁷ Kansas City Star, June 19, 1903.

³⁸ Guymon Tribune, March 22, 1923.

County delegation voted against statehood. Dick blamed the man who headed the delegation and said so in a spirited editorial in which he argued for state organization.³⁹

On September 27, 1895, a card appeared in the *Herald* reading: "Dick Quinn, U. S. District Court Commissioner. I am qualified to make homestead entries and final proofs." During the winter Mr. Sullivan and Dick had bachelor quarters because Mrs. Sullivan took her daughters to Liberal for the school term. Late in the year the Hardesty *Herald* issued a call for the taxpayers of the township to join Harrison, Optima and Cleveland to test the legality of a one hundred per cent raise in taxes, ordered by the county commissioners. A meeting in February, 1896, elected permanent officers with J. C. Dennison, chairman. Dick Quinn, Boss Neff and Michael Long were appointed a resolutions committee. Later Mr. W. T. Jones took Mr. Long's place.

W. E. Bolton of the Woodward *News* made this statement in the issue for November 13, 1896: "This is to notify the Beaver County ladies they are overlooking a few bets. Leap year is nearly over and Pete Drummond and Dick Quinn are not snatched." In 1896 Miss Cleo Luikart of Beaver endeavored to secure a school at Hardesty. She was one of the successful teachers of the county and was teaching there in 1901.

George Drummond, brother of Pete Drummond of Beaver City, bought the Hardesty *Herald* in October, 1897, printing his first issue on October 21. From that time until November, 1898, when he took back the paper, Dick traveled about the county, making final proofs, judging contests and visiting his parents at Liberal.

The cattlemen of central Beaver County organized for mutual protection in December, 1899. The territory included was bounded on the north by Kansas, on the south by Texas, on the east by the John George ranch and on the west by the Stonebreaker ranch. J. C. Dennison was chosen president, R. B. Quinn, secretary. Members were to pay one dollar per head for cattle gathered by the efforts of the organization and each one was to be taxed for failing to attend the round-ups.⁴⁰

Dick was arrested for criminal libel on a warrant issued to Fred C. Tracy of Beaver City in May, 1900. In August he waived examination in probate court and was bound over to the grand jury. Temple Houston represented him in the case, which was dismissed in October, Mr. Tracy paying all the costs.

T. B. Ferguson and Dennis Flynn were at Hardesty during Dick's absence. Mr. Ferguson writes the following of their experiences with Dick, in the *Watonga Republican* for August 14, 1919:

³⁹ Hardesty *Herald*, January 4, 1894.

⁴⁰ Kansas City *Star*, December 22, 1899.

"On Thursday of last week, Dick Quinn and E. D. Hopkins were in Watonga, returning to their home at Guymon, Texas County, from Oklahoma City, and were callers at this office. To meet Dick Quinn again reminds one of the early days in No-Man's-Land. Dick went to Old Beaver County a good many years ago, and published a paper, the Hardesty *Herald*, at old Hardesty on the cattle trail long before the division of the county at statehood. His patrons were mostly cattlemen and his ads consisted largely in descriptions of cattlebrands. Cowmen from up and down the trail for thirty or forty miles took the paper and paid for it too. . .

"Away back in 1894 Dick Quinn used to come in to Republican Territorial conventions on the Beaver County delegations, and he was generally the delegation. Sometimes George Healy and Dyke Ballinger would also come, but more often Dick was the whole push. Healy and Ballinger were from Beaver City, the county seat. Dick was from one of the out towns and was generally scrapping the county seat bunch.

"In August, 1900, Dennis Flynn and the writer went out to Hardesty to speak in Flynn's congressional campaign. Dick Quinn was not at home. He was down at Beaver City, playing the role of defendant in a libel suit. In his Hardesty *Herald*, he had accused some of the county officials of grafting and other things not in keeping with good citizenship. He won the case, however. At that meeting, there were squatters in covered wagons from thirty miles distance down the trail, and they were also there from that far up the trail. After the meeting, a rude platform was erected by one of the stores and an old-fashioned dance was held, the cowboys with high boots, broad hats and enormous spurs, taking part. While dancing the hats were generally removed, but not the spurs. After the dance, in the evening, church services were held on the dance platform, one of the young ladies who fiddled for the dance leading the singing for the church. The young people danced and the old folks preached, played and sang.

"It was while at Hardesty on that trip that Dennis Flynn and the writer involved Dick Quinn in trouble with the United States Government. When Quinn went down to the county seat as defendant in the libel suit, he left his paper in charge of a printer from Kansas. This printer had been going it dry for some time and when he got down into No-Man's-Land where the lid was off, he suddenly developed a chronic case of ague and had to take bitters. He had been taking bitters quite freely on the day that Flynn and the writer arrived in the village. By the next day this journeyman printer had developed a chill and had to go to the bunk. It was Saturday and the paper was not printed. To go over Saturday and not print the paper would destroy its standing as a legal publication. This would not do. Before getting his "chill" the printer had set up some type, and sprinkled and weighed down the paper preparatory for the army press. Both Flynn and the writer had manipulated army presses and knew something about those frontier advance guards of the printing press. We put in the forms what little matter the printer had set up, without proofing it or knowing its contents, filled in with patent medicine electros, or anything that was to be found that was type high, dated it properly, locked up, run off the edition, Flynn inking and 'ye editor' working the press. After the papers had been run off we put them in the post office and thus saved the 'fifty-two consecutive issues.' We left town thinking that we had done a good turn for the Hardesty *Herald*. But in about six weeks a post office inspector visited Hardesty and informed Dick Quinn that he had been reported at Washington for printing and sending obscene literature through the mails. Quinn replied that he had no knowledge of ever having sent out any objectional matter in his paper. The inspector replied that the paper was the best evidence

and produced the objectional copy. The article in question, while not obscene in words, was very 'rocky' by inference and one not adapted to public print. Dick read it, and was at first at a loss to know how it came there, when he discovered by consulting the date that it was the paper which had been printed by 'Flynn and Ferguson.' The inspector was informed as to the real facts, and Dick soon convinced him that he was not 'at home' when that paper was printed. 'Flynn and Ferguson' made statements for the department, showing that they, not Quinn, had published the issue of the paper which contained the 'forbidden fruit.' The printer had gone. Perhaps he would not have made a statement if he could have been found, for he was the guilty one. Dennis Flynn was in Congress at the time and it is said that he went in person before the Post Office Department to explain matters. The case was dropped. The firm of 'Flynn and Ferguson' published no more papers."

Dick ran for county attorney in 1900 but was not elected. In commenting on his defeat he said that success would probably have meant the making of a poor lawyer out of a fairly good editor. The *Herald* was becoming one of the most independent, interesting and outspoken county newspapers in Oklahoma, and quotations from its columns found their way into all of its exchanges. Everybody was interested in knowing what Dick Quinn thought about things.²⁴

Miss Cleo Luikart and R. B. Quinn drove to Liberal early Saturday morning, November 24, 1900, and were married that evening at the Rock Island Hotel by Probate Judge Templeton. Mr. and Mrs. McDermott were called in to witness the ceremony. The groom loafed around town with the boys and the marriage was not generally known in Liberal until after the bride and groom had departed for Hardesty Sunday morning. There they were comfortably located and went to housekeeping in the first building south of the *Herald* office. "When the crowd to charivari them appeared Friday night . . . they planned to make a lot of noise by bringing the anvils from the blacksmith shop, but they would not work."⁴¹ The bride continued to teach at the Hardesty school until the end of the term. The story of their marriage and congratulations appeared in the *Kansas City Star*, *Wichita Eagle* and many other Kansas and Oklahoma papers.

The Hardesty *Herald* for March 15, 1901 stated that it had a greater circulation than any other paper in Beaver County and the adjacent Panhandle counties. About half of the local pages were taken by advertisers from Liberal, Kansas. There were professional cards of Beaver men, and space for the Rock Island Railroad, the Scientific American Magazine, a stage line between Hardesty and Liberal, five notices for publication for final proof, seven cuts of cowbrands (including that of the Panhandle Pasturage Company of Texas), with the remaining space devoted to news items and editorials. One of the editorials read:

⁴¹ Hardesty *Herald*, November 29, 1901.

"It is only a matter of a very short time till a new court house will . . . have to be erected and fairness to all suggests the location of the new building on the railroad in the central part of the county, rather than at Beaver in the east end and one hundred and thirty miles distant from west end citizens. If the plan of removing the county seat . . . is rejected, then the matter resolves itself into the single proposition of making three counties out of what is now Beaver County. Both the central part of the county and the west end would strenuously object to two counties being made, and the west end will never be fully satisfied until a county seat is located on or near the Cimarron. . ."

In May, 1901, Dick moved to the town of Sanford on the Rock Island, which was building southwest toward El Paso. The name of Sanford was shortly changed to Guymon. Hardesty remained stationary in its development after the boom of 1888-89. Many buildings were abandoned by persons making the Run of 1889. The "big wind" of 1893 destroyed some, the cyclone of 1900 finished the rest. On November 22, 1906, in an article entitled "An Obituary To An Old Friend," Dick wrote in the *Guymon Herald*: "Old Hardesty town is no more. Every vestige has disappeared." At the present time there is a town of Hardesty in Oklahoma, but this was started several years after "old" Hardesty perished and is located about six miles west of the site of the first town.

In 1900 it became generally known that the Rock Island would not run through Hardesty. There was a rumor that the *Hardesty Herald* was booming Optima Post Office for a railroad town and was hoping to locate a town and move to it, for the railroad had let the contract for the first and second fifty miles of track southwest.⁴²

The *Beaver Herald*, on April 19, 1901, reported that Liberal and Hardesty men had located a town thirty-five miles southwest of Tyrone. A company, capitalized at \$5,000, had been formed, with E. T. Guymon, president; G. E. George, treasurer; and R. B. Quinn, secretary. Citizens from Hardesty, Beaver, Caple, Range, Optima and Red Point had purchased shares. The name of the organization, which held its first meeting at the store of W. A. Sullivan, was the Interstate Land and Town Company.

Early in May, Dick loaded his press, stock and office on four wagons, attached five teams, and drove all night to a new switch on the Rock Island, called Sanford.⁴³ He was the original resident in charge of sales on the new townsite located by his company. T. O. James made the survey and Ed Summers and George Ellison took homesteads adjoining the "town." Later these were sold and surveyed as additions to Guymon, which the new place was called within a few weeks, because the name Sanford was so easily confused with Stratford, Texas.⁴⁴ Mr. Sullivan moved several prop-

⁴² *Cimarron News*, February 15, 1901, quoting the *Liberal News*.

⁴³ Warren Zimmerman, *Texas County*, Oklahoma, 1908.

⁴⁴ *Cimarron News*, April 19, 1901, quoting the *Liberal News*.

erties from Hardesty. The newspaper office was set up on Main Street, and the first issue of the Sanford *Herald* appeared on June 12, 1901. It experienced a change of name when the town did. There was no post office for a time, so the papers were mailed at Buffalo. Several items from the first issue were: "The distance from Hardesty to Sanford is eighteen and three-fourths miles. — C. A. Hitch and C. H. Westmoreland of Roy are in town. They marked a straight trail from Roy to Sanford. — Cleo (Mrs. R. B.) Quinn has been appointed postmistress. — A load of lumber for the Star Lumber Company has arrived. Its office building is en-route overland from Liberal. — The name of Sanford will be changed to Guymon.⁴⁵ — The office of the U. S. Court Commissioner, R. B. Quinn, is located in the *Herald* office and is open for homeseekers."

The town began to expand. A depot was moved in from Optima. E. T. Guymon brought the first commercial freight to town. In July, C. E. Summers, with his son Edwin in charge, started a dry goods store. The Beaver County bank was established. Robert Quinn, the first child born at Guymon, arrived on October 19. By that time the town boasted of two saloons, a dry goods store, a grocery, a bank and many small residences, including tents.⁴⁶

The Interstate Land and Town Sompany filed a petition at Beaver to have the county seat moved to Guymon, offering \$1500 for a court house building, \$1500 for a gift to the county, and free land for the building. On January 16, 1902 the County Commissioners refused to grant the petition.

The first Rock Island train between Liberal and Dalhart went through Guymon on June 9, 1901; the first one to go to El Paso, about March 4, 1902.⁴⁷ Guymon then had a population of three hundred and fifty and a \$5,000 water plant under construction. It was the largest town in Beaver County in 1904 and had a two-room schoolhouse.⁴⁸

Guymon's population had increased to five hundred and fifty by April, 1905.⁴⁹ The *Herald* bought a new press which changed the paper to six pages,—four of them for home affairs. It carried the Panhandle Pasturage Company's brand pictures and a description of the range on May 11 in the first issue printed on the new press.

From 1903 to 1905 the Rock Island sent excursion trains of homesteaders into Beaver County and the country southwest of it.

⁴⁵ Guymon *Tribune*, December 29, 1921.

⁴⁶ Guymon *Tribune*, December 29, 1921.

⁴⁷ Kansas City *Star*, March 11, 1902.

⁴⁸ Oklahoma Territory. *Governor's Report to the Secretary of State*, 1904.

⁴⁹ Oklahoma Territory. *Governor's Report to the Secretary of State*, 1905.

These came to Guymon about twice a month and created a great amount of excitement and business. Salesmen usually accompanied the crowds, which would scatter out over town "looking around." The day after their arrival every conveyance in town was in demand to carry them singly or in groups to look at unstaked claims. On their return to town the rush, described on a following page by Mr. Giles Miller, would begin.⁴

In addition to the excursions to stimulate the coming of settlers, there was an almost constant stream of rumors and newspaper reports of prospective railroads, which helped to swell the number of homesteaders. "Beaver County people continue to hear railroad rumors like Hardesty did years ago. At the present time there are enuf railroads chartered thru the county to run one to every township east or west and have a few to spare."⁵¹ Newcomers were still arriving in wagons. The *Canadian Record*, on August 14, 1904, reported that half a dozen wagons a day passed through town on their way to claims in Beaver County.

The rush of homesteaders which began when Guymon was started reached its peak in 1904. The increase in numbers is shown by the final proof and contest notices in the *Herald*. In 1903 it carried two columns of them, in 1906, three pages. The *Kansas City Star*, on February 18, 1903, said that Dick Quinn declared there were more than twenty-five hundred claims available within a day's drive of Guymon, and added: "Time was when Quinn preached that the small farmer would be the ruination of Beaver County."

The land office, with Dick Quinn acting as United States Court Commissioner, was the busiest place in the county. "It was no uncommon sight for Dick to arrive at his office in the morning to find one hundred and fifty men and women in line, waiting to make preliminary filings. Eight hundred and twenty people filed in one month. During his fourteen years as Commissioner about fifteen thousand filed for about two million acres of land. When Dick resigned in 1907, Chief Justice Burford complimented him on the way he had conducted the office, for there had been no errors in accountings and not a discord or dispute in all his period of service."⁵²

As was noted in the Hardesty section, the great crowds of home-seekers took claims on lands used for grazing by the ranchers. These claims were usually fenced, thereby inconveniencing the cattlemen who had been accustomed to moving their herds where they pleased. However, they were not the only ones who cut fences, because Dick Quinn wrote many articles against this and similar practices. An editorial of July 21, 1904 follows: "There are a few fellows in the

⁵¹ Guymon *Herald*, November 16, 1905.

⁵² Giles Miller, *History of Texas County*, 1909.

country who think it is all right, when a new settler fences his claim across an old road, to pull a post and go through the fence. . . You have no right to damage a man's fence simply because it crosses the old trail." Repeatedly, by editorials in his paper, Dick Quinn tried to quiet the increasing friction between ranchers and settlers.

With the extension of the Rock Island and the coming of throngs of homesteaders, Beaver County was experiencing a prosperity it had never known. With the population growing, it was natural that an agitation for a herd law should begin. Repeated efforts to establish such a law brought no results. An attempt to extend the herd law over Beaver County was defeated after one of the hardest fights in the history of the Oklahoma Legislature in 1904.⁵³ A week later a group of resolutions were made public. These were entitled "Resolutions of Settlers of Beaver County," and were signed, "Committee." They stated that after May 30, 1905 all stock must be taken from the range. In editorial comment on this incident, Quinn suggested that "Committee" was very vague and that the resolutions were probably organized by a few who wished to create further trouble. Continued issues of the *Herald* endeavored to minimize any strife. "A few settlers are making a lot of fuss about cowmen in Beaver County, when the facts of the business are there are not enuf cowmen of the old school in the county to make a corporal's guard. The men who own cattle here are, in the main, men who came to Beaver County as settlers and accumulated what property they possess by thrift and good management. This thing of trying to stir up trouble among old and new settlers will be frowned upon by the cooler heads and sensible element."⁵⁴

Generous space in frequent issues of the *Herald* was filled with explanations of filing rules. Editorials followed which urged homesteaders to obey them. The *Herald* was pleased to note the success of settlers who stayed on their claims and believed it would force others to come to live on theirs, so that those who were trying to hold land by a visit every six months would wish to remain on it. It held that those infrequent visitors were not playing fair with the actual settlers who were working to develop the country.⁵⁵ "The newspaper used its influence to build a good town and would permit no false advertising of it."⁴³

When new enterprises came to Guymon Dick Quinn aided them in every way he could, often by purchasing stock. Suggestions for further development of the town were written into editorials and were usually acted upon by the community. The Beaver County Editorial Association was organized at Guymon on October 13,

⁵³ Guymon *Herald*, March 16, 1904.

⁵⁴ Guymon *Herald*, July 28, 1904.

⁵⁵ Guymon *Herald*, July 18, 1904.

1905, at his suggestion. The officers elected were: R. B. Quinn, president, J. S. Moffitt (*Hooker Advance*), vice-president and Maud O. Thomas (*Beaver Herald*), secretary and treasurer. A bar association was started at the same time.

Dick Quinn was elected to the board of trustees of Guymon in July, 1905,⁵⁶ and held offices in the Odd Fellows and Masonic organizations. He was an enthusiastic member and eager to aid in the growth and spread of these two lodges. He made trips to the conventions which they held, frequently as a delegate. He was asked to make the race for delegate to the Constitutional Convention "with support promised," but did not desire to do so.

With all of his activities it is not surprising that Dick Quinn's health began to trouble him early in 1907, so that he wished to be relieved of the work entailed in publishing and editing a newspaper. Warren Zimmerman, who was associated with Harry Gilstrap in the publication of the *Chandler News*, bought a share in the *Guymon Herald* in January. At that time the paper was the best paying one in Beaver County and Dick Quinn was considered one of the most successful editors in Oklahoma. In March Mr. Zimmerman bought the *Herald*. Jack Langston had succeeded Quinn as land commissioner when he resigned in February. After the details of the transfer of the newspaper had been cleared away he went on an extended trip for his health.

On November 16, 1907, President Theodore Roosevelt issued a proclamation declaring Oklahoma a state. "Old" Beaver County was divided into three counties of almost equal size, which were named Beaver, Cimarron and Texas. The last named had Guymon for its county seat.

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(1) No story of Guymon or Hardesty would be complete if it failed to mention the residents of Hansford County, Texas. Its county seat had been a popular gathering-place for celebrations and "grand balls" in early Hardesty times. The court house was the most acceptable place in that country for dances. Frequently invitations to such affairs appeared in the *Hardesty Herald*. Hansford people attended all-day picnics at Davis Grove and ball games and balls in the Hardesty country. Many of them stopped for a visit with the newspaper editor on their way to Liberal, Kansas, to get supplies. The shortest route was over Martin's Crossing some miles above Hardesty, but almost every week the *Herald* recorded the visit of someone from Hansford.

(2) When Guymon began to thrive men from Hansford County, some of whom had large ranches there, established homes in the town, though many returned to Texas to vote. Mr. John O'Louglin,

⁵⁶ *Guymon Herald*, July 20, 1905.

who lived in Hansford County for many years, lists the following who made Guymon their home: Judge S. C. Tyler, H. E. G. Putnam, Charles O'Loughlin, J. H. Wright, M. B. Wright, J. I. Henson, Patrick O'Neal, Charles Croley, Curtis Lowe, Leon Hays, George and Frank Foreman, Elias Hitch, Thomas McQuillan and a man named Gurst. All of these men, by their active participation in business, church and lodge affairs, helped in the development of Texas County.

(3) Judge Tyler's ranch was located on the Palo Duro Creek, southwest of the present town of Gruver, Texas. The Joneses and the Hensons lived down the Creek from the Tylers, and the Wrights beyond them, toward the eastern part of the county, where the Aikens had their home. The Croleys had their ranch over on Coldwater Creek, east of Texhoma, near the Oklahoma line. Charles O'Loughlin's holdings extended from Palo Duro Creek east to the Ochiltree County line. Many of these men shipped cattle to the northern markets from Guymon. In 1905 a hundred carloads of steers were waiting there for cars.

* * * * *

For a number of years after the sale of the *Guymon Herald* Mr. Quinn lived at Guymon, continuing to take an active part in civic and political affairs of the town and county. Mr. Abe Hiebert of the *Hooker Advance*, after a trip to Guymon in 1908, reported that he had called on R. B. Quinn, the reputed czar, dictator and ringleader of Republican politics in Texas County. He wrote: "The county has felt the influence of the *Guymon Herald* and is better for it because the paper was always a force for good and there was a man of courage, nerve and ability behind it . . . a man for fair play with a fine sense of justice."

Irrigation had been the subject of many articles in all of the early Beaver County papers. Mr. Quinn was much interested in the extension of projects in Oklahoma and was instrumental in having the Northwest Oklahoma Irrigation Congress held at Woodward on October 20 and 21, 1909. At this meeting he was elected as a delegate to Congress to work for a program for the Panhandle.⁵⁷

Mr. and Mrs. Quinn, with their children Robert⁵⁸ and Florence,⁵⁹ moved to Norman in 1919 so the son could attend the University of Oklahoma. Late in that year Mr. Quinn was associated with Jake Hamon in a Texas townsite. After Mr. Hamon's death he returned to Guymon to found the *Guymon Tribune* (June 21, 1921), which he continued to edit until September, 1926. During this period he ran for Congress against Dick T. Morgan and was defeated. In 1924, after winning the Republican nomination for

⁵⁷ *Northwest Oklahoma Irrigation Congress*, 1909.

⁵⁸ Robert Dennis Quinn, Elko, Nevada.

⁵⁹ Mrs. Peter P. Gibbons, Oklahoma City, Oklahoma.

Corporation Commissioner over ten other candidates, he lost the election by seventy-three votes. He attended the Cleveland Republican Convention as a delegate that year.

President Coolidge appointed Mr. Quinn United States Marshal for the western district of Oklahoma on September 17, 1926. Before he would name him for the position the President demanded to know if Mr. Quinn was a sincere prohibitionist and whether he would support the laws of the state. This was probably the first time an eligibility test was ever put to an applicant for a federal appointment in Oklahoma.⁴³

Miss Florence Quinn edited the *Guymon Tribune* from the time Mr. Quinn went to Oklahoma City, following his appointment, until the Christmas holidays, when the paper and press were sold to Mr. Giles Miller. The paper was absorbed by the *Guymon Herald* which was published by Mr. Miller at that time.

Mr. and Mrs. Quinn lived in Oklahoma City while he acted as United States Marshal. When President Franklin D. Roosevelt was elected he resigned at once, though his term had a year to run, because "some good Democrat deserved the job." After 1933 they remained in Oklahoma City, except for three or four months each summer when they traveled northwest for a visit with their son and then moved on to a camp on the McKenzie River about forty miles from Eugene, Oregon. Delight in fine fishing, which was his favorite sport, made the days in the beautiful pine forests very happy ones for him.

Mr. Quinn's health was not good when they started north in May, 1939, and it became necessary to take him to a hospital in Eugene early in June. There he died on June 10. He was buried in Memorial Park, Oklahoma City.

The life of Dick Quinn after he came to No-Man's-Land parallels the events which changed it from a wild, sparsely-settled country controlled by cattle barons to a land of homesteaders. His early days as a cowboy turned his sympathies toward the ranchers, but with the rush of settlers he realized that they were the people who would build a great state, and at no time in his career did he forget that to have a part in the building of a great commonwealth was his highest aim. "Old" Beaver County and Texas County can be proud to name him as one of their foremost leaders.

THE CIVIL WAR IN THE INDIAN TERRITORY

1861 (Continued)

BY DEAN TRICKETT

In a letter authorizing Agent Douglas H. Cooper to raise a mounted regiment among the Choctaws and Chickasaws, Secretary of War Walker informed him, in May, 1861, that the Confederate Government had deemed it "expedient to take measures to secure the protection of these tribes in their present country from the agrarian rapacity of the North."¹ With that object in view, three regiments of white troops, under the command of General Ben McCulloch, had been assigned to the military district embracing the Indian Territory, and three mounted regiments were to be raised among the friendly Indian tribes. But General McCulloch, respecting the neutrality of the Cherokees, did not enter the Indian country; and of the three white regiments, only one—Greer's Third Texas Cavalry—saw service therein. In fact, with the exception of four companies of McIntosh's Arkansas regiment, the only Confederate troops to enter the Indian Territory in 1861 were Texas cavalry.

Early in the spring William C. Young, a colonel in the Texas militia, was authorized to raise a regiment of cavalry to protect the northern border of Texas.² The regiment crossed the Red River late in April and occupied Forts Washita, Arbuckle, and Cobb after the withdrawal of Colonel Emory and the Federal troops. Colonel Young made a treaty with the Reserve Indians at Fort Cobb, pledging the Confederacy to feed and protect them; but a Captain Benning, of Fannin County, Texas, reported to the Secretary of War that the action was approved by very few Texans. "It is considered by the sovereigns here as a worse than needless expense."³

The Chickasaw Indians soon became dissatisfied with the presence of Texas troops on their land, and in their "declaration of independence," passed May 25, instructed Governor Cyrus Harris to take immediate steps to obtain possession of all forts within the Choctaw and Chickasaw country.⁴ Colonel Young's regiment was withdrawn from the Indian Territory late in August and reorganized,⁵ entering the Confederate service as the Eleventh Texas

¹ *Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1904). Series I, III, 574. Hereafter cited as *O. R.*

² *Ibid.*, Series IV, I, 715.

³ *Ibid.*, Series I, I, 653.

⁴ *Ibid.*, Series I, III, 586.

⁵ *Ibid.*, Series I, IV, 99-100. See also Annie Heloise Abel, *The American Indian as Participant in the Civil War* (Cleveland: Arthur H. Clarke Co., 1919), 173. Pike to Miles, Dec. 9, 1861.

Cavalry. About the middle of October they marched north to join General McCulloch in Arkansas.⁶ Colonel Stone's Sixth Texas Cavalry had left for the same destination several weeks before.⁷ Late in October Colonel Sims' Ninth Texas Cavalry also crossed the Red River en route for McCulloch's command.⁸

The organization of the Choctaw and Chickasaw Regiment of Mounted Rifles, under the command of Colonel Cooper, was completed about the 1st of August at the old Choctaw Agency at Skullyville, 15 miles from Fort Smith, Arkansas.⁹ Chief George Hudson, on June 14, had ordered all citizens and residents of the Choctaw Nation subject to military duty, between the ages of 18 and 45 years, to enroll and "hold themselves in readiness to turn out for the defense of the nation at a minute's warning."¹⁰ Responding promptly, the Choctaws formed the bulk of the regiment, the Chickasaws being able at that time to furnish only about twenty men.¹¹ A surplus of three companies—two Choctaw and one Chickasaw—was shortly afterward incorporated in a separate battalion. General McCulloch reported to the Secretary of War in July that he intended to keep the Choctaw and Chickasaw regiment at Skullyville as a check on the Cherokees and would make the same disposition of the Creek regiment when organized.¹²

The First Creek Regiment was raised in July and August.¹³ Before the treaty with the Creeks had been concluded on July 10, Albert Pike recommended the appointment of Agent William H. Garrett to the command of the projected regiment.¹⁴ On hearing of it, General McCulloch objected, writing to the Secretary of War that Garrett was not qualified for the position, and "from what I know of his habits, a worse appointment could not be made."¹⁵ The Creeks also objected and "strenuously insisted that the colonel of the regiment to be raised should be elected by the men."¹⁶ Pike yielded and withdrew his recommendation, and the War Department dropped Garrett's name.¹⁷ Daniel N. McIntosh, youngest son of William McIntosh, ill-fated chief of the Lower Creeks, was elected colonel of the regiment. A battalion, under Lieut. Col. Chilly Mc-

⁶ *O. R.*, Series I, IV, 144.

⁷ *Ibid.*, 108.

⁸ *Ibid.*, 144.

⁹ *Ibid.*, Series I, III, 614, 625.

¹⁰ *Ibid.*, 593.

¹¹ *Ibid.*, 625.

¹² *Ibid.*, 611-12.

¹³ *Ibid.*, 624.

¹⁴ *Ibid.*, 623-24.

¹⁵ *Ibid.*, 597.

¹⁶ *Ibid.*, 624.

¹⁷ *Ibid.*, 671.

Intosh, eldest son of Chief McIntosh, and an independent company, under Capt. James M. C. Smith, also were raised among the Creeks.¹⁸

The Seminoles furnished a small battalion under the command of Maj. John Jumper, principal chief.¹⁹ The nation was divided in sentiment, and many of the Seminoles remained loyal to the Federal Government. Jumper was later rewarded by the Confederate Government by being made an honorary lieutenant colonel in the Confederate Army.²⁰

The organization of the First Cherokee Mounted Rifles, authorized by the executive council of the nation soon after the general meeting on August 21,²¹ was completed about the time of the signing of the formal treaty of alliance with the Confederacy early in October. The officers, appointed by Chief John Ross, were Col. John Drew, a member of the executive council; Lieut. Col. William P. Ross, nephew of Chief Ross and also a member of the executive council; and Maj. Thomas Pegg, president of the National Committee, upper house of the Cherokee National Council.

In outlining the plan of the Confederate Government to secure and retain possession of the Indian country, Secretary of War Walker assured Agent Cooper, in May, that "the resources of this Government are adequate to its ends," adding:

"We have our agents actively engaged in the manufacture of ammunition and in the purchase of arms, and when your regiment has been reported organized in ten companies, ranging from 64 to 100 men each, and enrolled for twelve months, if possible, it will be received into the Confederate service, and supplied with arms and ammunition. Such will be the course pursued also in relation to the two other regiments I have indicated. The arms we are purchasing for the Indians are rifles, and they will be forwarded to Fort Smith."²²

The Confederate Government, however, had difficulty in fulfilling that promise, and at no time during the war were the Indian troops adequately supplied. On July 30 the quartermaster at Fort Smith, Maj. George W. Clarke, telegraphed the Secretary of War that arms had not arrived for the Choctaw and Chickasaw regiment and there was "discontent prevailing among the Indians in consequence."²³

¹⁸ *Ibid.*, 624. See also "Report of the Commissioner of Indian Affairs," in *Report of the Secretary of the Interior, 1864* (Washington: Government Printing Office, 1865), 478-79. Garrett to Hubbard, Dec. 16, 1861. Garrett erroneously calls Chilly McIntosh's battalion a "regiment."

¹⁹ *O. R.*, I, III, 624. See also Abel, *op. cit.*, 173. Pike to Miles, Dec. 9, 1861.

²⁰ Congress of the Confederate States of America, *Journal* (Washington: Government Printing Office, 1904-5), I, 683. See also Abel, *op. cit.*, 174.

²¹ *O. R.*, Series I, III, 673.

²² *Ibid.*, 574-75.

²³ *Ibid.*, 620.

Late in December, General Albert Pike, then in command of the Department of Indian Territory, wrote to the Secretary of War:

"The Creek and Choctaw regiments were raised in August and the Cherokee regiment in October; but it was a long time before Colonel Cooper's regiment was even partially armed. No arms were furnished the others; no pay was provided for any of them, and with the exception of a partial supply for the Choctaw regiment, no tents, clothing, or camp and garrison equipage were furnished to any of them."²⁴

To the three regiments of Choctaws and Chickasaws, Creeks, and Cherokees must be added a fourth regiment—the Second Cherokee Mounted Rifles²⁵—organized in the summer and fall of 1861 by the pro-slavery Cherokees, the majority of whom were half-breeds or "white Indians." Those Cherokees called themselves the Southern Rights party,²⁶ and embraced the faction known as the Ridge party, for years bitter opponents of Chief Ross. The leaders in the movement were men prominent in the former Ridge party: Stand Watie, William P. Adair, James M. Bell, brother-in-law of Watie, and E. C. Boudinot, son of Elias Boudinot who was assassinated in 1839.

Stand Watie, who became the most prominent and picturesque Indian officer in the Confederate Army, was born in 1806 in the old Cherokee Nation in Georgia near the site of the present city of Rome. His father was a full-blood Cherokee, but his mother was half white. His elder brother was educated in Connecticut and took the name of a benefactor, Elias Boudinot. After the assassination of his brother and Major and John Ridge, his uncle and cousin, in retaliation for signing the treaty of 1835 by which the eastern Cherokees agreed to sell their lands and remove to the Indian Territory, Stand Watie became the recognized leader of the Ridge or Treaty party. He was a member of the Council from 1853 to 1861 and Speaker from 1855 to 1859.²⁷

The bitter feud between the two parties, waning with the passage of time, was revived by the slavery controversy and the outbreak of the Civil War. Among the pro-slavery or southern Cherokees were many educated and capable men, but they were outnumbered by the Ross party two to one.

Early in May, 1861, several citizens of Fayetteville, Arkansas, wrote to Stand Watie urging him, "as a private and public citizen

²⁴ *Ibid.*, Series I, VIII, 720.

²⁵ So numbered by the Confederate War Department (see *O. R.*, Series I, XIII, 94), and that designation is used in the *Official Records* until after the second and final defection of Drew's regiment early in July, 1862. Thereafter Watie's regiment is known as the First Cherokee Regiment.

²⁶ Edward E. Dale, ed., "Some Letters of General Stand Watie," *Chronicles of Oklahoma* (Oklahoma City), I (1921), 37. Adair and Bell to Watie, Aug. 29, 1861.

²⁷ Emmet Starr, *History of the Cherokee Indians* (Oklahoma City, Okla.: Warden Co., 1921), 274. See also Mabel Washbourne Anderson, *The Life of General Stand Watie* (Pryor, Okla., 1931, 2d ed.).

of the Cherokee Nation, to join us in our efforts for defense." Shortly afterward he was "earnestly exhorted" by other citizens "to take this matter immediately in hand," and advised to "hasten to the organization of your companies."²⁸

As related heretofore, a number of Cherokees, anxious to "take up arms for the South," conferred with Albert Pike and General McCulloch at Fort Smith early in June, and Pike invited several members of the anti-Ross party to meet him at the Creek Agency a few days later. They failed to show up, however, and Pike afterward explained:

"The gentlemen whom I had invited to meet me in June at the Creek Agency did not do so. They were afraid of being murdered, they said, if they openly sided with the South. . . ."²⁹

Addressing him as "Colonel," General McCulloch wrote to Stand Watie on July 12 from Camp Jackson, near Maysville, Arkansas:

"You are hereby authorized to raise a sufficient force for operation in the neutral lands north of the Cherokee Nation. When my command marches into Missouri, you are hereby directed to proceed to the neutral lands and drive from it all bands now infesting it and hostile to our cause."³⁰

Early in September General McCulloch reported to the Secretary of War:

"I have, previous to this time, employed some of the Cherokees, under Col. Stand Watie, to assist me in protecting the northern borders of the Cherokees from the inroads of the jayhawkers of Kansas. This they have effectually done, and at this time are on the Cherokee neutral lands in Kansas. . . . I hope our Government will continue this gallant man and true friend of our country in service, and attach him and his men (some 300) to my command. It might be well to give him a battalion separate from the Cherokee regiment under Colonel Drew. Colonel Drew's regiment will be mostly composed of full-bloods, whilst those with Col. Stand Watie will be half-breeds, who are educated men, and good soldiers anywhere, in or out of the Nation."³¹

Colonel Watie's regiment is said to have been organized at old Fort Wayne, near Spavinaw Creek in Delaware County and only a short distance from Camp Jackson.³² It is also believed that part of the regiment, probably not more than a company, fought with General McCulloch's command at the battle of Wilson's Creek, near Springfield, Missouri, on August 10.³³ Thomas Fox Taylor, a Cher-

²⁸ Dale, *op. cit.*, 34-35. Wilson and Washbourne to Watie, May 18, 1861.

²⁹ Joseph B. Thoburn, ed., "The Cherokee Question," *Chronicles of Oklahoma* (Oklahoma City), II (1924), 176. Pike to Cooley, Feb. 17, 1866.

³⁰ Frank Phillips Collection, University of Oklahoma, Miscellaneous Letters, XI, 101. McCulloch to Watie, July 12, 1861.

³¹ *O. R.*, Series I, III, 692.

³² Anderson, *op. cit.*, 26.

³³ *O. R.*, Series I, III, 54. See also William Elsey Connelley, *Quantrill and the Border Wars* (Cedar Rapids, Iowa: Torch Press, 1910), 198. McCulloch, however, wrote to the Secretary of War, Oct. 14, 1861: "I have up to this time declined to march an Indian force into Missouri. . . ." (*O. R.*, Series I, III, 719).

okee lawyer, became lieutenant colonel of the regiment, and E. C. Boudinot, nephew of Stand Watie and secretary of the Arkansas secession convention, major.³⁴

By the end of October, 1861, the Confederate Government apparently had stifled all opposition and gained complete control of the Indian Territory. Treaties had been concluded with all the principal tribes; four Indian regiments, three battalions, and a number of independent companies had been organized; and all approaches had been well secured by troops stationed outside the territory. During the fall, however, opposition had been developing among the Upper Creeks. The Creeks, like the Cherokees, years before had split into two factions over the sale of tribal lands east of the Mississippi.

In their old home in Georgia and Alabama the Creek Nation was composed of two parties, known as the Upper and Lower Towns, each having a separate head chief. During the first quarter of the nineteenth century the principal chief of the Lower Towns was William McIntosh, a mixed-blood Creek, son of a Scotch trader and an Indian woman. Talented and capable, but avaricious and unscrupulous, he promoted or abetted a number of treaties ceding to Georgia millions of acres of Creek land within that state. After he had attempted in 1823 to convey more land, the Creek Council reenacted, in May, 1824, an old law forbidding the sale of any of the remaining lands of the nation, under penalty of death, except in full council and by consent of the whole nation. Fifteen million acres already had been transferred, and there remained but ten million acres in possession of the Creeks, "who had so advanced in education and agriculture that they valued their lands more highly than before."³⁵

In defiance of that law, McIntosh and a number of Lower Creek chiefs signed a treaty at Indian Springs, Georgia, in February, 1825, ceding all the remaining Creek land in that state and several millions of acres in Alabama. Attending the treaty conference was a delegation from the Upper Towns, led by Opothle-yoholo,³⁶ a young orator and speaker of the Upper Creek Council. In an impassioned speech to the commissioners, the young leader protested against the sale of any land except in full council, and

³⁴ Boudinot wrote a letter to his uncle in October, 1861, asking for "either the Lt. Col. or Major's place" and severely criticizing Taylor. Edward E. Dale, ed., "Additional Letters of General Stand Watie," *Chronicles of Oklahoma* (Oklahoma City), I (1921), 132-33. E. C. Boudinot to Stand Watie, Oct. 5, 1861.

³⁵ Frederick Webb Dodge, ed., *Handbook of American Indians* (Washington: Government Printing Office, 1907-10), I, 782.

³⁶ The name of the great Creek leader is spelled many ways. The spellings of his name attached to the five treaties which he signed are as follows: O-poth-le Yoholo (1826); Opothleholo (1832); O Poth-le Yoholo (1838); O-poeth-le Yoholo (1845); Hopothlegoholo (1854). Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1904), II, 267, 343, 525, 552, 647.

closed with an ominous warning to Chief McIntosh: "I have told you your fate if you sign that paper. I once more say, beware."³⁷

The treaty was rushed to Washington and "forced through the expiring Senate on the last day of the session."³⁸ Two months later a party of Upper Creek warriors surrounded McIntosh's house and shot him and another prominent signer as they tried to escape.

Opothleyoholo and other Creek leaders went to Washington to protest against the validity of the treaty, and in January, 1826, signed a new treaty, annulling the action at Indian Springs and ceding all the Creek land in Georgia, but none in Alabama. Under that treaty the Lower Creeks, or McIntosh faction, removed to the Indian Territory in 1828, settling along the Arkansas River, near the mouth of the Verdigris.

By the terms of a treaty signed at Washington in March, 1832, the Creeks relinquished their remaining land east of the Mississippi; and in the fall and winter of 1836 the Upper Creeks, led by Opothleyoholo, removed from their ancient homes in Alabama to lands in the Indian Territory along the Canadian River. Fearing a renewal of the bitterness engendered by the killing of Chief McIntosh and the sale of tribal lands, Opothleyoholo previously had attempted to buy a tract of land in Texas on which his people could settle, but the sale was blocked by the Mexican Government.

Threats had been made by the McIntosh faction,³⁹ but after the arrival of the Upper Creeks hostilities were averted; and the pages of Creek history were never stained by bloody reprisals such as occurred among their neighbors, the Cherokees. For years, however, the only tie that bound the two parties was their formal tribal government, and they lived apart, separated "by an uninterrupted prairie extending from the bottoms of the Arkansas south to those of the North Fork of the Canadian, a distance of about forty miles."⁴⁰

For more than thirty years Roley McIntosh, half-brother of the slain Chief William McIntosh, was principal chief of the Lower Creeks and generally recognized as chief of the entire Creek Nation, although the Upper Creeks had their own elected principal chief. Opothleyoholo was the real leader of his people for a number of years, and throughout his life retained a peculiar influence over them, yet it is an open question whether he was ever head chief

³⁷ John Bartlett Meserve, "Chief Opothleyahola," *Chronicles of Oklahoma* (Oklahoma City), IX (1931), 440.

³⁸ Horace Greeley, *The American Conflict* (Hartford: O. D. Case & Co., 1865-66), I, 103.

³⁹ Annie Heloise Abel, *The American Indian as Slaveholder and Secessionist* (Cleveland: Arthur H. Clarke Co., 1915), 193. Armstrong to Harris, Aug. 31, 1836.

⁴⁰ Grant Foreman, *The Five Civilized Tribes* (Norman: University of Oklahoma Press, 1934), 186. Logan to Armstrong, Sept. 20, 1845.

in name. However, under date of January 31, 1842, Major Ethan Allen Hitchcock wrote in a diary which he kept during his visit to the Indian Territory: "Opothleyoholo is the principal man over here [Main Canadian], I find, though I understand he has resigned as a chief and is no longer a chief."⁴¹

Although Opothleyoholo is one of the great figures in the annals of the Creek Nation, authentic facts of his life are surprisingly meager. His name is not often met with in contemporary literature. That may be due to its startling orthography.⁴² A Georgia congressman, encountering it in the course of debate on the floor of the House, referred to it as "a long and barbarous Indian name, which I shall not attempt to pronounce."⁴³

Major Hitchcock saw him and talked to him in the early part of 1842, and wrote in his diary: "He is a tall, well made Indian over 45, perhaps 50 years of age. Had on a blue frock coat of good cloth, but wore deer skin leggings."⁴⁴

Early in the forties Opothleyoholo was a trader in partnership with J. W. Taylor, a white man, but the company failed "to give bond and license" in 1843 and Agent Dawson closed its store.⁴⁵ Yet in 1845 Agent Logan wrote: "It is reported that Opothleyoholo is by far the richest man in the whole nation."⁴⁶

Despite this reputed wealth, Mrs. Opothleyoholo was not above making a little pin money on the side. In February, 1842, Major Hitchcock noted in his diary:

"... a negress belonging to Opothleyoholo's wife came (five miles) with the compliments of her mistress desiring me to buy some bead moccasins of which she sent some eight or ten pairs, the work of her own hands. I bought one pair at seven dollars, the negress saying her mistress was disappointed that I had not paid her a visit and sent the moccasins supposing I might wish to carry back with me some of the work of the wife of Opothleyoholo. . . . Today the negress has come again with the commencement of a bead pouch to show from her mistress who had heard the woman say that I wanted one, and she sends word that if the weather will allow, she and her family (three daughters) will visit me tomorrow."⁴⁷

It is known that a son of Opothleyoholo was one of the early students at the Choctaw Academy in Kentucky. In 1828 he was

⁴¹ Grant Foreman, ed., *A Traveler in Indian Territory* (Cedar Rapids, Iowa: Torch Press, 1930), 112.

⁴² Properly *Hupuehelth Yaholo*; from *hupuewa* "child," *he'hle* "good," *yaholo* "whooper," "halloer," an initiation title.—G. W. Grayson in Hodge's *Handbook of American Indians*, II, 141.

⁴³ Thomas Hart Benton, *Thirty Years' View* (New York: D. Appleton & Co., 1854-56), I, 64.

⁴⁴ Foreman, *A Traveller in Indian Territory*, 112.

⁴⁵ Abel., *op. cit.*, 193.

⁴⁶ Foreman, *The Five Civilized Tribes*, 187. Logan to Armstrong, Sept. 20, 1845.

⁴⁷ Foreman, *A Traveler in Indian Territory*, 148.

9 years old and had taken the name of Richard M. Johnson, but nothing is known of his later life.⁴⁸

Opothleyoholo had no part in the negotiations with Albert Pike leading to the signing of the treaty of alliance with the Confederacy at North Fork Village on July 10, 1861, as he was not a "chief, counsellor, or head man" in the Creek Nation at that time. Motey Kennard represented the Lower Creeks and Echo Harjo the Upper Creeks, and they signed the treaty as principal chiefs of their respective parties.⁴⁹ Among the other names signed to the treaty, three were denounced as forgeries by their owners when they returned from the Indian council held at Antelope Hills. They were Ok-ta-ha-hassee Harjo (better known as Sands), Tallise Fixico, and Mikko Hutke.⁵⁰

It was afterwards said that Opothleyoholo was present at the making of the treaty and assured Pike that he "fully concurred" in the result; but "after the making of the treaty Opothleyoholo collected together his adherents, and for reasons entirely of a domestic character and in no wise connected with the national question at issue, withdrew from the country and assumed a hostile attitude."⁵¹

Whatever may have been the motives for the position taken by Opothleyoholo and his adherents, the slavery question apparently did not enter, as many of them were slaveholders. The "reasons entirely of a domestic character" undoubtedly were those early differences with the McIntosh faction over the sale of tribal lands. That, at least, was the opinion of Chief Ross, of the Cherokees. In his speech to Drew's regiment in December, he said:

"I . . . dispatched a messenger to Opothleyoholo . . . and advised him to submit to the treaty made with the Creeks, and to be advised by Colonel Cooper, who was his friend, and had used his utmost exertions to bring about peaceful relations with the parties in the Creek Nation. Opothleyoholo replied that he was at peace with the South, with Colonel Cooper and the Cherokees and desired to remain so. He was willing also to submit to all proper treaties, but that a party in his own nation was against him and his people, who would not allow him to be at peace."⁵²

The loyal Creeks, as the party opposed to the Confederate alliance came to be known, refused to recognize Motey Kennard and Echo Harjo as leaders of the Creeks, and chose Ok-ta-ha-hassee Harjo (Sands) as acting principal chief of the tribe.⁵³ Opothle-

⁴⁸ Carolyn Thomas Foreman, "The Choctaw Academy," *Chronicles of Oklahoma* (Oklahoma City), VI (1928), 462. See also Foreman, *The Five Civilized Tribes*, 36.

⁴⁹ *O. R.*, Series IV, I, 439.

⁵⁰ Abel, *op. cit.*, 194.

⁵¹ *Ibid.*, 195.

⁵² Thoburn, *op. cit.*, 186-87.

⁵³ Abel, *op. cit.*, 244.

yoholo became their actual leader. They removed to an encampment near the junction of the North Fork and the Deep Fork of the Canadian River, and sent delegates to Washington, by way of Kansas, to confer with the "Great Father."

It was at this time that Albert Pike "authorized James M. C. Smith, a resident citizen of the Creek Nation, to raise and command a company of Creek Volunteers, to be stationed at the North Fork Village, in the Creek country, on the North Fork of the Canadian, where the great road from Missouri to Texas crosses that river, to act as a police force, watch and apprehend disaffected persons, intercept improper communications, and prevent the driving of cattle to Kansas."⁵⁴

The delegates to Washington—Mikko Hutke (White Chief), Bob Deer, and Joe Ellis—carried with them a letter signed by Opothleyoholo and Sands appealing urgently for help:

"Now I write to the President our Great Father who removed us to our present homes, and made a treaty, and you said that in our new homes we should be defended from all interference from any people and that no white people in the whole world should ever molest us unless they come from the sky but the land should be ours as long as grass grew or waters run, and should we be injured by anybody you would come with your soldiers and punish them, but now the wolf has come, men who are strangers tread our soil, our children are frightened and the mothers cannot sleep for fear. This is our situation now. When we made our Treaty at Washington you assured us that our children should laugh around our houses without fear, and we believed you. Then our Great Father was strong. And now we raise our hands to him we want his help to keep off the intruder and make our homes again happy as they used to be. . . ."⁵⁵

Upon reaching Kansas, the delegates were received with open arms by the Federal officials, both of the Army and the Indian service. They came first within the orbit of the indefatigable James H. Lane, Senator from Kansas, who since the middle of August had been recruiting and organizing at or near Fort Scott what afterward became known as Lane's Kansas Brigade.⁵⁶ With no scruples as to who should carry his Minie rifles in defense of Kansas, Lane was soon advocating the use of friendly Indians as soldiers, a step in advance of the policy of the Federal Government. He had already commissioned E. H. Carruth, an educator with service in both the Cherokee and Creek nations, to arrange an interview "at Fort Lincoln on the Osage or some point convenient thereto" between Lane and representatives of the Indian tribes.⁵⁷

⁵⁴ Abel, *The American Indian as Participant in the Civil War*, 173. Pike to Miles, Dec. 9, 1861.

⁵⁵ Abel, *The American Indian as Slaveholder and Secessionist*, 245-46. Opothleyoholo and Ok-ta-ha-hassee to the President, Aug. 15, 1861.

⁵⁶ Leverett W. Spring, *Kansas, the Prelude to the War for the Union* (Boston: Houghton, Mifflin & Co., 1885), 274-75.

⁵⁷ Abel, *op. cit.*, 242-43.

Carruth met the three Indian delegates at Iola early in September and took them to Lane's headquarters at Barnesville, near Fort Scott, where plans were laid for a future conference at the headquarters of the Kansas Brigade with representatives of tribes in the Indian Territory. Carruth wrote personally of Chief Ross, to Opothleyoholo and Sands, and to the Wichitas, Seminoles, and "loyal" Choctaws and Chickasaws, asking them to send delegations. In his letter to the Creek leaders, dated September 10, Carruth wrote:

"Your letter by Mikko Hutke is received. You will send a delegation of your best men to meet the commissioner of the United States Government in Kansas. I am authorized to inform you that the President will not forget you. Our Army will soon go south, and those of your people who are true and loyal to the Government will be treated as friends. Your rights to property will be respected. The commissioners from the Confederate States have deceived you. They have two tongues. They wanted to get the Indians to fight, and they would rob and plunder you if they can get you into trouble. But the President is still alive. His soldiers will soon drive these men who have violated your homes from the land they have treacherously entered. . . ." ⁵⁸

A few days later Superintendent Coffin met the three delegates, and he too was soon planning an intertribal conference at Humboldt. ⁵⁹

The delegates traveled as far north as Lawrence, Kansas, where Evan Jones, the Baptist missionary to the Cherokees, had a long talk with Mikko Hutke. Jones offered the Indian twenty-five dollars to deliver a letter to Chief John Ross and bring back an answer, but he declined to undertake it. "I suppose he was afraid of being intercepted with documents in his possession," commented Jones in a letter to Commissioner Dole. ⁶⁰

The trip to Washington to confer with the "Great Father" was postponed for the time being, and Mikko Hutke returned to the Creek Nation, presumably in the interest of the intertribal conference, as he told Jones he was coming back in November as far as Humboldt.

Meanwhile, Chief Ross had been urging Opothleyoholo to support the Confederate alliance and reconcile his differences with the Lower Creeks. Shortly after the general meeting at Tahlequah on August 21, Ross wrote to Opothleyoholo and "others of the chiefs and head men of the Creek Nation":

"Brothers: I am gratified to inform you that the Great Being who overrules all things for good has sustained me in my efforts to unite the hearts and sentiments of the Cherokee people as one man; and at a

⁵⁸ *O. R.*, Series I, VIII, 25. The original of this letter was found in Opothleyoholo's camp after the battle of Chustenahlah, Dec. 26, 1861.

⁵⁹ "Report of the Commissioner of Indian Affairs," in *Report of the Secretary of the Interior, 1861* (Washington: Government Printing Office, 1862), 655. Coffin to Dole, Oct. 2, 1861.

⁶⁰ *Ibid.*, 658. Jones to Dole, Oct. 31, 1861.

mass meeting of about four thousand males, at Tahlequah, with one voice we have proclaimed in favor of forming an alliance with the Confederate States, and shall thereby preserve and maintain the brotherhood of Indian nations in a common destiny.”⁶¹

The note seems to have been received with incredulity by Opothleyoholo, as it was returned to Ross with a few lines written on the back asking if it was authentic.⁶²

Ross assured him, September 19, that he had written the note, and sent copies of his address to the general meeting and the resolutions adopted by the Cherokees. On October 8, after the Cherokee treaty had been signed, Ross again wrote to Opothleyoholo, urging his acceptance of the Confederate alliance. Assistant Principal Chief Joseph Vann was dispatched to the camp of the loyal Creeks to further explain the position of the Cherokees.⁶³ Opothleyoholo refused to be moved, however, saying he had made up his mind to adhere to the Union and that no argument could change that determination.

Early in November, Mikko Hutke returned to Kansas with a delegation of Creeks, Seminoles, and Chickasaws. At Le Roy they had a consultation with Dr. George A. Cutler, who during the summer had been appointed agent for the Creeks.⁶⁴ Cutler decided to take them to Fort Scott to consult with Senator Lane, but on reaching there found that Lane had gone to Washington. Colonel Montgomery, Lane’s successor, advised that the delegation be taken to the Federal capital. At Fort Leavenworth the department commander, General Hunter, concurred with the views of Montgomery, and Cutler and the delegation immediately left for Washington. “The result of that journey,” Cutler afterward wrote, “has strengthened their confidence and belief in the power and stability of the Government.”⁶⁵ But to their dismay they found on returning to Kansas late in December that disaster irreparable had overtaken the loyal Creeks in the Indian Territory.

NOTE:—In the second article of this series (*Chronicles of Oklahoma*, December, 1939, p. 402) the name “Andrew J. Doran” in the first line should read Andrew J. Dorn and “Doran” in the fifth line should be Dorn.

(To be continued)

⁶¹ Thoburn, *op. cit.*, 170. Ross to Opothleyoholo and others, Sept. 19, 1861.

⁶² *Ibid.*, 170.

⁶³ *Ibid.*, 172. Ross to Opothleyoholo and others, Oct. 8, 1861.

⁶⁴ Abel., *op. cit.*, 184.

⁶⁵ *Report of the Commissioner of Indian Affairs, 1862* (Washington: Government Printing Office, 1863), 138. Cutler to Coffin, Sept. 30, 1862.

Chapter II

ESTABLISHMENT OF "OLD" MILLER COUNTY,
ARKANSAS TERRITORY

By Rex W. Strickland

By 1820 there was a very considerable population living along Red River above the Great Raft. A territorial census taken in the last half of the year revealed the number of persons resident in the newly created Miller County was 999, of whom 82 were negro slaves.¹ Undoubtedly the greater part of the settlers were located on the north bank of the river in the vicinity of Clear Creek but the settlements at Pecan Point and Jonesborough were being augmented steadily by an influx of immigrants from the older peopled areas farther east.² The increase in the number of "squatters" called for the creation of a new county out of the western townships of Hempstead County under whose jurisdiction the area was administered. Thus on April 1, 1820, Governor James Miller signed an act previously passed by the assembly of the Arkansas Territory to "erect and establish the County of Miller." The new division was delimited by the following boundaries:

Be it enacted by the General Assembly of the Territory of Arkansas, That all that portion of the County of Hempstead and bounded as follows, to-wit: Beginning on the north bank of the great Red River, at a point due south of the Cossetat Bayou, a branch of Little River, thence due north to the mouth of the Cossetat Bayou aforesaid, then up said bayou to the head of its main branch, then north to the boundary line of Clark, then due west with said line to the Canadian river, or the Indian boundary line, then with the said line to the great Red river aforesaid, then southeasterly with the Indian or Spanish boundary line to a point due south of the point of beginning, then due north to the beginning, to be laid off and erected into a separate county, to be called and known by the name of the county of Miller.³

To attempt to determine with exactness the extent of the area set forth in the act would be an exercise in historical casuistry of relatively little value. The eastern and northern boundaries of the county may be fixed with some degree of accuracy but the western and southern limits are vague, either by design or because of necessity. Without attempting to be more precise than were the territorial solons, let us say that "Old" Miller County took within its margins the western halves of present day Little River, Sevier and Polk counties in Arkansas, all of McCurtain, Choctaw and Pushma-

¹ *Arkansas Gazette* (Arkansas Post), March 3, 1821.

² For example, James J. Ward, senior, with his sons, James, junior, Joseph and Jordan, from Tennessee, settled at Pecan Point in the spring of 1820. Milam's *Registro*; *Record of the Board of Land Commissioners (Transcribed) Red River County*, 7 and 14. James Walters located in March, 1820, near Jonesborough on an improvement which he had purchased from Adam Lawrence. *Registro*.

³ "An Act to erect and establish the County of Miller" in the *Arkansas Gazette*, July 22, 1820.

taha and the southern one-thirds of LeFlore and Latimer counties in Oklahoma and an indeterminate portion of northeastern Texas. Obviously the members of the assembly did not even approximately know the location of the boundary between the United States and Spanish Texas. They were aware, it is true, that the Treaty of 1819 had specified the line of demarcation should run due north from the intersection of the thirty-second parallel of north latitude and the Sabine River to a point on Red River and thence upstream to the hundredth meridian. But the locus of the juncture of the thirty-second parallel with the Sabine, and, concomitantly, the impingement of the Arkansas-Texas boundary on Red River, was not a problem of vital importance to the legislators. They acted in accordance with the dictates of local expediency and left the diplomatic question to the men whose business it was to determine such matters.

In addition to delineating the boundaries of Miller County the act provided that suits and cases which had arisen within the area cut off from Hempstead County and set for trial in its courts should be transferred to the jurisdiction of the new county. Justices of peace for the townships west of the Cossatot were to continue to exercise their duty in Miller County until new commissions could be issued. The county was placed in the Second Judicial Circuit of the Territory of Arkansas and the judge was authorized to appoint a county clerk to make out and keep the records. Lastly, John Hall's house in the Gelleland (Gilliland) settlement on the Clear Creek prairie was designated as the place where all courts of record should be held until a permanent seat of justice could be selected.⁴

October 14, 1820, the Assembly passed an act to provide for an election of commissioners "to select and choose the most suitable and convenient place for a county seat" and set the first Monday in August of the following year as the date of the balloting.⁵ Furthermore, the commissioners were empowered to provide a good and sufficient jail at the chosen county site, and, if they had the funds in hand, to build a court house. The combined cost of the buildings was not to exceed \$1,000.00, exclusive of donations.⁶

On the same day (October 14, 1820) Governor Miller approved an act establishing the Courts of Common Pleas for the Territory of Arkansas. By its provisions the governor was authorized to appoint three respectable house-holders in each county to serve as members of the local body. Two judges were to constitute a quorum empowered to exercise all the functions of the court, judicial and

⁴ *The Arkansas Gazette*, July 22, 1820.

⁵ August 6, 1821, thus was the date of the first election held in the present boundaries of Oklahoma.

⁶ "An act to provide for the electing of Commissioners in the Counties of Clark, Hempstead and Miller, to locate the seats of justice in the said counties, and for other purposes" in the *Arkansas Gazette*, November 25, 1820.

appointive. A county clerk was to be selected by the court, with the proviso that if there was a duly commissioned clerk of the circuit court residing in a county he was to discharge the functions of the clerk of the court of common pleas until the expiration of his current commission. The clerk was obliged to provide a public seal for the county within three months after his induction into office but until he was able to secure the official seal he was authorized to use his private seal. Finally, in accordance with the act, the Court of Common Pleas for Miller County was instructed to meet three times a year, namely, on the fourth Monday in March, July and December.⁷

For reasons not ascertainable at present, a session of the court was not held in March, 1821; thus the first Court of Common Pleas "in and for Miller County" convened at the house of Claiborne Wright, Monday, July 23, 1821.⁸ Present were the three judges, Abram Sanders,⁹ William Brice¹⁰ and Wyatt Hanks; the sheriff, Bailey English; and the prosecuting attorney for the second judicial district of the Superior Court of the Territory of Arkansas, Robert C. Oden. John Clark, clerk of the Circuit Court, served as *ex officio* county clerk. A grand jury was empanelled but no criminal causes were tried at the first session. The term continued for three days but because of subsequent loss of county archives we are forced to rely upon analogy and comparison to reconstruct the nature of the business transacted. Three townships were laid out—Clay, Washington and Jefferson; indictments were drawn against law violators; and roads were set forth by designation of their several *termini*.

James Smith and Wyatt Hanks served as judges during the second term of the Court of Common Pleas which began its session December 24, 1821, and sat for four days. Sam C. Roane prosecuted for the territory on the indictments returned by the grand

⁷ "An Act to establish Courts of Common Pleas in this Territory, and to regulate the Terms of the Superior Courts" in the *Arkansas Gazette*, October 28, 1820.

⁸ It is unknown why the court met at Claiborne Wright's instead of John Hall's as directed by the law of April 1, 1820. Wright, in 1821, was living out on the edge of the prairie north of Red River on the subsequent site of "Old" Shawneetown. The application of extant data to the problem shows his house was located some two or three miles southwest of present day Idabel. His place, designated in contemporary records as Miller Court House, continued to serve as the seat of justice of the county until 1828.

⁹ Sanders, "an old man," was a member of Robert Bean's party of trappers that left Ft. Smith in May, 1830. He was killed during the first year of the venture. *Arkansas Gazette*, November 2, 1831. See also Ellison, W. H., *Life and Adventures of George Nidever*, 7.

¹⁰ William Brice quite probably was a former resident of the Mississippi Territory. *Territorial Papers of the United States*, VI, 503. His name, as well as that of his brother, Samuel, appears as a signature to a petition addressed by the citizens of the Natchez area to Congress in 1815. Brice carried on mustang catching on a rather large scale. In 1823 one of his companies hunting on Blue lost horses to Indian marauders. *Ark. Gaz.*, December 9, 1823.

jury. Claiborne Wright was allowed \$13.00 out of the public funds for the use of his house for the transaction of the county's business during the July and December court days. Presumably the commissioners elected August 6 had chosen his place as the permanent seat of justice. Certainly the election had been held as scheduled; this we know from allowances made by the court to Jesse Shelton of Jefferson Township, John Tumlinson of Washington Township and Samuel Gates of Clay Township for delivering the poll books of the election.¹²

The extent to which the settlers south of Red River participated in the organization of Miller County is difficult to determine. Some of them, at least, were not in sympathy with the creation of the new jurisdiction—a feeling which is fully evidenced in a letter written by William Rabb to the governor of Texas in the summer of 1821. Writing from "Jonesborough, South side of Red River," he stated:

I am a resident of the upper settlement on Red River, having lived there three years. It is the opinion of the most intelligent men in this section that we are within the limits of the Province of Texas. An unfortunate experience has proved to us that we do not have the protection of the United States. This settlement contains about eighty families. With the exception of a few, they are honorable and industrious people, although they have the misfortune of living under the most depressing and unfavorable conditions. Up until just recently the other bank of Red River has been under the political jurisdiction of the United States. The authorities have recently sold the region to the Choctaw tribe. The old time settlers and former officials continue to live in the country which now belongs to the Indians and not only control their former possessions but likewise this bank of the river.

We are obliged to pay enormous contributions to maintain a bunch of public grafters. We are almost daily forced to submit to the most terrible insults and injuries, without having any hope of seeing the end to our misfortunes. The reason for our present situation is that the Choctaws who live on the east side of the Mississippi have not yet come to take over their new possessions.

The settlers on the north side of Red River carry on direct trade with the Comanches furnishing them with all the munitions of war and receiving in exchange a great number of horses many of which bear the Spanish brand. We feel this selfish and illegal traffic is very injurious to your government.

This settlement is located about three hundred miles by land above Natchitoches and this place (Jonesborough) is almost directly north from where the road from Bexar crosses the Trinity River. The inhabitants of this unfortunate section of your Province would be very happy to be under the protection of your government. They greatly regret the lack of any Civil law for their guidance. Many of the settlers will probably leave in consequence of the situation. They will either push farther into the province, or, what is more likely, return to the United States. I have planned to locate on the Colorado under the direction of Mr. Austin, and expect to

¹² "A Statement of Expenditures and Receipts of the County of Miller, Territory of Arkansas, from the 23d day of July, 1821, to the 1st day of October, 1832," in the *Arkansas Gazette*, December 24, 1822.

move my family and goods during the present autumn. I hope to be free from these unprincipled creatures who rob me and insult me with impunity. However, I am very anxious for the welfare of my fellow citizens whom I shall leave in this territory. I hope through your goodness they will find a safe protection against the oppressive hand of these miserable rascals, who have no compassion, and, who, without any reason whatever, destroy our peace and devour our substance. I do not venture to suggest to you the steps necessary for the protection of this region. I leave it to God and your great wisdom. I know that you will extend to us the best possible treatment. . . .¹³

The charges in this letter of protest concerning the exactions and peculations of the officials of Miller County are hardly likely to be true. We must make some allowances for personal pique and take into account Rabb's quite natural tendency to over-emphasize his disapproval of the deeds of the magistrates and to protest over much his regard for the wisdom of the Spanish governor. *De facto*, though perhaps not *de jure*, Miller County did have jurisdiction over the settlers south of Red River, and had the shoe been on the other foot and the Spanish officials have attempted to collect taxes, Rabb would have been the first to protest to the governor of Arkansas against the unwarranted interference with his rights as an American citizen. He was not, however, the only malcontent, nor must we disregard entirely his declaration of dissent at the procedures originating at Miller Court House. For the same couriers that bore Rabb's letter to Antonio Martinez carried likewise a petition from heads of families living on the left bank of Red River asking that they be allowed to elect an alcalde and a commandant to govern the settlement provisionally until a regular political organization could be perfected for Pecan Point.¹⁴ John Hanks and Nathaniel Robins appear as the leading spirits in this request. Joseph Newman, Rabb's son-in-law, and George C. Wetmore were selected by the settlers to carry their petition to San Antonio.¹⁵

Whether or not the protest of the inhabitants of Pecan Point and Jonesborough was responsible—probably it was only a part of the dissidence rather general over the Territory of Arkansas—the Assembly in October, 1821, superseded the particularistic Courts of Common Pleas by a system of Circuit Courts presided over by judges sent out from Little Rock. Miller County was placed in the Second

¹³ William Rabb to His Excellency the Governor of the Province of Texas, undated, in the *Bexar Archives*, University of Texas Library. I am indebted to the late Mrs. Mattie Austin Hatcher for the translation from the Spanish.

¹⁴ "A Petition from the inhabitants living south of Red River to the governor of Texas," June, 1821, in the *Bexar Archives*; see also *Translations of the Empresario Contracts*, 350, General Land Office, Austin, Texas. To neither of these copies are appended the signatures of the petitioners, although each carries the notation that the original had the names of eighty-four signers. The original petition was probably sent on to Mexico, and if found would furnish a veritable census of the inhabitants of northeast Texas in June, 1821.

¹⁵ "Memorial from Joseph Newman to the Governor of the Province of Texas," undated, in the *Bexar Archives*.

Judicial District with the provision that court should be held in the area on the first Monday in April, August and September of each year.¹⁶ In accordance with act, Judge Thomas P. Eskridge opened court at Miller Court House, April 1, 1822. Bailey English was present in his capacity as sheriff and Thomas Dickenson prosecuted for the territory. The nature of the criminal causes tried at this and the succeeding August term can not be determined but the fees allowed from county funds to Sheriff English and John Clark, clerk of the Court, for "services in criminal cases" show clearly that frontier justice did not overlook evasions of the law. Inasmuch as the sheriff was paid \$150.00 for acting as jailor during the fiscal year, 1821-1822, we may safely conclude the convicted culprits did not escape unscathed. One account paid by the court is of unusual interest—thirty dollars set aside to indemnify Dr. Lewis B. Dayton for providing the public seal for the county.¹⁷

The list of expenditures and receipts for Miller County in the first year of its existence presents an interesting study in frontier finance. The total expenses for a period of slightly more than sixteen months was \$722.45, but, despite this meager budget, a deficit was incurred, since the receipts amounted to only \$515.38. The taxable valuations can not be determined as the delinquent lists for 1821 and 1822 were not returned; the *ad valorem* taxes collected for the two years totalled \$414.64 $\frac{1}{4}$, to which was added \$40.00 "by two licenses to retailers of merchandise"; \$100.00 "by amount of fines assessed by the court"; and \$25.00 "by tavern and ferry licenses." Ten per cent sheriff's commission was deducted from the receipts to satisfy the expenses of collection.¹⁸

Meager, fragmentary entries in the statement of receipts and expenditures of Miller county from October 1, 1822, to October 1, 1823, raise rather than answer the question of happenings during the year. Three settlers, Larkin Nall, Martin Nall and William Woods paid fines of \$75.00 each, but the nature of their misdemeanors is not revealed; justices of the peace Joshua Ewing and Willis McCann collected and paid into the county treasury \$7.00 and \$3.00 respectively; Amos Tidwell and William Slingland each purchased ferry licenses. Add to these various receipts the taxes for the year, the total revenues collected reach an aggregate of \$585.29. Incidentally the county lost little through failure to collect from de-

¹⁶ "An Act establishing Circuit Courts for and in the Territory of Arkansas," in the *Arkansas Gazette*, March 26, 1822.

¹⁷ "A Statement of Expenditures and Receipts of the County of Miller, Territory of Arkansas, from the 23d day of July, 1821, to the 1st day of October, 1822," in the *Arkansas Gazette*, December 24, 1822.

¹⁸ *Ibid.*

linquents and insolvents; John H. Fowler, deputy clerk, reported defaults to the amount of \$12.37½.¹⁹

Violent death—once suspects murder—took off Thomas Tumlinson during the year; Joshua Ewing, county coroner, received a fee of \$16.00 "for viewing the body," and Berry Sparks was paid for acting as constable in the case. The other expenditures of the county were incidental to the two terms of court (held in April and August). At the first Ambrose H. Sevier acted as public prosecutor assisted by John P. Houston; Bailey English was still sheriff aided by his deputy, Charles Moore. English concluded his term in July, 1823, and was remunerated in the sum of \$112.00 for acting as jailor for the preceding nine months. At the August session Claiborne Wright began his first biennium as sheriff; John P. Houston acted as prosecuting attorney. The records of the courts were kept by John H. Fowler, deputy clerk for John Clark.²⁰

The invaluable though meager lists of receipts and expenditures for 1823-24 (the last available in the *Arkansas Gazette*) suggests certain happenings in the life of Miller County which whet our curiosity but concerning which we can not be sure. Entries reveal that Joshua Ewing, Willis McCann, John Crownover and John Bowman were among the justices of peace for the year. Two persons—Philip Henson and David Trammel—paid fines to the court; Henry B. Greenwood secured a ferry license. Two roads were viewed in the county but we can not determine their location although we know the names of the men who made up the commissions appointed to mark them out. John Morton and Charles Burkham comprised the first group; Willis McCann, Cornelius (Neil) Martin and Gabriel N. Martin the second. The most interesting entry on the list concerns allowances made by the court to Sheriff Wright for his services in cases styled: *United States vs. Freeland Simpson*, *United States vs. Jonathan Poole* (two), *United States vs. John Hanks*, *United States vs. George Carleton* and *United States vs. William Slingland*. The nature of the offenses against the federal government is not revealed but it can be conjectured logically that the men had been hunting west of the Kiamichi in contravention of the second and third sections of the

¹⁹ "List of the Delinquents and Insolvents owing County Taxes to County of Miller in the Territory of Arkansas for year 1823" in the *Arkansas Gazette*, November 25, 1823. The persons cited on the list were Uriah Aldrich, Robert Anderson, Job Carter, John Collins, Charles Douglas, Samuel Gordon, Adam Lawrence, junior, Nathaniel Moore, Joseph Newman, Moses Newman, Samuel Strickland and Daniel Wildrew. Moore and the Newmans had left the jurisdiction for south Texas.

²⁰ "A Statement of Receipts and Expenditures of County of Miller, Territory of Arkansas, from 1st day of October, 1822, to 1st day of October, 1823" in the *Arkansas Gazette*, March 2, 1824.

Act of March 30, 1802.²¹ Despite the extra expenditures involved in these cases, Miller County was able to boast a surplus of county funds at the end of November, 1824; John H. Fowler, Clerk of the Circuit Court, reported the receipts for the past year were \$831.72, the expenditures were \$593.77, leaving a balance of \$237.95.²² Failure or inability to pay taxes in 1824 did not materially cut down the balance; Fowler reported only \$15.94 uncollected.²³

Illustrative of the colorful and turbulent *mores* of the frontier is a deposition of Thomas Scott sworn before John Crownover, justice of peace, in 1824. It is best for the document—one of two only of "Old" Miller County's archives known to the writer—to speak for itself. It states tersely:

This day personally appeared Thomas Scott before me John Crownover one of the Justices of Peace in and for the County of Miller Township of Jefferson Territory of Arkansas—and the said Th Scott being sworn according to law deposeth and sayeth viz That Reading Roberts James Roberts and John Cotton to the best of my knowledge did combine together for the full purpose of seeking my life—and likewise about the seventeenth of August last past I was willfully shot within thirty paces of my own dwelling—by some one of the said combined parties above mentioned—Likewise from the direction which the ball ranged into my body I had every reason to believe the wound would have proven mortal.

his
Th. X Scott
mark

Subscribed and sworn before me John Crownover Justes of the Pece²⁴

Having thus followed the story of the organization and administration of Miller County in some detail from 1820 to the autumn of 1824, we now find it necessary to review rapidly the history of the Choctaw Cession which was to effect so profoundly the lives of its citizenry. Grant Foreman, in his *Indians and Pioneers*, has traced this phase of southwestern history with such fullness and exactitude

²¹ Alexander Cummings to Sam C. Roane, November 24, 1824, inclosed copy in Cummings to General Henry Atkinson, April 8, 1825, *Adjutant General's Office, Old Files Division*, 30 C 25. Recent search of the filed correspondence in the Adjutant General's Office failed to reveal the names of the men who violated the law. But it seems justifiable to regard Simpson, Poole, Hanks, Carleton and Slingland as the culprits named in Cummings' complaint to Roane.

²² "Statement of Receipts and Expenditures of the County of Miller, Territory of Arkansas, from the 1st day of October, 1823, to the 30th day of November, 1824" in the *Arkansas Gazette*, February 1, 1825.

²³ "List of Delinquents and Insolvents owing County Taxes to the County of Miller, in the Territory of Arkansas for year 1824" in the *Arkansas Gazette*, June 14, 1825. The following persons were listed as delinquent: Shelton Bradley, James Boren, Elijah Boren, James Black, Thomas Barnes, Moses A. Foster, Elijah Gibson, John McClinton, Isaiah Rose and George Robins. Insolvents were Tabeous (Tobias?) Burrass, Zacheriah Kelly, David Strickland and Charles Thomas.

²⁴ This deposition was found in the archives of Hempstead County, Arkansas. By what quirk of fate it reached that depository and was thus preserved from destruction is an insoluble enigma. John Crownover, *senior*, migrated from the Red River area to join his sons, Mitchell and John C. Crownover, in south Texas in 1825.

that it would be gratuitous to attempt to add anything to it from the standpoint of Indian affairs. So the present inquiry frankly follows his outline and subjoins only such material as can be produced to explain internal happenings in Miller County during the controversial years that ended in the evacuation of the white settlers from the area north of Red River.

Hardly had Miller County been created when its existence was threatened by the cession of its area on the left bank of Red River to the Choctaws by the Treaty of Doak's Stand, October 18, 1820. The extent of this loss was summed up by a correspondent of the *Louisiana Advertiser* (quoted in *The Arkansas Gazette*) who wrote:

On Red River the Indian line will include the whole of Miller County (being the Pecan Point and Clear Creek settlements on the north side of the river) and about half of the population of Hempstead (one of the most populous counties of the territory).

Moreover, the possessions of three hundred families, the writer estimated, would be jeopardized;²⁵ an appraisal which does not seem excessive in view of the fact, already noted, that the population of Miller County alone in 1821 was a thousand persons, without taking into account those who would be evicted from the western half of Hempstead County under the terms of the treaty. Indeed the area that Andrew Jackson and the commissioners agreed to cede to the Choctaws was imperial in extent. Its line of delimitation began on Red River at a point three miles below the mouth of Little River and ran thence northeastward to Point Remove on the Arkansas (nearly opposite present day Morrilton), thence with the Arkansas to its juncture with the Canadian, thence the Canadian to its source, thence due south to Red River and thence down the river to the point of beginning.²⁶ It has been conservatively estimated that the number of persons whose improvements were thus summarily given over to the Indians totaled five thousand. Certainly when one takes into consideration the moderately extensive settlements in Crawford County, Arkansas Territory, as well as the populations of Miller and Hempstead counties, he feels no hesitancy in accepting this enumeration.

Efforts upon the part of the settlers in the ceded area to obtain concessions from the federal government during the four years following the Treaty of Doak's Stand make up a story too lengthy to be recounted here. Petitions, presidential promises, boundary surveys, protest by both white men and Indians against potential compromises,—all were ended by the definitive Treaty of Washington (signed January 20, 1825) fixing the eastern limit of the Choctaw Cession at a line running due south from Ft. Smith to Red River, i. e., the present Arkansas-Oklahoma boundary. Thus eventually Hempstead County escaped the loss of area but Miller County

²⁵ *Arkansas Gazette*, February 3, 1821.

²⁶ Charles J. Kappler (ed.), *Laws and Treaties*, II, 133.

was doomed from its creation to be destroyed by the edicts of national policy—a pawn in a political game that bartered to the Choctaws the thinly settled Red River lands for their fertile Mississippi possessions.

To return to the beginning of the controversy; the immediate effect of news of the Choctaw Cession was the movement of the American population from the north to the south bank of Red River. Many of the settlers, disgusted at the action of the national authorities, refused to put trust in President Monroe's promises to rectify the treaty line but emigrated to Texas. Editorially, *The Arkansas Gazette* had pointed out just this contingency:

There is one thing, however, which is certain. If this treaty is ratified, nearly, if not all, the families which fall within the limit of the cession within the Territory, will remove to the Spanish Province of Texas, and seek that protection under a foreign monarch, which is denied to them in their native country. This, we have the best authority for saying, will undoubtedly be the case.²⁷

There were many, nevertheless, living within the sphere of the cession who believed immediate removal was too hasty an action. The treaty commissioners, it was pointed out, probably relied upon Melish's map in drawing the lines of demarcation and thus intended that the point of beginning on Red River should be the mouth of the Kiamichi rather than at Little River. Certainly Melish erroneously called the Kiamichi "the Little River." Even though the commissioners had been right in their designation of the Little River as the true place of origin of the boundary, might they not yet consent to the rectification of the line so as to exclude from the cession the improvements of the settlers?²⁸ Three weeks later, however, the same writer, Dr. Robert Andrews, had probably changed his mind about either the ignorance or the benevolence of the commission. On January 24, he wrote to the editors of the *Gazette*:

A party of 8 or 10 of the inhabitants of Hempstead County, will start in a few days for the Province of Texas, to explore the country, and get permission from the proper authorities, to settle in the Spanish dominions. I expect to make one of the party, and if I am pleased with the country, and the terms upon which we may be permitted to settle, I shall remove with my family in a few months.²⁹

Other immigrants, without waiting for the permission of the Spanish authorities to settle in Texas, began to cross Red River and follow Trammel's Trace to Nacogdoches. José Erasmo Seguin informed Governor Antonio Martinez, June 23, 1821:

It seems, when Austin passed through this place, he considered as granted the authorization to come with 500 families to the Colorado River. The news went abroad; and, the people of Missouri, who are admitted, as well as those who were not, such as the people of Pecan Point, have

²⁷ *Arkansas Gazette*, January 6, 1821.

²⁸ Robert A. Andrews, Hempstead County, A. T., to Messrs. Briggs and Woodruff, January 5, 1821, in the *Arkansas Gazette*, February 3, 1821.

²⁹ *Arkansas Gazette*, February 17, 1821.

taken the advance and built their houses, from the Sabine down to Nacogdoches, and even farther as I am informed. . . . the families are large and poor and have no means of transportation.³⁰

This cool reception of the immigrants was rather less than they had expected. True some of them took the oath of allegiance to Spain;³¹ others became discouraged and returned to Red River. There they joined the stay-at-homes, whose numbers had been increased by the arrival of many Missourians, who stopped, at least for the time, in Miller County.³²

Thus despite the uncertainty of the settlers north of Red River resultant from the Choctaw Cession and despite the threatened secession of Pecan Point and Jonesborough, Miller County continued to grow in population during 1821 and 1822. A census taken during the latter months of 1822 shows the number of its inhabitants to have been 1281 persons: of whom 1190 were whites and 91 negro slaves.³³ For their convenience Congress established a post road from Little Rock through Hempstead Courthouse (still at the home of John English near present day Blevins) to Miller Courthouse.³⁴

³⁰ Jose' Erasmo Seguin to the Governor of Texas, June 23, 1821, University of Texas transcripts of the *Nacogdoches Archives*, January 17-December 3, 1821, 19.

³¹ James Dill to Antonio Martinez, October 22, 1821, in the *Bexar Archives*, University of Texas Library.

³² *Arkansas Gazette*, June 25, 1822. Fortunately two participants in the Missouri migration have left written accounts to testify to their presence on Red River in 1822. A combination of the data found in Daniel Shipman's *Frontier Life* with the *Life and Adventures of George Nidever* portrays vividly the continuous flux of backwoods America. On October 23, 1821, seven families and a number of young, unmarried men left Moreau Creek, Coles County, Missouri, with the mouth of the Grand or Neosho River as their destination. Among members of the party were Moses Shipman and family,Harrell and family (including four sons), and George and Jacob Nidever. They reached the Neosho in December but in February, 1822, they moved down the Arkansas and settled in the vicinity of Ft. Smith. There the Harrells, and Moses Shipman located for the time, but young Daniel Shipman and George Nidever set out for Red River. They reached Jonesborough, March 9; from thence they went on to south Texas but returned after a month or two. In the fall of 1822, Moses Shipman moved his family to Miller County, settling at Jonesborough. A year or two later he moved on to south Texas. Meanwhile, in June, 1823, Daniel Shipman, George Nidever and Zacheriah Kelly undertook to locate a silver mine on the upper Red; their prospecting had no success but they did fall in with John Bowman and his mustang hunters, among whom were James Garner and John Hart. Daniel Shipman, *Frontier Life*, 9-25 *passim*; William H. Ellison, *The Life and Adventures of George Nidever*, 2-3. Unluckily Ellison did not use Shipman's book in editing Nidever's reminiscences; else he could have answered a number of questions that perplexed him in regard to Nidever's Arkansas experiences. Apparently the Nidever brothers hunted in Miller County for a number of years; George, Henry, Jacob and Mark Nidever, all signed the Miller County petition of 1825; Jacob and George are cited on the list of tax delinquents of 1825 as having removed from the county. *Arkansas Gazette*, May 30, 1826. Incidentally James and Joel Harrell signed the petition and Joel, Timothy and Lydah Harrell are cited as removed on the tax list of 1825.

³³ "Census of the Arkansas Territory" in *Arkansas Gazette*, June 17, 1822.

³⁴ *Arkansas Gazette*, July 23, 1822.

Apparently the mail was distributed from the home of Claiborne Wright in an informal manner until 1824 when the post-office of Miller Courthouse was established with John H. Fowler as the first post-master.³⁵

In face of the expressed terms of the Treaty of Doak's Stand, the Department of War moved slowly in ordering the evacuation of the inhabitants of Miller County from the area east of the Kiamichi. But it exercised no such leniency toward "squatters" west of the stream. In May, 1823, Secretary John Calhoun forwarded an order to Colonel Mathew Arbuckle, commander at Ft. Smith, directing him to have all persons removed from the prohibited section. In October of the same year, Arbuckle further instructed Lieutenant Richard Wash to visit the Red River country and inform the inhabitants on the south bank that they, too, were expected to remove to a line east of the mouth of the Kiamichi. Wash summarized the results of his official visita- to a letter written to his superior officer, October 31, 1823:

In compliance with my order of the 9th inst. I have the honor to inform you on my arrival at Red River, I found all persons that had settled on the north side of Red River, above the Kiamitia had removed on previous notice given them.

The settlements on the South Side of Red River extend forty miles above the Kiamitia. I furnished these settlers with a notice requiring all persons settled above, or to the West of the Kiamichi on Red River,—to remove by the first of December. . . .

A number of inhabitants on the south side of Red River consider themselves as Spanish subjects and have elected a commandant and other civil officers and consider themselves as no longer subject to the laws of the United States.³⁶

The vacant lands of the Red River area attracted not only white pre-emptioners but eastern Indians dispossessed by treaties with the United States. In many cases renegade bands established themselves without the sanction either of the American or Spanish government. One such group of Cherokees, sixty in number, under the leadership of The Bowl, emigrated from Arkansas in the winter of 1819-20 and joined the Caddos on Sodo (Caddo) Lake.³⁷ They soon made their presence felt in an unwelcomed way to the settlers at Pecan Point; their thievery was brought to the notice of Governor Miller of the Arkansas Territory in a letter written, May 28, 1820:

A number of Cherokee Indians have removed to and settled on the west side of Red River in this Territory. Some of them are daily stealing horses, and committing other depredations; and on the 22d of this month they stole some horses from Pecan township, and were pursued by Capt. Nathaniel Robins and a few others; after a pursuit of about 100 miles they were overtaken; one of them acknowledged having stolen the horses in company of a Cherokee named the Bowl. The Cherokee that was taken

³⁵ *American State Papers, Post Office Department*, 180.

³⁶ R. Wash to Col. M. Arbuckle, October 31, 1823 (inclosure), in Grant Foreman's transcripts of *Adjutant General's Office, Old Files Division*, 10 S 24.

³⁷ *Niles' Weekly Register*, October 28, 1820.

is known by the name of Hog in the Pen, and on his way to justice was rescued by about 40 Cherokees and a few Caddos, who came and took him by force of arms.³⁸

Other bands of immigrant Indians took advantage of the loose control exercised by the Miller County authorities over the south bank of Red River to establish themselves. By 1825 the Shawnees had two villages: one at the Spanish Bluffs³⁹ and the other on the head waters of Mill Creek close to the present day Red River—Bowie County line.⁴⁰ There was also a village of Delawares situated on the creek of the same name, about a mile and a quarter south of Clarksville.⁴¹ A band of Kickapoos settled near present day Annona after having lived for a time on Pecan Bayou.⁴²

On the whole the relationship between the white settlers and the immigrant Indians appears to have been amicable. At times, it is true, there were complaints of horse theft, but when these were traced to their source, the perpetrators generally proved to be lawless Osages from the vicinity of the Arkansas River. The citizens of Miller County were obliged to furnish their own defense against these predatory raids by the use of the typical frontier device, local militia. Almost simultaneously with the legislative establishment of the county, the governor of the territory issued commissions to the captains of two companies organized (or to be organized) in the new jurisdiction; subalterns were later chosen and commissioned. Thus by October 20, 1820, the roster of militia officers for Miller County were substantially as follows: for the Clear Creek settlement, Bailey English, captain; William Pennington, first lieutenant; Samuel Gates, second lieutenant, and Isaac Sanders, ensign; for the Pecan Point settlement, Nathaniel Robins, captain; Matthias Click, first lieutenant; Mitchell Crownover, second lieutenant, and Samuel Morin, ensign. The companies were attached to the Fifth Militia Regiment of the Arkansas Territory (Miller and Hempstead counties) until 1823, when the Ninth Regiment was organized to include the citizens of Miller County only. Its officers were Jacob Pennington, colonel; John Clark, lieutenant-colonel; and Nathaniel Robins, major; all commissioned by the governor, June 10, 1823.⁴³

³⁸ "Extract of a letter to Governor Miller, dated Ozan, May 28th, 1820" in the *Arkansas Gazette*, July 15, 1820.

³⁹ Benjamin R. Milam vs. John Morton: Suit for Trespass of Title, in the *George Travis Wright Papers*.

⁴⁰ *Surveyors Record Book (New)*, Red River County, A. 150.

⁴¹ Plot and Field Notes of a League of Land Surveyed for James Clark, 10th November, 1836, in the *George W. Smythe Papers*, University of Texas Library.

⁴² Hall, "Early Days in Red River County," in the *Bulletin of the East Texas State Teachers College*, XIV, No. 3, 60; and Colquhoun to Cummings, August 1, 1827, AGO, OFD.

⁴³ *The Arkansas Gazette*, June 14, 1825. It must be admitted that the assignment of the officers to the respective companies of 1820 is built upon rather bold reconstruction of meager evidence. But knowledge of the location of the homes of the eight men on the officer rosters of the two groups assures the writer that the lists are fairly accurate.

To supplement the militia, the citizens of the county, in the autumn of 1824, raised and equipped a company of mounted riflemen. The volunteers elected their own officers: John Bowman, captain; Thomas Trammel, first lieutenant; Berry Sparks, second lieutenant; and James Brice, coronet.⁴⁴

In 1824 the Department of War, influenced in part by the representations of Henry Conway, delegate to Congress from the Arkansas Territory, determined to establish a post in the vicinity of the mouth of the Kiamichi for the protection of the southwestern frontier. Two companies of infantry, one from Ft. Jessup (Natchitoches) and the other from Ft. Smith, arrived at the designated site in May and began the construction of a fort variously called, "camp at the mouth of the Kiamitia," "Cantonment Towson," and "Ft. Towson." Ft. Towson (the official name) was situated, not on the Kiamichi, but, on the east side of Gates Creek some seven or eight miles from Red River. Major Alexander Cummings, in charge of construction, was the first commandant of the post.⁴⁵

One would think that the establishment of a garrison for their defense would have received the unqualified approval of the frontier citizenry. Such proved, however, to be anything but the case. Ill-feelings, engendered among the settlers by the Choctaw Cessions, reached a climax within a few months after the arrival of the soldiers in a series of disorderly occurrences involving the military and civil population of Miller County. In this confusion, it seems the commandant of the post was less guilty than the settlers who were so ready to accuse him of all sorts of misdeeds and exactions. Truth to tell, not an inconsiderable part of the Clear Creek settlers were a ribald and boisterous lot. Fugitives from justice as well as those, who, if not criminal in their natures, were certainly reckless sought the freedom of the frontier fringe where established authority was not so likely to ask embarrassing questions and enforce legal restraints. Their misdeeds ran the gamut from hunting on the public lands of the United States without permission to the more reprehensible offenses of assault, theft and murder. Breaches of the peace were common: disturbance of public worship (as we have seen) and sedition against the government (as the sequel will show) were not unknown. Still-houses, set up by grasping gentry to profit by illegal sale of "proof" to the soldiers, became nuclei of debauchery.

Major Cummings zealously endeavored to close the grogeries in the neighborhood of the post—perhaps over zealously.

One of the settlers, John W. G. Pierson, not a dispassionate witness, to be sure, sums up the officer's activity by saying that

⁴⁴ *Arkansas Gazette*, September 28, 1824.

⁴⁵ Grant Foreman, *Advancing the Frontier*, 83.

he had been burning and destroying still-houses, driving the occupants out of the country and ordering others to quit their farms immediately.

Influential members of the pioneer community were engaged in the distilling and sale of liquor; among others were John Bowman (incidentally a justice of the peace), Samuel Brice and John Morton, while the notorious Jesse Cheek was engaged in the construction of a distillery. Influenced by the interference with their traffic, the citizens were ready to flair up at the first excuse and such excuse was soon at hand.

It came about in this wise. Lieutenant Charles Thomas, post quarter-master at Ft. Towson, borrowed a horse from James Brice to ride to Miller Courthouse to obtain the mail. The animal was injured during the trip either from fast riding or from neglect after his exertions. Young Brice's efforts to obtain compensations for the injuries failed and he brought suit against Thomas in John Bowman's justice of peace court. Thomas, being called in open court, came not, although he had the benefit of counsel; a jury was empanelled and assessed damages in the sum of \$45.00. This amount Thomas felt excessive and it probably exceeded Brice's expectations since he had offered to settle for \$35.00 some days before. At any rate, the officer failed to satisfy the judgment and his own horse was seized by James Garner, a special constable, and locked up in Samuel Brice's stable.

Some time later (on the night of January 19-20, 1825) a number of enlisted men, absent without leave from the post, came to Brice's "still" and were sold or were given sufficient whiskey to become thoroughly drunken. Filled with liquid courage, they determined to wipe out the insult placed upon the army by invading Brice's barnyard and capturing Thomas' horse. They effected the animal's release easily and then went to Brice's residence with the design of threshing James Brice and James Garner for their connection with the affair. The drunken rascals shouted loudly and profanely for the pair to come forth and take their whipping but discretion being the better part of valor in the face of a dozen opponents the two remained safe within. At length the martial heroes, having exhausted their epithets, set out for the post, dragging the horse along in tow as a trophy of their prowess—nor did they neglect a further supply of "proof." En route they halted in a corn field to hold another carousal and there they were overtaken by John Bowman and John Pierson, who endeavored to arrest them. A fight ensued. Pierson was rather severely mauled in the fracas.

But re-inforcements were at hand. The settlers had been aroused by couriers sent out from Brice's and, just at sunrise, some thirty came up to help apprehend the rioters. Some of the soldiers, however, escaped and fled to the fort with the horse in their possession.

They informed Major Cummings about the status of things and he immediately sent Lieutenant Stephenson to restore order and bring the absentees back to the post. Meanwhile the posse was conducting the soldiers from the scene of the arrest to Joshua Ewing's justice court—Bowman and Brice being disqualified from sitting on the cases because of prior connection with the affair—; Ewing lived some eight miles away. Charles Moore, a deputy sheriff, assumed the leadership of the posse. The prisoners, only half sobered by their predicament, showed little enthusiasm for marching and were beaten to keep them moving.

At Ewing's cabin, court was opened upon the arrival of the motley crowd of guards and captives but before judgment could be rendered the session was broken up by the arrival of Lieutenant Stephenson. The officer returned to the post with the soldiers, leaving the settlers to discuss indignantly the interference of the military with the processes of civil justice. To the end of obtaining redress for their grievances, they selected Jesse Shelton and Jesse Perkins to interview Major Cummings and demand that the soldiers be turned over to them for trial. This request, quite naturally, the commandant refused.⁴⁶

The up-shot of the affair was a near rebellion against the military authorities. On February 2, two hundred men led by Samuel Brice, John Bowman and Jacob Pennington met at the home of Joseph Inglish, at the mouth of Clear Creek, and made preparations to "storm the garrison and blow it to hell." It proved to be a case of belling the cat, and alcoholic recklessness never quite nerved the settlers up to the point of an attack on the fort. Jesse Cheek now entered the picture and began the circulation of a petition against Cummings in an effort to have him indicted before the Superior Court of the Territory. Cummings, for his part, tried to get Sam C. Roane to prosecute in the Circuit Court of Miller County (March term, 1825) but the attorney refused to charge the ringleaders in the disturbance without sworn testimony which Cummings either could not or would not supply.⁴⁷

The constant agitation led Brigadier-General Henry Atkinson, commanding the western department of the United States army, to order a court of inquiry at Ft. Towson as soon after April 20 as it could convene. Colonel S. B. Archer, Lieutenant-Colonel J. B. Many and Captain Nathaniel Young were detailed to conduct the proceedings; Many was ordered to supersede Cummings in command at Ft.

⁴⁶ Alexander Cummings to William E. Woodruff, April 13, 1825, in the *Arkansas Gazette*, April 26, 1825; An Officer to the Editor of the *Arkansas Gazette*, April 3, 1825, *Ibid.*, June 7, 1825; J. W. G. Pierson to William E. Woodruff, June 4, 1825, *Ibid.*, June 26, 1825.

⁴⁷ Cummings, Cantonment Towson, to Brig. Gen. H. Atkinson, Comdg. Western Department, Louisville, Ky., April 8, 1825, in Foreman's transcripts of AGO, OFD, 30 C 25.

Towson.⁴⁸ The court was opened May 17; a letter written to Woodruff, May 26, states fairly the weight of the testimony. The writer said:

I will give it as my private opinion, that the affair will eventuate more fairly to the Officers than has been generally contemplated.⁴⁹ As predicted the officers were acquitted of resistance to the civil authorities.⁵⁰

The resentment against Cummings was transferred to Captain R. B. Hyde, his temporary successor, and led to an assault upon the latter officer. Cheek was a rather unsavory individual, obliged so rumor had it to leave St. Louis to avoid imprisonment for embezzlement and counterfitting; he was described by a contemporary as a person of medium height, sandy complexion and a hang-dog look. He had continued to disobey the order against selling whiskey to the men of the garrison and was subpoenaed to appear in John Bowman's court to answer Hyde's charge that he had vended some of his liquor to a private, Dinkins. Upon the day appointed for the trial (August 11), Cheek, a man of thoroughly irascible temper, incensed at Hyde's demand that he restrict his remarks to the evidence, beat the captain senseless with a club in the presence of the magistrate and only was prevented from killing him by the intervention of John Emberson. Bowman fined the culprit \$15.00 but whether he paid the assessment is doubtful. He absconded to the woods—a veritable walking arsenal of three rifles, a brace of pistols and a Bowie knife—and gave out his intention of going to Little Rock to lay before the territorial officials his version of the unjust exactions of the commandant.⁵¹ Cheek, it appears, did go to Little Rock and there wrote a long and bitter defense of his conduct in which he alleged that he was “an outraged and oppressed man, avoiding the vengeance of a set of lawless men, who have insulted the constituted authorities, trampled upon the laws of the land, and recognize no restraint to their own wild passions and vengeance.”⁵²

The struggle between the officers at Ft. Towson and the unruly faction of citizens in its vicinity was pushed into the background in the summer of 1825 by the arrival of the news that the Treaty of Washington had definitely given the part of Miller County north of Red River over to the Choctaws. The dissolution of the county under the impact of forced eviction introduces so many new factors into our story that it wants a new chapter for its telling.

⁴⁸ *Arkansas Gazette*, May 3, 1825.

⁴⁹ *Arkansas Gazette*, June 7, 1825. The writer was probably Aaron Hanscom.

⁵⁰ *Ibid.*, July 5, 1825.

⁵¹ *Arkansas Gazette*, August 30, 1825.

⁵² *Ibid.*, September 6, 1825. One might give more credence to Cheek's version of the affair, were it not common for him to be engaged in a newspaper controversy in which it was always necessary for him to defend himself against the illegal exactions of a peace officer. In Missouri in 1816 he was accused of passing counterfeit money. *Missouri Gazette*, August 10 and 17, 1816.

THE ESTABLISHMENT OF THE DAWES COMMISSION FOR INDIAN TERRITORY

By Loren N. Brown

Even before the passage of the Dawes Act of 1887, providing for the allotment of Indian lands, steps had been taken by the white men, looking toward the elimination of tribal governments and the allotting of land in severalty among the Five Civilized Tribes, including the Choctaws and Chickasaws. As early as February 23, 1885, a resolution had passed the Senate authorizing the Committee on Indian Affairs to investigate the condition of the Indian tribes in Indian Territory and upon other reservations,¹ and the summer of that year found the committee in the land of the Five Nations taking testimony from citizens, government officials, and others that might guide them in determining a policy to be pursued by Congress with regard to their future welfare.

A number of factors had contributed to the growth of a demand that the status of this land be changed from that which had existed since these Indians had been removed to the area during the first half of the century. Each of the Five Nations operated under a constitution which allowed them their own executives, legislative bodies, and separate court systems, administering laws that were foreign in content to those existing in the United States and in the states surrounding them. The Choctaws had a Principal Chief, elected from among the citizens by blood for a two-year term, eligible to succeed himself but once; and the Chickasaws had a similar official elected for a like period, and likewise limited to two terms in succession, whom they called, Governor. Both nations had bicameral legislatures and each had a court system, modeled largely on that of the states, that had authority to exercise sole jurisdiction over all citizens of their respective nations.

There had grown up, in both the Choctaw and Chickasaw Nations, the custom of allowing each citizen to occupy as much land as he desired to cultivate or to use for pasture lands and he was allowed to construct improvements and fence the land, coming to be looked upon as a virtual owner. Upon sale of the improvements, he might pass the right of occupation, and rights in each had come to be looked upon as hereditary; so the users of the land had come to look upon themselves as having proprietary rights, from which they could not be dispossessed. While many of the full-bloods and the less energetic members of the nations were satisfied to retire to a small tract, from which they eked out a meager existence, a class of citizens, consisting largely of

¹ *Senate Journal*, 48 Cong., 2 sess., 347.

white men, who had gained citizenship by marriage with the Indians as provided by tribal laws, and mixed bloods; had taken possession of the bulk of the best lands, appropriating them to their own use. Wilson N. Jones, who later became Chief of the Choctaws, in 1890 had 17,000 acres of pasture land under fence in the Choctaw Nation.² In his testimony before the special investigating committee in 1885, N. B. Ainsworth, a prominent Choctaw attorney, admitted that there were a few pastures in the Nation that were six to ten miles square. Testifying that a subsequent law had been passed, limiting pastures to areas of one square mile, he pointed out that pastures already fenced were allowed to be retained and there was no limit upon the amount of land a man could put under cultivation.³ Through the use of white laborers who were allowed to come into the nations under permit, almost unbelievably large farms came under the control of certain influential leaders in the Territory. The extent to which this practice had been carried was illustrated in the first annual report of the Dawes Commission, when they pointed out in 1894, that they found that 61 citizens had control over 1,237,000 acres out of a total of 3,040,000 in one nation.⁴

Another cause for complaint was presented by the presence of a large body of whites in the Territory who were without legal or political rights. In spite of attempts made by the federal government to discourage white immigration into the Indian lands under the policy which dated from the Indian Intercourse Act of 1834,⁵ a large white population had gathered into the lands of the Five Civilized Tribes by 1890. Their presence was noted by the Indian Agents and commented on in each annual report.⁶ Many were there legally. Many had been brought in by the holders of land to work the farms, or to perform other labor, and remained under permits.

The coming of the railroads also accounted for a large influx of whites. During 1871-2 the Missouri, Kansas and Texas Railway was constructed across the Territory from Kansas to Texas. The Atlantic and Pacific was built from the northeastern corner of the Indian lands to Vinita, also, in 1871 and was extended to Sapulpa by 1889. The Chickasaw Nation was crossed by the Gulf Coast and Santa Fe in 1887 and in the same year the St. Louis and San Francisco line was built across the Choctaw

² John B. Meserve, "Chief Wilson Nathaniel Jones," *Chronicles of Oklahoma*, XIV, No. 4, 423.

³ 49 Cong., 1 sess., *Sen. Report*, 1278, Part 2, 228.

⁴ Commission to the Five Civilized Tribes, *Report 1894*, 18 (Hereafter cited, *Commission, Report*).

⁵ 4 *Statutes at Large* (Washington, 1831-1906), 729; C. J. Kappler (Comp.). *Indian Affairs, Laws and Treaties* (Washington, 1904), I, 16.

⁶ Commissioner of Indian Affairs, *Reports 1885-95*, "Reports of Union Agents."

taw Nation from Fort Smith, Arkansas, to Paris, Texas. From Fort Smith northwest to Coffeyville, Kansas, the Kansas and Arkansas Valley was built during 1888 and 89, while the Choctaw Coal and Railway Company constructed a line from South McAlester eastward to Wister during 1889-90.⁷ With the coming of each road, many more whites were brought into the region. First came the construction crews, many of whom failed to leave when their work was finished. Operation of the roads required a large personnel, so many more white men were brought to live among the Indians. Then, there came the inevitable development of agriculture and commerce that always accompanies railway construction, and yet other immigrants from the states arrived. The Indian population was threatened with submersion by the incoming white men.

Something of the size of the white wave can be gathered by noting the reports of the Indian agents for the period from 1880-93. In the former year, six thousand intruders living in the Territory without permit or other legal right, were noted,⁸ while the report for 1881 mentioned fifteen thousand non-citizen residents with permits.⁹ By 1884, thirty-five thousand, including intruders, were reported¹⁰ and in 1890, Agent Leo Bennett estimated that there were one hundred forty thousand non-citizens, out of an estimated total population of two hundred ten thousand in the Territory; grouped as forty-eight thousand laborers in the employ of the Indians, twenty-six thousand other employees, two thousand travelers, and sixty-four thousand intruders.¹¹ Dew M. Wisdom reported the non-citizen population in 1893, the year in which Congress decided to act, as approximately one hundred fifty thousand and noted that it was increasing.¹² Efforts to remove the intruders seemed futile and the problem had come to be recognized by the federal government as practically beyond solution.

Here, then, was a virtual army of United States citizens under no court system and without political rights. The Indian treaties had given the red men authority to establish courts for their citizens, but these courts exercised no jurisdiction over citizens of the United States. This fact, coupled with the sparsely settled condition of the area,¹³ served as an inducement for many fugitives from the states to seek a hiding place there, bringing a law-

⁷ Ray Gittinger, *Formation of the State of Oklahoma* (Berkeley, 1917), 178-9.

⁸ Commissioner of Indian Affairs, *Report 1880*, "Report of Union Agent," 216.

⁹ *Ibid.*, 1881, 161-2.

¹⁰ *Ibid.*, 1884, 142-3.

¹¹ *Ibid.*, 1890, 89.

¹² *Ibid.*, 1893, 150.

¹³ The settlement in Indian Territory was 2 per square mile as compared to 40 per square mile in Missouri. Gittinger, *op. cit.*, 175.

less element into the region that was difficult to control. Law-abiding citizens, on the other hand, had no courts to which they could take their legal disputes for adjudication.

Just as serious, in the minds of the whites, was the lack of political rights. Many towns had grown up around the mines and along the railroads, whose population sometimes ran as high as 5,000 to 10,000. The merchants and residents had no title to the property they occupied. The only thing they could secure, was a lease from some citizen of the respective nation in which they resided, who was occupying that particular ground when the town was established, or from the nation itself. Naturally, they were slow to construct improvements of much value on such lands. They were without educational facilities for their children and had no opportunity to organize them of a public nature. They could not have municipal governments to provide sanitary improvements or to curb those in their midst who were not inclined to be law abiding. This group were active in their agitation for a change in conditions that would improve their status.

In an effort to remedy the evil of legal jurisdiction, Congress, in 1877, passed a law organizing all the country west of Missouri and Arkansas into a judicial district, which was attached to the federal court of the Western District at Fort Smith.¹⁴ Violators of federal law, within that area, who were not under the jurisdiction of the Indian courts, were taken to Fort Smith for trial and Indian witnesses or those involved in suits with non-citizens were compelled to make the trip to the court city, often being called back two or three times during the trying of one case. This often entailed actual financial, as well as physical, hardships upon those concerned. It was pointed out, in 1885, that the stage fare from Muskogee to Fort Smith and return was \$14.00 and the Indian witnesses were only re-imbursed at the rate of \$6.00 for transportation for the trip.¹⁵ Too, administrative officers were scarce and often far from the base of their operations. Even under the new arrangement, justice among the whites in Indian Territory was not always adequately administered.

Furthering the plan of extending the jurisdiction of United States courts over the territory, Congress established a federal court in the territory with headquarters at Muskogee, in 1889, with three divisions in each of which court was held twice each year. The other court towns were designated as Ardmore and South McAlester. Certain laws of Arkansas were extended over the region and federal jurisdiction in the area was increased. At the same time, the Chickasaw Nation and the southeastern part

¹⁴ 19 *Stat. L.*, 230.

¹⁵ 49 Cong. 1 sess., *Sen. Report*, 1278, part 2, 228.

of the Choctaw Nation were taken from the jurisdiction of the Fort Smith court and added to that of the Northern District of Texas, sitting at Paris, in that state.¹⁶ Jurisdiction of the new court, expanded by another act in 1890, extended to all cases arising between United States citizens or between an Indian and a non-citizen of his nation, involving criminal charges, less than felonies, and all civil cases involving more than \$100. Felonies still remained under the jurisdiction of the courts at Fort Smith and Paris.¹⁷

While conditions were improved under the new system, the problem was not yet solved. The docket of the new court immediately became clogged with misdemeanor cases and the judge could not keep up with the cases filed. Litigants were to pay their own expenses with the exception of fees for the Court Commissioners, three of whom were appointed by the judge to serve under a fee system which soon came to give them a greater income than the judge himself. The residents of the Territory still resented being taken from their own region for felony trials, feeling that they could not be assured of the same measure of justice among strangers. The idea that there were enough white people in Indian Territory by this time to justify a complete judicial system for them, was growing. The situation was such that the Union Agent felt called upon to recommend, in 1893, that the jurisdiction of the federal court be increased to include all cases arising in the Territory, not handled by the Indian courts, even to the extent of increasing the number of judges if necessary.¹⁸

Another problem that presented itself was that of the condition of the freedmen in all the nations, particularly the Chickasaw and Choctaw. While the Treaty of 1866 had provided for their freedom and made possible their admission into the tribes, neither of these two nations had carried out its provisions in their entirety. While the Choctaws had granted the Negroes suffrage and citizenship rights, along with the promise of lands when a division should be made, in an act passed in 1883, they failed to provide lands for their descendants, only mentioning those alive at the time of the Fort Smith Conference in 1865.¹⁹ In practice, they did not permit the freedmen full participation in the political life of the Nation, limiting their voting privileges and their educational facilities. In the latter phase there was a particular deficiency, many of the children of the former slaves being allowed to grow up in ignorance.

¹⁶ 25 *Stat. L.*, 783; I Kappler, 39.

¹⁷ 25 *Stat. L.*, 81; I Kappler, 45.

¹⁸ Commissioner of Indian Affairs, *Report 1893*, "Report of Union Agent," 149-50.

¹⁹ *Acts, Bills, and Resolutions of the Choctaw Nation*, Book 6, No. 1. Frank Phillips Collection, University of Oklahoma, Norman, Okla.

The Chickasaws had consistently refused to provide for recognition of the freedmen as provided in the treaty. No division of lands had been made, nor any roll of freedmen citizenship prepared. Here, also, educational facilities were not provided for the Negroes and they were given no consideration in political matters. The Negroes wanted equal rights in the Nation, under the Treaty of 1866 and the 14th and 15th amendments to the federal constitution, but they were denied by the Chickasaws. The Indians felt that to grant such rights would imperil the control, by the citizens by blood, of their government since the freedman population was so nearly the same as that of the red men.²⁰ The plight of this class of residents was seized upon by the proponents of change in the status of tribal governments as another argument for its early completion.

By 1890 society in both the Choctaw and Chickasaw Nations had come to be well defined. Among the Choctaws, there were four distinct groups: Non-citizens, white and Negroes who were further classified as intruders, assertive, defiant, and often criminal, white tenant farmers, usually kindly and intelligent but often ignorant and shiftless, miners who lived in crowded camps, and professional and business men in the towns who were usually working, consciously or unconsciously, for removal of tribal government; intermarried whites, who were closely identified with tribal affairs but who were described as usually containing a disturbing minority who sympathized with the intruders; Indians by blood, "strangely gifted in thought and speech but slow in action and practical judgment . . ."; and Freedmen, who were in a deplorable condition but more thrifty than most negroes and held themselves aloof from the Negro immigrants from the states.²¹ Of these classes, the whites had come to outnumber the others by a marked majority.

It is impossible to tell just how much the agitation for reforms in the governmental system and land tenure among the Five Civilized Tribes sprang from a sincere desire on the part of the whites to improve the situation in that area, and how much came from the overwhelming desire to secure more land; to develop a virgin region in order that the entire section of the surrounding country might profit from it; or a desire to gain a voice in governments from which they were excluded by treaty rights.

The agitation here fits into the larger picture of the acquisition of Indian lands by the whites. The wave that had started its all-enveloping sweep across the continent in the 17th century had not yet engulfed all the lands of the red men. Forced west-

²⁰ Commissioner of Indian Affairs, *Report 1893*, "Report of Union Agent," 145.

²¹ Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman, 1934), 243-4.

ward while there had been land upon which to place them, the Indians were now faced with the necessity of taking smaller holdings in order that the whites might have the surplus lands for settlement and development. The Dawes Act had opened the way for what appeared to be the last attack upon their holdings and negotiations had been instituted for securing those lands not especially exempted by the law. Longing eyes were cast upon the lands of those tribes which did not come under the workings of that act.

To the Indian Appropriation Act of 1889 was added the Springer Amendment which provided for the opening of the unassigned lands of Oklahoma.²² That region was then opened to white settlement on April 22nd of the same year. In 1890 the newly settled region had been organized into Oklahoma Territory and it is rather significant that the bill providing such organization left the way open for any one, or all, of the Five Civilized Tribes to be added to the Territory when the Indians should signify their assent "in legal manner" to the President of the United States.²³ A spirit of growth prevailed in the new Territory. The year 1891 saw the surplus lands of the Iowa, Sac and Fox, and Pottowatomi reservations opened to settlement and added to Oklahoma. The following year, a much larger area was added, in the Cheyenne and Arapaho lands and by the early part of 1893 plans were being drawn for the greatest opening of them all, the Cherokee Outlet, which had been purchased from the Cherokee Indians by the federal government for white settlement.

Hardly had territorial government been established before the more ambitious leaders began to consider statehood. Here, they were confronted by the financial obstacle of carrying the additional load that would come with state government. Nothing daunted, they looked to the Indian Territory to furnish them with the additional resources necessary to insure the success of such a project. The sentiment of a large group of leaders was well stated by William C. Renfrow, Governor of Oklahoma Territory, in his annual report to the Secretary of the Interior, dated at Guthrie, O. T., November 3, 1893, when he wrote:

"It is certainly [*sic*] very desirable that the five nations of Indians be included in any state that may be formed. . . The condition of affairs in the Indian Territory is certainly very deplorable, and with the crudity of their forms of government it will always be difficult to suppress crime."²⁴

In his report for the next year, he wrote that, together, the two regions would make one of the great states of the West, but that Oklahoma could not support a state government adequately.

²² 25 *Stat. L.*, 1004; I Kappler, 340.

²³ 26 *Ibid.*, 81; *ibid.*, 45.

²⁴ Governor of Oklahoma, *Report 1893*, 460.

He recommended that negotiations which, by that time, were under way be kept on foot toward ultimate allotment in the territory of their eastern neighbors.²⁵

The same forces that had secured the opening of Oklahoma were still at work to obtain the same end for the lands of the Five Civilized Tribes. The towns and cities of the surrounding states were interested in opening this region as a potential trade area. The railroads that operated from Kansas to Texas were desirous of seeing this long stretch of territory more fully developed in order that their revenues might be increased. Many citizens of neighboring states would like to move into the region to improve their financial status if they could feel assured of educational opportunities for their children and political rights for themselves in the new land. They were united in one desire with the white residents of the Territory itself; all wanted the tribal governments extinguished and allotments taken by the Indians.

Testifying before the Senate Committee on Indian Affairs in 1885, G. W. Harkins and Judge B. W. Carter, Chickasaw citizens, both expressed the opinion that eventually their nations would be a part of the United States, as a state. Both expressed a feeling, however, that they were not yet ready for statehood, fearing that the white voters would come in and out-vote the Indians, and that the education of a younger generation of Indians would be necessary before they would be prepared to organize and administer state governments.²⁶

Government officials, too, pointed to the need for a change in conditions in the territory. Union Agent, John Q. Tufts, in testifying before the same committee recommended that each Indian be given title to his lands, feeling that they would be more industrious under the spur of individual ownership. He further pointed out that the Indian courts were notoriously corrupt, but that he felt that the elections were fairly held and that the people, as a group, were opposed to a territorial form of government.²⁷ Agent Bennett was more outspoken in his report of 1890 when he stated that allotment should be brought about. He pointed out that many who publicly opposed the plan for policy's sake, privately favored it and that "almost all" of the prominent Indians had been afforded an opportunity to express themselves and that "Three-fourths of their expressions favor the division of their lands." He said he felt, also, that many who did oppose it would favor it if they were sure the interests of the people might be

²⁵ *Ibid.*, 1894, 449.

²⁶ 49 Cong., 1 sess., *Sen. Report*, 1278, *Part 2*, 280, 289-90.

²⁷ *Ibid.*, 136-7.

fully protected.²⁸ Agent Wisdom, writing three years later, pointed out that the Indians preferred statehood first, with their present system of land tenure, and the opportunity of working out any new system when necessary.²⁹

If the opponents of tribal government were looking for an excuse to bring their demands before Congress and the people in a lurid light, they had just what they wanted in the election troubles in the Choctaw Nation during the fall of 1892. In August of that year, the balloting had been particularly close in the race for Principal Chief, where Wilson N. Jones and Jacob B. Jackson were the candidates. The Jackson forces held that Jones, then Chief, had control of the National Council, the Choctaw legislative body, and would count him out when the votes were canvassed by that body in October. Some murders were committed before the Council met, those killed being alleged to belong to the Jones group. The Jackson forces immediately armed themselves to prevent the arrest of the accused persons and Governor Jones asked for the Indian police and federal troops to be at Tuskahoma when the votes should be counted. On September 18 a compromise agreement was reached at a conference at South McAlester, between both factions and Union Agent Bennett, by which it was arranged that the accused men were to surrender for trial and the armed groups were to disband.³⁰ The surrenders were made according to schedule but the Jones followers were slow about accepting the terms of the agreement. A band of about two hundred armed men, under Green McCurtain, a strong national leader, encamped near Atoka and threatened to free the prisoners, but desisted from any real action. Agent Bennett and federal troops were at Tuskahoma when the votes were counted on October 3, and Jones was declared elected, but mutterings of unrest and threats kept the troops in the Nation until October 28 before they were finally removed.³¹

On December 6, 1892, just a little more than a month from the time the troops were removed from the Choctaw Nation, Senator Vest from Missouri introduced a Joint Resolution into the United States Senate which would authorize a commission to treat with the members of the Five Civilized Tribes in Indian Territory, for the purpose of getting them to consent to an agreement similar to those entered into with the other tribes, that would result in their taking title to their land in severalty, and abolishing tribal governments.³² In the course of the debates, the majority of the speakers expressed themselves as favorable to the

²⁸ Commissioner of Indian Affairs, *Report 1890*, "Report of Union Agent," 90-1.

²⁹ *Ibid.*, 1893, 148.

³⁰ *Ibid.*, 83; [Atoka, I. T.] *Indian Citizen*, Sept. 22, 1892.

³¹ *Ibid.*, 84-5.

³² *Cong. Record*, 52 Cong., 2 sess., Dec. 6, 1892, 17.

establishment of a different regime in the Territory but the debate became involved in a controversy over the wisdom of extending the jurisdiction of the newly organized court in the region. This, in turn, brought down the wrath of the representatives and senators from Arkansas and Texas, who felt that the courts at Fort Smith and Paris, respectively, would suffer from any diminution of their jurisdiction. In subsequent debates, this side issue stole the interest of the speakers and the resolution was threatened with defeat.³³

On January 23, 1893, the resolution reappeared, this time in the form of an amendment to a bill which had been introduced to provide for the purchase of the Cherokee Outlet from the Indians for the purpose of throwing it open to white settlement. The champion of this amendment became Senator Berry, of Arkansas, who introduced it. The inference was made, during the course of the debate on the proposal, that the commission would be bi-partisan.

The Indians, meanwhile, were not unaware that something was being considered that was of vital significance to them. The Five Civilized Nations had adopted a policy, sometime before, of maintaining delegates at Washington at least during the sessions of Congress, to observe the progress of legislation concerning their people. It so happened, also, that the Choctaws and Chickasaws had an additional delegation there during the early months of 1893 who had gone to sign the necessary papers for the release of the claims of those nations to the Cheyenne-Arapaho lands that had previously been opened and added to Oklahoma Territory. These delegates joined with the representatives of the other tribes in sending a circular letter to the executive of each of the five nations on February 28th in which the attention of the leaders was called to pending legislation.³⁴ The letter showed a keen analysis of the political attitude that was coming to dominate Congress. Those who signed as Choctaw delegates were J. S. Standley, the regular tribal delegate, H. C. Harris, Green McCurtain, D. W. Hodges, Thomas A. Ainsworth, and J. B. Jackson; while Overton Love, William Rennie, and Tandy Walker affixed their signatures as Chickasaw representatives.³⁵

By the end of the short session of Congress, which was underway at the time of its introduction, the Cherokee Strip Bill, together with its proposed amendment, had been attached to the regular Indian Appropriation Bill, as a rider, in which form it

³³ *Ibid.*, Dec. 7, 1892, 27-8.

³⁴ Indian delegates to C. J. Harris, Washington, D. C., Feb. 28, 1893. *Cherokee Archives*, File 1c, No. 36. Frank Phillips Collection, Norman, Okla.; *Indian Citizen*, Mar. 9, 1893.

³⁵ *Ibid.*; *ibid.*, Oct. 17, 1895.

was passed and approved by the President on March 3, 1893. Section 16 provided for a commission of three members, to be appointed by the President, who were to be authorized to treat with the Five Civilized Tribes, in order to gain their consent to a plan whereby the Indians would consent to allotting their lands and discontinuing their separate governments. The commissioners were only to have power to negotiate agreements, according to the wording of the act, but they could exercise their discretion to the extent of determining the amount of land to be given each Indian. They were also to work to secure the cession of all unallotted lands to the federal government, in order that these might be thrown open for settlement by the thousands of whites who were waiting anxiously for this new frontier to be given them. The members of the Commission were to receive a salary of five thousand dollars, each, per year. The power to employ a secretary, a stenographer, an interpreter or interpreters, and a surveyor or other assistant or agent to aid it in its work, together with the power of setting the salaries of such employees, was given to the Commission. To pay the expenses of the work, a \$50,000 appropriation was included in the bill.³⁶

Thus, by March 3, 1893, Congress had definitely launched a program that had as its purpose the removing of the exceptions that had been written into the Dawes Act, of the preceding decade. They were announcing to the nation that their decision had been made; that the conditions in the Indian Territory were such that a change must be made. They had established a hope in the minds of the land-seeking citizens of the United States that a new frontier was about to be opened for the satisfaction of their hunger.³⁷

³⁶ 27 Stat. L., 612; I Kappler, 484; Tams Bixby, comp., *Laws, Decisions, and Regulations Affecting the Work of the Commissioner to the Five Civilized Tribes*, 11.

³⁷ Dr. Loren Brown is President of the University Preparatory School and Junior College at Tonkawa, Oklahoma. This article is based on his doctoral dissertation which was presented to the University of Oklahoma.

MRS. LAURA E. HARSHA

BY CAROLYN THOMAS FOREMAN

Mrs. Laura E. Harsha, an outstanding citizen of Oklahoma for many years, was the daughter of the Rev. Luther Newcomb and Elizabeth Kelsey Newcomb. She was born August 25, 1858 at Napoli, New York and attended school at Pomona, Kansas, where her father was pastor of a church. Miss Newcomb began teaching in a rural school at Valley Brook, Kansas, the spring before she was sixteen and in July, 1878, she became a teacher in the Indian Public School at Okmulgee, Creek Nation, under the superintendent, the Rev. William McCombs.¹

Though Okmulgee was only a hamlet thirty-five pupils attended Miss Newcomb's classes. In addition to her work in the day school she organized and conducted a Sunday school; she trained the children to sing hymns and when a circuit rider preached in the town once a month her pupils formed the choir. At that period Okmulgee was distinctly an Indian town with few white citizens. Stores were kept by the late Clarence W. Turner and Jonathan Parkinson. There were two doctors but no churches. "Uncle Jack" Porter was the proprietor of a small hotel while another was run by a Negro man.²

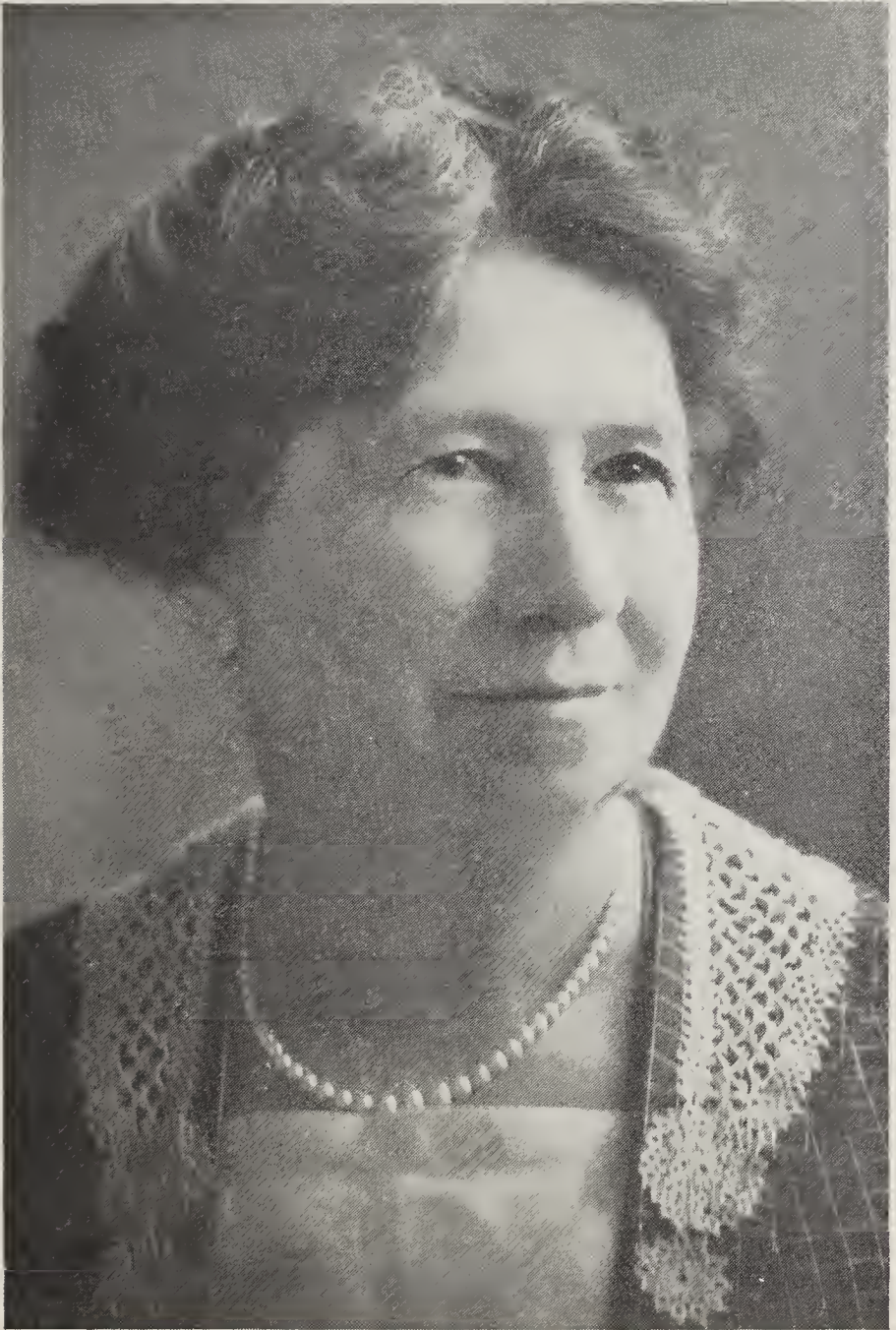
In Okmulgee Miss Newcomb became engaged to William S. Harsha and they were married in Kansas by her father. William S. Harsha was born at Albia, Monroe County, Iowa, February 8, 1857. His parents moved to a farm south of Ottawa, Kansas, where their son spent the first nineteen years of his life. He went to Muskogee, Indian Territory in 1876, and drove a mail hack between that town and Okmulgee until he secured a position in the store of Turner and Harvison in the Creek capital. Mr. Harsha learned to speak the Creek language which was a great advantage to him in business.³

For a year after their marriage Mr. and Mrs. Harsha lived in Wetumpka where there were only two white families and two general merchandise stores. Game was plentiful and they lived on prairie chickens, wild turkeys and venison hams which could be bought for twenty-five cents each. When they moved to Okmulgee Mr. Harsha was a partner in a store and once when he was away from home buying cattle a rumor was circulated that the store was to be robbed by a band of thieves. There was a large sum of money in the till and Roscoe Cutler, who roomed in

¹ Miss Newcomb "was the high-light of the Okmulgee Institute. She was a brilliant teacher. Our superintendent put her in charge of the mathematic drill, so I know he considered her one of his best teachers. I lived at the Smith Hotel in Okmulgee and she boarded there and that is how I came to know her" (Mrs. Edith Hicks Walker, Fort Gibson, March 24, 1933).

² Information in this article was furnished the writer by Mrs. Harsha.

³ *Muskogee Phoenix*. End of the Century Edition, Thursday, November 2, 1899, pp. 34, 79, 80.



MRS. LAURA E. HARSHA

the store, carried the money to Mrs. Harsha who sewed the bills in the hem of her long full skirt where it remained until all danger was past.

Mrs. Harsha saw a white boy given fifty lashes in the council grounds at Okmulgee, for stealing, and the punishment almost killed him. Under Creek law one hundred lashes were administered for a second offense and death for a third.

Mr. and Mrs. Harsha had two children born in Okmulgee after which they moved to Muskogee in August, 1881, and made their home on South Second Street. Mr. Harsha became a member of the first grand jury after the Federal Court was established in the Indian Territory and he was a member of the first city council when a municipal government was organized in Muskogee. The Harshas lost much property in the fire of 1886 which practically destroyed the town. At the time of the fire in 1899 they were living at 321 North Sixth Street.

Mrs. Harsha was one of the first members of the Woman's Christian Temperance Union in Muskogee and the first convention of the organization in the Territory appears to have been held there in July, 1888.⁴

In the early days in Muskogee, Harrell Institute, a girls' school, was maintained by the Methodist Church and boys up to twelve years of age were allowed to attend. Bacone College took boys of all ages but it was a long distance from town and there was no school in the place for older boys who were running wild on the streets. The W. C. T. U. decided to remedy this deplorable situation and Robert L. Owen gave the society a lot on which to build a school. Mrs. Harsha secured a loan of \$1,000 from Professor Bacone of the college and Clarence W. Turner allowed the organization to get lumber from his yard with the privilege of paying for it as money was available. Mrs. Harsha stood security for the sums.

By the autumn of 1890 the building was completed, two teachers were employed and the school was opened for boys and girls. Tuition was paid by parents who could afford to do so but no child was refused the chance to study because of poverty by the devoted women of the W. C. T. U. Salaries for the teachers were donated by liberal citizens of the town while the W. C. T. U. members gave entertainments, medal contests, dinners and even sold ice cream on the streets to raise the monthly sum due on the debts. As much as \$100 was raised at some of the entertainments and that was clear gain as the buildings in which the affairs were held were used without cost. Fifty dollars were sent cyclone sufferers in McAlester as a result of "The Old Maids Convention."

Indian Agent Leo E. Bennett, in his report to the commissioner of Indian affairs in 1890, wrote: "As a movement calculated to

⁴ *Report of the Indian Territory Woman's Christian Temperance Union, 1903.*

educate the people, I mention the efforts now being made by the Woman's Christian Temperance Union of the Indian Territory to establish a free public school at Muskogee, with branches spoken of elsewhere. This is directly educational and should receive all possible encouragement." The loan and debts were almost repaid when the public school was started in Muskogee in September, 1898.

Mrs. Harsha related that in 1898, Miss Frances E. Willard,⁵ Anne Adams Gordon and Mary Powderly (Miss Willard's secretary) made a tour of the southern states and Mrs. Harsha prevailed upon them to visit Muskogee, although it was not on their itinerary, in order to help cancel the debt still owed by the society. While in Muskogee Miss Willard was a guest in Mrs. Harsha's home. Miss Gordon held an afternoon meeting for women and children while Miss Willard spoke at a general meeting in the evening.

The Indian Territory W. C. T. U. aided the Orphan's Home at Pryor. Through the efforts of this society the merchants and other people of Muskogee sent a car load of furniture, clothing and other supplies to the school soon after it was opened; the costs of transportation were donated by the Missouri, Kansas and Texas Railroad.

In February, 1898, the firm of J. E. Turner & Company, of which Mr. Harsha had been a member for many years, was dissolved by mutual consent. Mr. Turner retired and the firm, thereafter Harsha & Spaulding, became one of the prominent establishments in the Creek Nation.

Mr. and Mrs. Harsha were the parents of nine children; Izora, Roscoe, Hoy, Rex, William, Edith, Frances Willard, Anna Gordon and Truman. Between the years 1891 and 1905, Mrs. Harsha attended almost all of the annual W. C. T. U. national conventions and two worlds' conventions in the United States.

Mrs. Harsha was a Presbyterian when she first came to the Indian Territory but later joined the Christian Church. Mr. Harsha died February 5, 1939 and Mrs. Harsha passed away at the home of her daughter, Mrs. W. V. Ryan, in Seattle, Washington, Friday, January 19, 1940. She is survived by three sons, Hoy of Haskell, Oklahoma; Truman of Miami, Oklahoma; William M. of Rosemead, California, and two daughters, Mrs. Ryan of Seattle and Mrs. Joe Brandon of Para, Brazil; twenty grandchildren and two great grandchildren.

Funeral services for Mrs. Harsha were conducted in Muskogee, January 24, 1940 and burial was in Greenhill Cemetery.⁶

⁵ Miss Willard joined the temperance crusade which swept the United States in 1874; she became president of the Chicago W. C. T. U. and in 1879 was elected president of the national society; in 1891 she became head of the World's W. C. T. U. (*Dictionary of American Biography*).

⁶ *Muskogee Times-Democrat*, January 22, 1940, p. 3, col. 1.

EARLY DAYS IN KINGFISHER COUNTY¹

BY ROBERT HAMILTON

“Old Oklahoma” was being opened for settlement in 1889, and floods of pioneers were pouring into the Territory and spreading out over the prairies. I had watched the gallant fight of Captain David L. Payne and Captain W. L. Couch and others,² for the right of settlers to enter and take up land. I was present at the old Barnard Hotel in Wellington, Kansas, the morning Captain Payne, coming from the dining room into the office, was stricken with heart failure, fell into the arms of a friend and died. The pioneer blood of my parents was stirred as I saw neighbors and friends preparing to go into this last frontier. I longed to join them. I had it in my heart to go and secure land, and while putting it into cultivation, to plant churches in the new land and become a “country parson.”

I went with my pastor, J. E. Denham, and a man named Wilson, to Kingfisher, Oklahoma. We began a search for land. We drove out each day looking for an unoccupied quarter section of prairie. We began to think our search was in vain, that we were too late. The weather was very hot and the trails dusty. I decided to go back to Kansas and give up the search. I told the driver to get me into town in time to take the one train home. But I was not to go that evening. One of the horses showed signs of being sick and grew worse as we proceeded, until he could scarcely travel. When we came in sight of town, we saw the train pass the station.

That night we learned of a claim that could be filed on, ten miles west of Kingfisher. I proposed to file on it next day without going to see it. I had the filing papers made out next morning, but when we reached the land office they had closed for the noon hour. I later placed the filing. Then stayed another day to go see the land and spend a night on it. I went into a grocery store to make some purchases and found, to my delight, that the store was owned by men I had worked for, some years before. When they learned that I was coming to Oklahoma, they offered me a job in the store.

¹ The Organic Act passed by Congress opening for settlement the “Unassigned Lands” on April 22, 1889, provided that there should be seven counties designated by numbers. At the first general election, the name Kingfisher was selected for County Number 5. This county was named for the county seat, Kingfisher, and the town for King Fisher, who, in an early day, operated a stage station on the Chisholm Trail. Charles N. Gould, *Oklahoma Place Names* (Norman: University of Oklahoma Press, 1933), 52, 57.

² See Roy Gittinger, *The Formation of the State of Oklahoma* (Norman: University of Oklahoma Press, 1939), 127-160; Carl Coke Rister, *Southern Plainsmen* (Norman: University of Oklahoma Press, 1938), 232-236.

We drove out and camped near the land, but dark came on before we could locate the corner stones. The camp where we slept that night was the very spot where we held our first meeting with the Cheyenne Indians, three years later. Near this camp lived an Indian named Short Teeth, who later became a Christian and was a deacon in the Indian church.

After supper we made our beds on the ground. It was a bright moonlight night. I could not sleep. My mind was too full of plans. In the morning we had no difficulty in locating the land. We found it to be a very good piece of land—part creek bottom and part upland, a fine building place on one corner of the quarter section, overlooking the valley of Kingfisher creek.

We went home that day to break the news to the family that we had a claim and a job in the new land. They were pleased as well as I.

We then began preparations for moving, and by the first day of August we were settled in our new home, ready to begin work in the store. My first call to preach, after coming to Oklahoma, was during the first week in the store. On Saturday afternoon a man came and inquired for me. He was directed to where I was busy waiting on customers and stated that he lived at a new town, Omega, about twenty miles west of Kingfisher, and that a colony of Kentucky Baptists had located in that vicinity, secured claims near each other and wished a Baptist preacher to begin work among them. I promised to visit them the following Sunday.

Early next morning I drove west until I came to Omega.³ A new store building, not yet occupied, afforded a meeting place. I preached the first sermon in the new town that day. After noon we organized a Sunday School. I agreed to preach to them twice a month. The next time I came the store was occupied, so we were obliged to hold the services around in the homes until in the fall, when we built a new church house.

I was also invited to preach at a home on Cooper Creek, about twelve miles north of Kingfisher, where we organized a church. A little later I was invited to visit a colony of Baptists who had come from Nodaway County, Missouri, and had settled on claims near Huntsville post office, about twelve miles southwest of Kingfisher. I preached to them, organized a church and became their pastor.

We had six months in which to complete settlement on our claim. Until that time we lived in Kingfisher. I hired a neighbor

³ In early days names of towns in pairs were not uncommon. In western Kingfisher County two postoffices were Alpha and Omega. Alpha, the "first," has disappeared, but Omega, the "last," is still in existence. Gould, *Oklahoma Place Names*, 84.

to plough twenty acres and sow it in wheat. When the six months were expired, I built a cabin, twelve by fourteen feet, with two half windows and earth for floor. My wife and babies moved out to the claim and began pioneering, while I remained in town, working in the store to make a living for us. When winter came on it became necessary to move the family into town. We rented some rooms over the store and lived there until spring. In March they took up their residence again on the claim, and with the help of a hired man about fifty acres more land was brought under cultivation and planted in kaffir corn, and in the fall the whole seventy acres was sown in wheat.

I often preached in a little stockade school house, made by setting logs on end in the ground upright and close together. The district was twelve miles from Watonga.⁴ A Sabbath school was organized, but languished for want of leaders and finally discontinued. Later a new and commodious school house was built and dedicated with a dance. The Saturday night dance became an institution, being the only social gathering in the neighborhood. Everyone attended—mothers would bring their children, and when they went to sleep would lay them on quilts about the rostrum, while they danced until morning.

My farm was situated about half way between Huntsville and Omega. As I passed back and forth to my appointments, the trail led through the camps of the Cheyenne Indians. I frequently stopped to visit with them, though few could talk or understand English. One day a young man came out to meet me, who had been away to school. When he learned that I was a preacher he offered to call the camp together, and would interpret to them what I might have to say. This he did many times when I came that way. They seemed interested and I became interested in them.

An appeal to the Baptist Home Mission Society, at New York City, brought an offer for me to accept an appointment as their missionary to the Cheyenne Indians.

I accepted an appointment and came out to live on the homestead which was ideally located in the midst of the Kingfisher band of the Cheyennes.

Our first meeting was on a Sabbath, in a grove of cottonwood trees near Kingfisher Creek. It was a beautiful summer morning when my wife and I drove to the camp. The interpreter and some women had already arrived. A fire had been kindled and preparations were being made to cook dinner, for it was to be an all day meeting.

⁴ Watonga, in the present day Blaine County, was named for an Arapaho Chief whose name meant "black coyote." Gould, *Oklahoma Place Names*, 69.

Soon the Indians began to arrive, some in wagons and on horse-back, until more than a hundred were present. It was a picturesque scene as the men disposed themselves about in groups, the women gathered about the cooking, while the children played. There were many whom I saw for the first time, some I had met in the store. All were friendly and seemed happy to meet the white man and his wife who had come to live with them and to teach them about the worship of the Great Spirit. Chief Bull-Bear was present, a man of pleasing and commanding appearance. Lame Bull, an old medicine man, famous throughout the tribe, was with us and greeted us cordially, but with dignity. With few exceptions the whole Kingfisher band was present.

When the time came for the service to begin, Living Bear⁵ announced that the white man was ready to talk and requested that they come together. Soon the whole company were seated on the ground about the speaker. The interpreter talked to them in their language, telling them who we were and what our aim was. He told them what he knew of the advantages of being a Christian, and of the change it had wrought in the Indians of other tribes who followed the Jesus Road. He declared that the white race was great and prosperous because they were Christians and had the blessings of the Great Spirit, and that my sole purpose in coming among them was to help them.

It had not occurred to me until now that my wife and I were the only ones present who could sing a Christian song or hymn, and that if there were any singing in the service, we would have to do it. We sang "All Hail the Power of Jesus' Name," after which the interpreter prayed. I took for a text, Acts 17:30. "At the times of this ignorance God winked at; but now commandeth all men everywhere to repent." I explained to them that the meaning of ignorance was lack of information; that we knew nothing until we were taught; that God was very patient with us before we had an opportunity to know His will, but that when the time came to reveal His thoughts to us we must not treat lightly His message. I told them that their old religion had kept alive their instinct for worship, which had been like the dawn before the full light of day, and that all nations had followed much the same light, but that "In the fullness of time God sent into the world his Son to be the light of the world, that all men might believe in him." I declared that if they had not known Him, God would not hold it against them, but now that the light had come, they must walk in it.

The sermon interpreted was listened to with rapt attention, the older men frequently giving assent. After the service we all sat in a large circle on the ground while food was brought in kettles

⁵ The official camp crier.

and pans and placed in the center. After prayer the food was served by young men.

During the afternoon service I requested the Indians to talk, thinking the Chief or Medicine Man might have something to say. I was surprised that many of the men and women responded and seemed perfectly at ease.

Bull-Bear said that he was glad I had come among them, and was sure that the Jesus religion was good for the Indians, but that it was all new to them and that unless the teacher could stay with them a long time it would be useless for them to try to follow without a guide. I assured him that was my intention. I did remain with them nineteen years.

Lame-Bull walked across the circle, pressed my hand and beamed upon me, then offered a long prayer to the spirits of his medicine for me and my work among his people.

The whole afternoon was spent in this kind of service. During all my stay among the Cheyennes I followed this plan—a sermon in the morning and Indian talks in the afternoon.

It was nearly sundown when the meeting closed and we started home. The Indians broke camp and went their ways. As I drove home that afternoon of our first meeting, I felt sure I had found my life's work—that it was not an experiment. From then on many such meetings were held under the trees along the streams or in the homes of the Indians.⁶

⁶ The Reverend Mr. Robert Hamilton is a retired Baptist missionary living at Okmulgee. He is the author of *The Gospel among the Red Man* and "The Story of a Pioneer" (MS). This article is made available through the cooperation of Mr. Charles E. Sparks of Tulsa, Oklahoma and Mr. Hamilton.

BOOK REVIEWS

Marcy & the Gold Seekers. The Journal of Captain R. B. Marcy, with an Account of the Gold Rush over the Southern Route. By Grant Foreman. (Norman: University of Oklahoma Press, 1939. XIV+433 pp. \$3.00.)

Here is an excellent book upon a somewhat neglected field. The volume is devoted to the '49ers who went to California over the Southern route by way of the Canadian and Gila rivers. While most of the emigrants who took this route were from the South, there were others from New York, Pennsylvania, and from practically all northern states. The difficulties they encountered were quite similar to those met with on other roads and trails. Scores of tragic incidents are related.

The diary of Captain Marcy is used as the core of the narrative, but it is a comparatively small part of the contemporary data presented. The numerous accounts written by other persons and gleaned from dozens of contemporary newspapers from all parts of the country are, in the opinion of the present reviewer, even more interesting and important. Extracts and material from manuscript and published diaries and from other documents are also included.

Mr. Foreman is to be commended for the extensive and thorough search he has made for primary records. The result is a remarkable assemblage of lively, interesting and important contemporary writings. Heretofore most of the available California gold rush material has dealt with travelers over the Oregon and California trail. The author's research serves to supplement previous writing and thus to permit a more fairly balanced picture of the spectacular rush of 1849.

With data gathered from numerous contemporary descriptions, Mr. Foreman has written a good composite account of the bustle of preparation at the outfitting towns, of the moving caravans and of camp life. The first two chapters tell of the assembling of emigrant parties at Fort Smith and vicinity, of the preparations for the journey and of the setting out. Chapter three follows the Cherokee goldseekers of 1849 who followed the Arkansas River route into Colorado and thence turned north to the Oregon Trail. Chapter four is devoted to the gold seekers of 1850 who followed that same "Cherokee Trail." This is the one chapter that is beyond the 1849 year. Most of the remainder of the volume is concerned with the '49ers and their military escort while traveling along the Canadian River to New Mexico and on the Gila route to California.

Capt. Marcy's report begins with chapter seven. His journal is frequently interrupted to insert other accounts pertinent to the particular section. Marcy was the leader of a military escort of

seventy-nine soldiers that accompanied the largest emigrating party as far as Santa Fe. From this point most of the emigrants that continued on had to shift for themselves. However, James Collier, newly-appointed Collector of the Port of San Francisco, arrived in Santa Fe in July and with a military escort accompanied some of the later emigrants to California. From New Mexico Capt. Marcy turned back and explored a route from Donna Anna, near El Paso, to Fort Smith. The journal of this expedition is reproduced. Marcy reported this line to be the most acceptable one to California. It was used nine years later by the Butterfield Overland Mail.

The names of numerous gold seekers, gathered from available lists of particular companies, are all assembled in the index, which thus becomes an important reference on California '49ers. Marcy's map, some photographs and drawings provide the illustrations.

L. R. Hafen

State Historical Society of Colorado.

Cherokee Cavaliers. By Edward Everett Dale and Gaston Litton. (Norman, Oklahoma: University of Oklahoma Press, 1939. xxiii+319 pp. Illustrations \$3.00.)

The body of this book is made up of some two hundred letters taken from the personal correspondence of members of the Ridge-Watie-Boudinot faction of the Cherokee Nation. These two hundred letters have been selected from two thousand such letters which were discovered in three old trunks in a farm house near the old home of General Stand Watie.

The Editors have performed a skillful and artistic task in weaving these letters together into a connected story. The volume is characterized by copious explanatory notes. The thoroughness of the work and the satisfying completeness of the effect attest to the painstaking and scholarly work of the Editors.

To anyone interested in the drama of Indian history the contents of this volume will be found not merely thrilling but to a high degree enthralling from the first page to the last. To take this mass of disjointed correspondence from its long forgotten resting place and breathe the breath of life into it by weaving its parts into a symmetrical story is an outstanding accomplishment through which the annals of Oklahoma history are greatly enriched.

And what letters they are! What an outpouring of desires and hopes; what an untrammelled expression of plans, purposes and ambitions; what eagerness; what energy and restlessness; what aspirations for education and improvement; what superb resignation in the face of disaster; what sublime reliance on faith and devotion and religion!

Covering a historic period of forty years, from 1832 to 1872, these letters, written by lawyers, doctors, preachers, generals, statesmen, private soldiers, cow hands, editors and washerwomen, display in a revealing manner a cross section of Cherokee life. The story covers the time of their greatest tribulations. It opens with the period of division and factionalism that later led to feuds and bloodshed. It covers the removal of the Cherokees from their long established homes in Georgia, North Carolina, and Tennessee, and their death-marked journey over the "Trail of Tears" to their new homes in Arkansas and Oklahoma. It includes the destructive period of the Civil War and the crushing era of Reconstruction that followed.

Throughout this entire period of 40 years the Cherokee people were plagued by uncertainty, by bitter privation, bloody strife, poverty, disease and needless death. Never did any nation suffer more from the ravages of the "Four Horsemen." And this is all vividly pictured in this day to day correspondence of the rank and file of the Cherokee people.

The one thing about these letters that stands out most noticeably is their restraint and moderation. Though the larger number were written by uneducated people whose spelling, capitalization, and punctuation would not pass any kind of scholastic test, and though the letters of the better educated were usually written under the stress of trying circumstances, they all, without exception, expressed their ideas with the greatest clarity and force. They seemed to live entirely for the future. Optimism was the keynote of their existence.

Humor, pathos, danger, hardship, devotion, and death pass in such rapid review that a reading of this volume leaves one with a vivid impression that he has sat through a moving picture depicting the 40 years of struggle of the Cherokee people.

Annie R. Cubage

Confederate Memorial Hall
Oklahoma Historical Society

Pueblo Indian Religion: By Elsie Clews Parsons. (Chicago: University of Chicago Press, 1939, two volumes XIV and 1275 pages. Introduction, bibliographical notes, bibliography, appendix, index, twenty-six plates, three text figures, and two maps. \$7.00).

Notwithstanding the excellent researches of both ethnologists and archaeologists who have worked in the Southwest, no one has previously presented as good an interpretation of Pueblo life as Parsons has done in this study. She has succeeded where others have failed, chiefly because she has realized that primitive society, though complex is also a coordinated phenomenon. Since religion acts as the cohesive factor in Pueblo social structure, Parsons has not confined

her observations to ritual and belief. Spectacular ceremonials have not been over emphasized, and the more subtle religious manifestations neglected. The manners of a child when in the presence of an elder have interested the author as well as the rites of the Antelope Society.

Parsons maintains an objective viewpoint throughout the book, and thereby avoids the pitfall which too frequently ensnares the student of culture. In the preface she expresses an anthropological maxim which might be profitable to others: "To describe even a part of a culture is a dangerous enterprise, so interwoven is one part with another that the fabric tears when we begin to separate, leaving meaningless shreds in our hands."

After a somewhat lengthy introduction in which aboriginal psychology and customs are discussed, the writer attacks her problem from several standpoints: the ceremonial organization; beliefs concerning spirits and the cosmos; ritual; the calendar; and ceremonies. Then follows a chapter in which the data have been segregated according to Pueblo towns. This was necessary, as she readily admits, in order that the great detail of her previous discussions would not destroy the reader's general conception of Pueblo religion. Although this practice may be praiseworthy, I wonder if a somewhat different organization of the material would not have eliminated the necessity for a review. One would be inclined to think that a reader, who is not an ethnologist, might prefer to study this chapter and neglect the foregoing ones.

The concluding chapters, "Variation and Borrowing" and "Other Processes of Change," are by far the most interesting. The comparisons with other religions, both Indian and Catholic, establish a perspective for her study of Pueblo spiritual expression. By making these discussions more compact, Parsons has achieved greater unity than was shown in *Mitla: Town of Souls*.

The volumes are copiously documented. In addition to having footnotes, the context is interspersed with references to source materials listed in bibliographical notes which are arranged according to chapters at the back of the second volume. Unfortunately, this method is somewhat inconvenient for a reader who may be concerned with the source from which a statement in the first volume was taken. Had the references been presented at the conclusion of each chapter, as Wissler did in *The American Indian*, the reader would have no difficulty. Of course, *Pueblo Indian Religion* was written primarily for anthropologists, who should be willing to devote some little time to checking references; but a layman's or a student's interest in the material might be stimulated by bibliographical notes conveniently arranged. The bibliography, itself, is thorough.

This book is by no means an example of clinical writing, as the footnotes and detailed descriptions would lead one to believe at first

glance. Fortunately, the author has balanced her major data with minor incidents of Indian life, which not only strengthen her thesis, but also create secondary interest. For example, she illustrates the feeling of town solidarity by reference to the egotism of the Hopi, who use the word "kahopi" or "not Hopi" for "bad." Inadvertently, Parsons has supplied several jokes at the expense of one of her predecessors in the Pueblo field, Mrs. Stevenson.

Pueblo Indian Religion is a comprehensive explanation of the Taos man's explanation that "religion is Life."

Samuel Dorris Dickinson

University of Arkansas

Jesse Chisholm. By T. U. Taylor (Bandera, Texas: Frontier Times, 1939. XIX+ 217 pp.)

Characterized by Historian J. B. Thoburn as the Daniel Boone of Kentucky, Jesse Chisholm, whose name has been perpetuated in history, cowboy lore and songs of the cattle trail by the famous trail which he located from the Red River station on the Red River to Caldwell, Kansas, has received another tribute in the form of a book entitled *Jesse Chisholm*.

A copy of the volume has been received by *The American* from the author, Dean T. U. Taylor of the civil engineering school at the University of Texas, Austin.

Since Canadian County was traversed by the famed Chisholm Trail and millions of cattle plodded this trail on their journey from the overstocked herds of Texas to the nearest railroad market at Caldwell, this historical account of the ancestry, the family life and the many exploits of the famed half-breed explorer, trader, guide and advisor of the Indians, deserves much praise for the amount of research it involved in preparation.

In his dedication, Dean Taylor pays the following tribute: "Dedicated to the memory of Jesse Chisholm, forty years a Good Samaritan in the Indian nation, friend of all men—red, white or black, first in the hearts of the Indians, foe of dishonesty, greed and graft, founder of the Chisholm Trail, finder of unknown paths, father of the poor orphans, feeder of the hungry, faithful to the best blood of the Scots and of the Cherokees—Pioneer, patriot, peacemaker, pathfinder, prophet, protector."

Dean Taylor has for 30 years been collecting material about Chisholm. He lived by one of the old cattle trails in Johnson and Parker counties in Texas and as a boy saw hundred of the herds of cattle being driven up them to the Chisholm Trail and thence to Kansas. In his research he traced the Chisholm family back to forebears who settled in Tennessee during Revolutionary war times.

Jesse Chisholm was the son of Martha Rogers, a Cherokee, and Ignatius Chisholm. He was born in 1805 or 1806 in eastern Tennessee, and later settled at Fort Gibson. A sister of Jesse's mother, Talahina Rogers, was the Indian wife of Sam Houston during his sojourn in Oklahoma and before he went to Texas to begin his famous career.

Chisholm grew to manhood in Tennessee and reached Fort Gibson about 1825. He became prominent as a trader among the Indians. He was known for his square dealings and his kind heart, and frequently went out of his way to serve as a peacemaker between the Indians and the whites. He established trading stores near Asher, Council Grove, Purcell and Little River. Council Grove is now known as Council and is located in Oklahoma County near the Tenth street bridge.

In his 40 years among the Indians, Chisholm humbly contributed possibly more than any one other Oklahoma citizen to the chartering of the rivers and other geographical features of the state, and also to the bringing of amity between the Indians and whites.

Chisholm's death at the Grant Lefthand spring just over the line from Canadian County near Greenfield is recounted by Taylor. The latter visited the site in 1930 with Dr. Thoburn and last spring brought a granite monument and erected it on the site of the grave. The monument reads: "Jesse Chisholm, born 1805, died March 4, 1868. No one left his home cold or hungry."

Taylor's book is an excellent work of reference and adds much authoritative material to the several works heretofore published regarding Chisholm and the Chisholm Trail.

—H. M. Woods

*The American
El Reno, Oklahoma*

City Beginnings in Oklahoma Territory. By John Alley. (Norman, Oklahoma: The University of Oklahoma Press, 1939. 127 pp. Bibliography. \$1.50).

The settlement of the American West followed, for the most part, a broad and familiar pattern. The young man on horseback, or with his wife and meager home-making tools in a light wagon, bade farewell to the western fringe of settlements and plunged into the hunting grounds of the Indians. Others followed, singly or in groups. The timber was cleared; virgin sod was broken; crops were planted; the "country grew up." The general store was built at the crossroads; eventually a post office was established, and the settlement became a village. A railroad was laid and soon the village became a town. Wholesale establishments were added; a bank

or two appeared; and the town emerged as a city. Territorial governments were finally organized, which soon were transformed into states.

The settlement of Oklahoma, however, followed another pattern. The Forty-sixth State, which was admitted to the Union in 1907, was formed by the joining of two distinct sections known at that time as the Indian Territory and the Oklahoma Territory. These areas, which were about equal in size, were populated by the removal thereto of numerous Indian tribes—a process which was begun in the Thirties during Jackson's administration.

The central portion of the state, which comprises the present counties of Logan, Oklahoma, Cleveland, Canadian, Kingfisher and Payne, was by the late 1880's in the category of unassigned lands. There developed on the part of the Anglo-Americans an organized demand that this two million-acre tract be opened for general settlement. The Cleveland administration fought valiantly to combat this onslaught, but victory of the homeseekers was finally secured in 1889. Following the signal shots which started the run of April 22, 1889—recently popularized the world over by the novel and the movie—tens of thousands rushed in and made their selections. It is the settlement of this area to which Major Alley devotes the principal part of the present study. His thesis, and he develops it with clarity and conviction, is that the interest of these settlers was centered in urban development rather than in farm lands. The Congressional Act which had opened these lands for settlement was noteworthy for its lack of vision, in that it failed to provide any kind of government. The settlers were a law unto themselves for more than a year and all their attempts at self-government were actually extra-legal. Of the score or more urban communities which sprang into being immediately, six cities commanded major importance—Guthrie, Oklahoma City, Kingfisher, El Reno, Norman and Stillwater. In delineating the development of these city beginnings Professor Alley presents a new interpretation of the state's formation. There was never any "growing up" process in the settlement of this portion of Oklahoma. It was populated overnight. And it was largely by the activities of the settlers of this area that a new commonwealth was so soon carved out of the former Indian domain.

This little monograph belongs in the class with those studies by Dr. Edward Everett Dale, Mr. Charles N. Gould, Dr. Dora Ann Stewart, Dean Roy Gittinger, and others, which deal in part or in the main with the Anglo-American aspects of Oklahoma history. This volume, illustrated and complete with an index and bibliography, is an attractive product of the University of Oklahoma Press. It is a definite addition to the Oklahoma bookshelf.

—Gaston L. Litton

The National Archives

ANNUAL MEETING OKLAHOMA HISTORICAL SOCIETY

May 9 and 10, 1940

Tulsa, Oklahoma

The annual meeting of the Oklahoma Historical Society convened at Tulsa, Oklahoma, May 9, 1940, as per resolution of the Board of Directors adopted at the meeting held January 25, 1940, in Tyrrell Hall on the campus of the University of Tulsa, with Judge Robert L. Williams, President, presiding.

The meeting was opened with the Lord's Prayer in unison, led by Mrs. Roberta C. Lawson.

The address of welcome was given by Dean L. S. McLeod, of the University of Tulsa.

General William S. Key, of Oklahoma City, Vice-President of the Society, gave the response.

Two musical numbers were rendered by Ridgely Bond, accompanied by Helen Bement, of the music department of the University of Tulsa.

Business meeting:

Charles Campbell, President of the Chamber of Commerce of Lawton, and Serg. Morris Swett, librarian of the Field Artillery School at Fort Sill, presented to the Society an invitation to hold the annual meeting in 1941 at Lawton on account of the fortieth anniversary of the opening of the Comanche reservation to settlement.

Judge John B. Meserve moved that a committee of five be appointed to study the proposal to hold the 1941 annual meeting at Lawton, and if favorable recommendation be so made that the said annual meeting be held at Lawton. Motion was seconded by Gen. William S. Key, which was adopted. The chair appointed the following committee:

Judge John B. Meserve, chairman,
Gen. William S. Key,
Mrs. Roberta C. Lawson,
Mr. George H. Evans,
Judge Thomas A. Edwards.

The President read a resolution from the city commissioners and also the Chamber of Commerce of Kingfisher, inviting the Society to hold the annual meeting of the Society in Kingfisher, the place of its organization in 1893, on its fiftieth anniversary in 1943. Judge Harry Campbell moved that the invitation be accepted and that a committee of not less than five nor more than seven be appointed to work out the programme and all details, with local committees representing the City of Kingfisher. Motion was seconded and carried.

The President having announced his death, the audience stood at attention in reverence to the memory of the late John B. Doolin, member of the board of directors of the Society, who was in attendance at the annual meeting in 1939, and who passed away on the 30th day of December, 1939.

Judge Harry Campbell read the report of Dr. Grant Foreman, Director of Historical Research, which was ordered filed and preserved in our archives for consideration by the Board of Directors.

The President read the following resolution:

RESOLVED, that thirty (30) feet on the north side of what is known as the art gallery, being the museum on the west side, fourth floor, His-

torical building, Oklahoma City, be assigned to the Oklahoma Society of the Daughters of the American Revolution for occupancy as such organization in harmony with the rules of the Oklahoma Historical Society, and subject to vacation under any subsequent resolution or rule adopted by the Historical Society.

Mrs. Roberta C. Lawson moved that same be adopted. Motion was seconded and carried.

The President read the following petition:

The President and Secretary, with the concurrence of a majority of the executive committee, are authorized to let contract for furnishing and installing three (3) pair of doors and transoms (grilled) on the fourth floor between the corridor and the west gallery only, cost not to exceed \$700.00, same to be paid out of any state funds available and out of the private funds, provided that same may be paid altogether out of the private funds.

Judge John B. Meserve moved that the request be granted and such authorization be made. Motion was seconded and carried.

The President read his annual report, which was as follows:

During the past year gradual progress has been made in the work of the society. Though handicapped on account of the decrease in available appropriation for our use, we have endeavored to cooperate in an inaugurated economy program that the state budget might be balanced.

The Works Progress Administration project, with the Oklahoma Historical Society as sponsor, has functioned in cataloguing and indexing of newspapers and other periodicals, manuscripts, old letters, diaries, wills, etc., and in preparing a biographical index, and in assembling records from counties and cities.

The Indian Pioneer project, completed in 1938, resulted in the preservation of priceless recollections of pioneers, many of whom have since passed on. The accumulation of such data from all parts of the state has been typed and bound in 120 volumes of more than 500 pages each, constituting an invaluable collection known as the "Foreman Papers," on account of the effort made by Dr. Grant Foreman in their accumulation, and indexing. The card indexing of these volumes is being carried forward to early completion.

The society under its board of directors and president and secretary, with the cooperation of the staff members on self-sacrificing compensation, is seeking to bring about the most efficient results. To increase membership its members have been encouraged to extend to their friends and associates by letter and otherwise invitations to become members, and to send to the secretary names of prospective members. Zealous efforts also are being made to add life members to our historical honor roll. Our efforts have in a measure been rewarded as indicated by recent and present membership lists. We must not relax zeal not only to increase annual membership but also to keep in force existing memberships and to reclaim delinquent annual members. This calls not only for activity on the part of the staff but also for the cooperative activity of the annual members ever alert to continue their membership and to urge others to that end. A bulletin designated as Number 3 has been prepared and printed to interest people in becoming members. To economically conserve funds and to minimize expense of postage, this bulletin as a rule is enclosed with letters in other necessary correspondence.

A questionnaire for members of the society and others to fill out for genealogical purposes has been prepared and printed, being sent out as the secretary has occasion to communicate with them. We are seeking to acquire genealogical data not only as to every member of the society but also as to non-members, to be on file and card indexed and made readily available for necessary use. This plan should attract an increased membership and support.

To have our archives contain such valuable records at the least expense is our goal. Through this plan and project we are having assembled not only historical records from every county in the state, and many towns and cities, but also from the state at large.

In the newspaper department, during the past year, on an average, sixty daily, 202 weekly, three semi-weekly, one monthly and four semi-monthly papers have been received, checked, and filed to be expeditiously bound. In every reasonable and efficient way the newspaper files are not only bound but also card indexed so as to constitute a valuable storehouse for research on the part of students, and scholars and persons seeking the information therein contained.

The honor which came to Oklahoma as the first state in the Union to win the National Safety Council's Annual Award for the third time in succession on April 10, 1940, was due in large measure to the work done in the newspapers in our files by a group of employees from the Highway Commission, who, during the latter part of 1935, carefully checked the newspaper files in the Oklahoma Historical Society library of the preceding five years for reports of automobile accidents, and filled out cards showing causes of accidents, whether embankments, brush, weeds, unmarked blind roads, also type of car, driver's age, physical handicaps, etc. These cards having been so used, Oklahoma won the highest honors in the United States in the reduction of accidents during 1937, 1938 and 1939.

The actual valuable practical work being done by the Historical Society in assembling and housing data which operates as a facility not only of convenience but also of actual benefit to the state should be a pressing reason why the Oklahoma Historical Society should receive a reasonably adequate appropriation. It should also appeal to the men of wealth, benevolence and philanthropy to establish trust funds to be used under the direction and restrictions of the trustee of the trust fund, through the organization of the historical society. By this means if we had an annual income of \$3600.00 annually to employ such help as to seek out all available data for Senior class students in the various colleges, both private and state and high schools essential to the preparation of graduation theses, it would be of untold value and economy. Through such practical course such incomes from such trust funds could not be expended in an abortive way.

The practical benefit the public is receiving through the organization and facilities of the historical society is inestimable and is being daily illustrated. Graduates from the various colleges and high schools in the state resort to our archives and use our card indexed files in the preparation of graduate theses. Research students in securing material for dissertations, books, periodicals, articles, etc., and many others in verifications as to legal publications, necrologies, and heirships, in connection with indices available and becoming more available month after month and year after year.

In the Indian Division, two hundred and ten volumes of its archives have been indexed and cross-indexed. The index cards have been typed covering all of the classifications, except as to 34 of said volumes, over 40,000 cards typed, with at least 100,000 references thereon. The manuscripts, and letters covering missions and some from former missionaries to the Indians, their wives and children, and biographies of some of the missionaries, have been added to the archives in the Indian division. This includes not only the Choctaws and Chickasaws but also the Creeks, with an account of the noted McGillivray family of the Creek Counties of Alabama, and the Cherokees and the Pottawatomies and Seminoles, and other tribes.

We anticipate the time when the archives of the Oklahoma Historical Society will attract research students from many states to matriculate in our colleges, both private and state.

The collection of correspondence is being arranged in order of time under supervision of the librarian and cataloguer, it being the purpose to number each letter indexed as to names mentioned and subject contained, then to make cards

on same and file copies so as to make copies of the material readily available to the use of the public. The original letters to be filed in steel cases chronologically and numerically for preservation. This course is to be pursued as to every department. Every staff member is joining to bring about such efficient results.

The manuscript by Judge T. G. Andrews as to the "Judicial History of Oklahoma", presented by him to the historical society is being copied on appropriate paper to be bound, and to be indexed as to names and subject matter. Such copy when bound is to be catalogued and placed on the shelves for use and the original manuscript to be kept in the vault. Judge Andrews has added to the value of the original manuscript by presenting to the library some of the correspondence as to the contents of the manuscript. Index cards regarding names will be arranged chronologically.¹ Exhibits A, B and C are attached.

EXHIBIT A

The following gifts have been received in the museum since the last annual meeting:

Portrait of Mrs. Czarina Conlan, painted by the Polish artist Stansalos Remski of New York, presented by Mrs. Perry.

A double barrelled gun owned by David L. Payne, taken from him when first ejected from Indian Territory, presented by H. A. Dever of El Reno. One colt pistol No. 41 formerly owned by Henry Starr in 1901, presented by A. N. Harper.

One ten gauge muzzle loading shot gun, presented by Harold Kidwell.

Two gold handled umbrellas presented by Mrs. Edwin P. Allen, which belonged to her father and mother, Mr. and Mrs. Phil D. Brewer, formerly of McAlester, and an office chair used by Judge Phil Brewer as a member of the Supreme Court Commission of Oklahoma.

A Dodge City Peace Commission picture owned by William Tilghman, and a large collection of badges worn by William Tilghman at different conventions and Oklahoma fairs, mounted and framed, presented by Mrs. William Tilghman.

One wooden plaque with quotations of Will Rogers on it, made by Otis Phagalls, Ryan, Oklahoma, presented by Hon. Sam Bounds.

One exact copy of the Oklahoma flag made by Mrs. Geo. Fluke, presented by the D. A. R. state organization; a document pertaining to the organization of the Daughters of the American Revolution in Oklahoma, 1890, presented by the D. A. R. state organization, and an historical map from 1655 to Statehood, by the D. A. R. state organization.

One concert grand piano, square type, of 1889, presented by Mrs. Frances Crum Sullivan.

One large wooden statue of an Indian painted that formerly stood before a tobacco store in Oklahoma City, presented by Wm. F. Schoenhoven.

A steel symbol of the Worlds Fair in New York, 1939, "The World of Tomorrow," presented by Governor E. W. Marland.

One pair of brown gaiters bought in Paris, France in 1922, also one pair of woolen inner soles for shoes. Both presented by Miss Jessie Newby.

A document commission appointing James M. Shackelford as a United States Judge in Indian Territory on March 26, 1889, presented by his daughter, Mrs. Marshall L. Bragdon.

Document commission issued to Judge Phil Brewer to practice before the U. S. Supreme Court in Washington, D. C., presented by Mrs. Edwin P. Allen, his daughter.

¹ *The Chronicles of Oklahoma*, XVII (1939) pp. 244-246.

An interesting record was made by Ex-Senator Robt. L. Owen of Oklahoma on the Indians of Oklahoma for a luncheon at the Chamber of Commerce as a part of the Golden Anniversary program, presented by the Chamber of Commerce.

A large map of the Chisholm Trail, photographed, presented by James H. Gardner, of Tulsa.

Twenty-three small pictures of Chickasaws presented by Mrs. Jaunita Johnston Smith.

Life-sized photograph of ten Chiefs of the Cherokee Nation, from the Cherokee Alumni Association of the Cherokee Male and Female Seminaries, presented by J. B. Milam.

An enlarged photograph of Dr. Fowler Border of Mangum.

A framed large photograph of Rev. E. D. Cameron, presented by the Ladies Missionary Society of Henrietta. A life-sized portrait of George Riley Hall, author of "The Land of the Mistletoe," presented by the Business and Professional Women's Club of Henryetta.

A small picture from the files of Randolph Colbert, who came from Mississippi with the older generation of the Colbert family that settled near Colbert, which was named for James Allen and Frank Colbert, who owned the townsite of Colbert jointly with J. A. Smith who intermarried into the Chickasaw tribe, presented by Mrs. Mollie Colbert Smith (his daughter) of Smith Grove, Ky.

(Other gifts in the way of manuscripts, diaries, letters, etc., have been presented during the preceding twelve months and are or will be shown in the minutes of the meetings during that period.)

EXHIBIT B

The following have presented books to the library:—

- Brille, Rev. H. E. *Story of the Methodist Episcopal Church in Oklahoma.*
- Ponca City Chapter DAR. *The Last Run, Kay County, Oklahoma, 1893.*
- Andrews, T. G. Ms. *Judicial History of Oklahoma.*
- University of Georgia. *Financial Statistics, Georgia*, by Lloyd B. Raisty.
- Baptist Church Minutes 1887-1906. Photostat Copy.
- Official Report of the 25th Annual Encampment* at Boston, Mass. by Massachusetts U. S. War Veterans.
- Union Soldiers' Home, *Doc. No. 365—National Home—Soldiers*, U. S. 66th Cong. H.
- W. MacLaren. *Karl Marx; Biographical Memoirs* by Liebknecht Wilhelm.
- United States Department of Agriculture. *Native Woody Plants of the United States* by Van Dersal, Wm. R.
- T. P. Gore. *Yearbooks, 1920, 1921, 1922, 1930, 1931, 1932, 1933, 1934, 1935.* U. S. Dept. of Agriculture.
- Bureau of Publishers. *Pennsylvania Federal Constitution Celebration 1937-1938.*
- Union Hall. *Famous Leaders and Battle Scenes—Civil War.*
- Publisher: *Anthology of Newspaper verse, 1930-1931* (by Franklyn P. Davis), and 1933, 1934, 1935, 1936, 1937, (by Athie Sale Davis)
- American Red Cross. *Ohio-Mississippi Valley Flood Disaster 1937.*
- Alabama Book Store. *A History of Lumsden's Battery CSA.*
- McGuire, C. L. *International Boundary Commission—Joint Report 1906.*
- State of Oklahoma. *Third Biennial Report 1936-1938—Okla. Tax Comm.*
- Mrs. Virgil Browne. *The Biographical Dictionary of Contemporary Poets.*
- U. S. Dept. of Agriculture. *To Hold This Soil*, by Russell Lord.
- James W. Moffitt. *The Gospel Among the Red Men*, by Robert Hamilton.
- Okla. Highway Department. *Okla. State Highway Comm. Report 1937-1938.*
- State of West Virginia. *West Virginia State Senate Report. Blue Book 1938.*
- Dick Yeager. *Cyclopedia of Universal History*, by John Clark Redpath.

- Oklahoma News. *Oklahoma City Directory*, 1932, 1937, 1938.
 Publisher. *Conquest of the Southern Plains*.
 Zoe Tilghman. *The News of the Deacon*.
 Zoe Tilghman. *A Certain Country Doctor*.
 Library of Congress. *Annual Report of the Librarian* 1938.
 S. Clarke. *Constitution, Jefferson's Manual Rules*.
 Zoe Tilghman. *Heart Lyrics*.
 American History Company. *Mangold and Allied Families*.
 Publishers. *The Oklahoma Teacher*.
 U. S. Bureau of American Ethnology. *Bulletin* 120.
 Guthrie Leader. *Biennial Reports* 1891-1898, *Okla. Territorial Auditor*.
 Guthrie St. Cap. Prt. *Biennial Reports* 1898-1904, *Okla. Territorial Auditor*.
 Okla. A. Okla. State Auditor, 2nd *Biennial Reports* 1903-10 & 1926-36.
 University of Oklahoma. *Abstracts of Theses*, 1934-1936.
 U. S. Secretary of Interior. *Annual Report—Commissioner of Indian Affairs*.
 Bennett, Sanford. *Old Age, its Cause and Prevention*.
 Greenslit, W. H. *Iowa Old and New*, by John Ely Briggs.
 Greenslit, W. H. *Nebraska Old and New*, by A. E. Sheldon.
 United States Bureau of American Ethnology. *Bulletins* 121, 122, 123.
 McGreevy, S. V. *The Brenneman History*, by A. H. Gerberich.
 Mrs. J. Harmon Lewis. *The Women Who Came in the Mayflower*.
 Shanafelt. *A General View of the World*.
 Hansen, H. C. *Cherokee Hymns*.
 Taylor, T. U. *In re Heirs of Jesse Chisholm*.
 Bentley, Hattie T. *A Study of Fashions in Oklahoma*.
Report of the Commissioner of Indian Affairs, 1925, 1933, 1935.
 Pitcairn, Raymond. *The First Congress of the United States*, 1789-1791.
 Strange, Lew A. *La Fontaine and Those Who Made It*.
 Library of Congress. *The Senatorial Career of Robert L. Owen*, by E. E. Keso.
 Lewis, Anna. *Lives of the Heroes of the American Revolution*.
 Hayes Memorial Library. *The Life of Rutherford Birchard Hayes*. (2 copies)
 Council of State Governments. *The Book of the States*, 1937.
 State of Okla., *Session Laws of* 1939.
 State of Oklahoma (Okla. Supreme Court Reports) Feb.-May 1938; May-Nov. 1938; Nov.-April 1938; Criminal Court of Appeals Reports.
 Keyes, Chester A. *The Sentinel Rock*.
 State Library, *Oklahoma Criminal Court of Appeals, Report Oct. 1937-Feb. 1938*.
 Thoburn, Dr. Joseph B., *The Law of the Primitive*.
 Thoburn, Dr. Joseph B., *Roosevelt in the Bad Lands*.
 Speer, Ocie, *Texas Jurists and Attorney Generals beginning with the Republic*.
 By Will E. Orgain.
 James W. Moffitt, *Economic Aspects of the Monroe Doctrine*, by Thos. H. Reynolds.
 C. L. Allen. *The World's Fair Anthology of Verse*, by P. E. Carter, ed.
 Anna W. Lewis. *Annals of Oneida County*, by Pomroy Jones.
 Author: *The Chouteaus and the Founding of Salina*, 1796. By V. Lackey.
 (Other presentations may not be in this list, but will be shown in the minutes of the board meetings.)

EXHIBIT C

In addition to those reported at the last annual meeting,² the following newspapers have since then been indexed:

- Altus Times, 1904-1906, 1908-1909, 1911.
 Anadarko Democrat, 1901-1902-1904-1905-1906, and 1914.
 Ardmore Democrat, 1908.

² *The Chronicles of Oklahoma*, XVII (1939) pp. 244, 245, 246, 247.

Daily Ardmoreite, 1895-1903, 1905.
Arnett Capital, 1908-1910.
Beaver County Democrat, 1893-1894, 1906-1912.
Forgan Enterprise, 1912-1915.
The Democrat (Beaver), 1915-1923.
Beaver Advocate, 1893-1895, 1904.
Blackwell Tribune, 1925-1932.
Chandler News, 1893-1899.
Clinton News, 1909-1910.
Cheyenne Transporter (Darlington), 1880-1886.
Durant News, 1905-1907, 1913-1914.
Edmond Sun, 1893, 1904.
Edmond Sun-Democrat, 1894-1900.
American News (El Reno), 1902-1904.
El Reno News, 1898-1901.
Enid Eagle, 1908.
Enid Weekly Eagle, 1906.
Hobart Chief, 1902-1906.
Hollis Post Herald, 1912-1914.
Kingfisher Free Press, 1891-1907.
Kingfisher Weekly Star and Free Press, 1908-1917.
Lawton Constitution, 1904-1905.
Cleveland County Leader (Lexington), 1894-1895.
Lexington Leader, 1891-1892, 1904-1905, 1908-1911.
Medford Journal, 1893-1894.
Indian Record (Muskogee), 1886-1887.
Muskogee County Republican, 1912.
Muskogee Evening News, 1909.
Norman Transcript, 1894-1903.
The Daily Oklahoman, June 1938-1939.
Oklahoma Strays, 1893-1934.
Perkins Journal, 1904.
Stigler Sentinel, 1909-1912.
Stillwater Advance, 1901-1902.
Stillwater Gazette, 1903.
The Eagle Gazette (Stillwater), 1894-1895.
Taloga Advocate, 1900-1902.
Walters Journal, 1908-1909.
Waurika News, 1905-1907.
Wilburton News, 1904-1905.

Judge Harry Campbell moved that the report be printed in *The Chronicles of Oklahoma*. Motion was seconded and carried.

Judge Harry Campbell moved that the President and faculty of the University of Tulsa, the local committee and citizens, the members of the musical department, Philbrook Art Museum, and the press and newspapers and reporters be thanked for hospitalities and courtesies and entertainment extended to the Society. Motion was seconded and carried.

The Secretary presented the following list of applicants for membership in the Society:

LIFE: Luther Bohanon, Oklahoma City, John Benton Dudley, Oklahoma City; Bennette N. Fink, Edmond; Mrs. Ethel Dunn Herndon, Tulsa; Dr. John Clarence Hubbard, Oklahoma City; Hugh M. Johnson, Oklahoma City; James William Maney, Oklahoma City; Golda Barbara Slief, Oklahoma City; Solon W. Smith, Oklahoma City; R. A. Vose, Oklahoma City.

ANNUAL: Mary Francis Alexander, Okmulgee; John C. L. Andreasen, New Orleans, La.; Mrs. Jesse M. Asbury, Oklahoma City; Mrs. Velma Dolphin Ashley, Boley; Thomas Gray Banks, Oklahoma City; Elva Clinton

Barrows, Rapid City, South Dakota; Amos Bass, Sr., Durant; Rev. John H. Baxter, Wichita, Kans.; Frank Jefferson Best, Oklahoma City; Merle Blakely, Tulsa; Robert Quarles Blakeney, Jr., Oklahoma City; Mrs. Edward M. Box, Oklahoma City; Gertrude Bracht, Oklahoma City; Robert H. Breeden, Cleveland; Bower Broadus, Muskogee; Ben G. Brown, Durant; Mrs. B. F. Burwell, Oklahoma City; Robert Paul Chaat, Lawton; Charles Champion, Ardmore; Mrs. Robert C. Coffy, Muskogee; Mrs. Mary M. Comer, Claremore; Mrs. Mary Chisholm Cooke, Byars; James M. Grady, Cleveland; Mrs. Katie Rose Cullen, Oklahoma City; Mrs. J. M. Danner, Sayre; William Harrison Darrough, Shawnee; Mrs. George H. Davis, Pawnee; Mrs. Litha Page Dawson, Oklahoma City; Herbert Thomas Dickinson, Oklahoma City; Harold Bertels Fell, Ardmore; Andrew Henry Ferguson, Durant; Mrs. Mildred Brooks Fitch, Muskogee; Mrs. A. B. Fite, Masilla Park, N. Mex.; Floyd Vergil Freeman, Tulsa; German French, Jr., Tonkawa; Douglas Garrett, Muskogee; O. G. Geers, Tulsa; Judge Samuel E. Gidney, Muskogee; Earl Gilson, Guymon; W. W. Graves, Saint Paul, Kans.; George Hall, McAlester; Lee Fitzhugh Harkins, Tulsa; Richard W. Harper, Dulce, N. Mex.; Carrie M. Harris, Wilburton; B. L. Hart, Durant; Mrs. C. C. Hatchett, Durant; David W. Hazen, Portland, Oregon; Roy Emerson Heffner, Boston, Mass.; Mrs. Mabel T. Hobson, Oklahoma City; Mrs. Winnie Jordan Holroyd, Phoenix, Arizona; Harry B. Houghton, Oklahoma City; Everette Burgess Howard, Tulsa; Josephine Huddleston, Oklahoma City; Kennett Hudson, Ardmore; Mrs. Gail Pruiett Johnson, Oklahoma City; Rev. Paul M. Joy, Socorro, New Mexico; William Franklin Kerfoot, Oklahoma City; Mrs. Claud King, Cordell; Mrs. Anna Laskey, Oklahoma City; Mrs. Lily Allen Lasley, Stigler; G. W. Lowry, Henryetta; Mrs. Julia McLish McCurtain, Fort Worth, Texas; Glenn McDonald, Durant; Betty Ann McGalliard, Oklahoma City; Charles Walter McKeehen, Harlingen, Texas; Mrs. Jerome McLester, Graham, Texas; G. B. Malone, Durant; George Wellington Malven, Columbia, S. America; J. H. Marshall, Durant; Hon. Mike Monroney, Washington, D. C.; Joe D. Morse, Oklahoma City; J. B. Oakley, Barnsdall; Mrs. Elizabeth Merwin Page, Sierra Madre, Calif.; Victor Phillips, Durant; Bascun C. Pippin, Kingfisher; Mrs. Vernon S. Purlee, Tulsa; Mrs. R. B. Quinn, Oklahoma City; Robert M. Rainey, Oklahoma City; Mrs. Charles L. Reed, Tulsa; Dr. Horace Reed, Oklahoma City; R. M. Randle, Tulsa; George M. Reeves, Vinita; Mrs. M. Alice Remmers, Oklahoma City; Judge Eugene Rice, Muskogee; H. G. Ridgeway, Durant; James Henry Ritchie, Cleveland; Mrs. C. B. Robbins, Wewoka; R. J. Roberts, Wewoka; Clarence Robison, Tecumseh; Mrs. Walter C. Roe, Claremont, Calif.; Major Ross H. Routh, Oklahoma City; Bruce Siberts, Okmulgee; Rev. Henry Sluyter, Paterson, N. J.; Lester Raymond Smith, Cherokee; Elmer Sparks, Boone, Nebr.; George James Stein, Miami; Miss Lee Stigler, Chicago, Illinois; Hon. Paul Stewart, Antlers; Allen Street, Oklahoma City; Clara A. Stockton, Oklahoma City; Suzanna Stone, Oklahoma City; Samuel G. Sullivan, Durant; Otis Wayne Sullivant, Oklahoma City; D. A. Sweet, Shawnee; Raymond Symcox, Cordell; Philip A. Thompson, Oklahoma City; J. Glenn Townsend, Rocky; Rev. Henry A. Vruwink, New York, N. Y.; Mrs. Lela J. Wade, Marlow; Mrs. Nannette W. Wade, Oklahoma City; Samuel Kendrick Wauchope, Shawnee; Eugene Whittington, Oklahoma City; Lewis Orval Wilks, Cordell; and Mrs. Edna Wilson, Anadarko, Oklahoma.

Upon motion, duly seconded, all names of those proposed for membership were accordingly elected and received as such members of the Society.

The meeting recessed until 8:00 p. m.

The delegates in the meantime were taken on a visit to and inspection of the Philbrook Art Museum.

The meeting re-assembled at 8:00 p. m. in Tyrrell Hall.

Music and songs by the boys' and girls' glee clubs under the direction of Sidney Irving, from Bacone College, Bacone, Oklahoma, representing fourteen Indian Tribes.

Address by Dr. B. D. Weeks, President of Bacone College for North American Indians, at Bacone, Oklahoma.

Music by the boys' and girls' glee clubs from Bacone College.

Judge Harry Campbell moved that the thanks of this Society be extended to Dr. B. D. Weeks, President of Bacone College, for his great and eloquent speech, and the Indian boys and girls, representing fourteen (14) Indian Tribes, for their interesting program. Motion was seconded and adopted.

Dr. B. D. Weeks at the close of the evening meeting pronounced the benediction.

May 10, 1940.

The Society in a body visited and inspected the Will Rogers Memorial at Claremore, and the Chief Journeycake home and cemetery at and near Alluwe and placed flowers on the grave of Chief Journeycake, the last Chief of the Delawares in the Indian Territory, and Woolaroc, the beautiful ranch home and interesting museum of Mr. and Mrs. Frank Phillips at which place we were elegantly entertained and luncheon served. Before dispersing we extended sincere thanks and expressed our appreciation to our gracious hosts.

The annual meeting was then adjourned.

Robert L. Williams,
President.

James W. Moffitt,
Secretary.

NECROLOGY

WILLIAM SAMUEL DEARING
1865-1940

Born October 8, 1865 at Harrison, Boone County, Arkansas, son of Andrew N. Dearing and Barbara Caroline Dearing, nee Wilson, both born in Tennessee, whose paternal and maternal grandfathers, Sims Dearing, Fayetteville, Arkansas and Daniel Wilson, Harrison, Arkansas, were both born in Tennessee and early settlers in what is now Boone County, Arkansas.

William Samuel Dearing was educated in the common and high schools of Arkansas, with Normal training in the teachers' assemblies or institutes in both Arkansas and Oklahoma Territory, and beginning when 19 years old taught for 13 years.

Retiring from teaching in Oklahoma Territory after the opening of the Arapahoe and Cheyenne reservation, he engaged in the mercantile business at Independence, in Custer County, and there so continued until the construction of the railroad through that part of the county, when he removed to Thomas, a nearby railroad station, and so continued, the business later being restricted to furniture and undertaking. In 1924, after a successful career, he retired from active business.

A member of the Methodist Church and a local preacher so licensed in 1896, he continued in the work of the church until his death on the 8th day of January, 1940.

In what was thought to be a strong Republican district, he was nominated as a Democrat from the 44th District, composed of about three-fourths of Custer County, and elected by a good majority as a delegate to the Constitutional Convention (1906-7), under the provisions of the Enabling Act (June 16, 1906), to frame a Constitution for the proposed state of Oklahoma.

He was a member of the Board of Control of the insane asylum at Fort Supply, during the gubernatorial administration of the late Charles N. Haskell (1907-10), and later a member of the House of Representatives of the Fourth Legislature (1913-14).

A successful business man, actively identified with the affairs of the church, and the development of the community, county, and state, and the promotion of education, he continued to reside at Thomas until his death.

He was married to Sarah Blount Lamb on February 26, 1888, who with their two daughters, Mrs. Allie Combs of Thomas, and Mrs. R. O. Greene of Wewoka, survive him.

An upright citizen, devoted to his family, community, church, state and country, has passed from this earthly sphere.

Durant, Oklahoma

R. L. Williams

ALVA NATHAN WILCOX
1856-1919

Alva Nathan Wilcox, born December 8, 1856 at Courtland, DeKalb County, Illinois, was the son of William Nathan Wilcox, who was born in Montgomery County, New York on October 2, 1828 and who died in Cham-paign County, Illinois March 4, 1871, being buried at Urbana in said state, as



WILLIAM SAMUEL DEARING



ALVA NATHAN WILCOX

was his first wife, Elizabeth Jane Meeker. A first son by said marriage was Wallace Hoze Wilcox, born in 1853 and died April 2, 1938 at Burlington, Kit Carson County, Colorado, whose widow, Mary Seward, survives him and resides in said town.

William Nathan Wilcox, after the death of his first wife, married Miss Jane Winchester, to which marriage came three children, all born in Champaign County, Illinois, to-wit:

(1) Jennie Elizabeth Wilcox, born 1866 and died in 1927 at Chicago. She married a man named Douglas.

(2) William Ezban Wilcox, born 1868, died in 1905 at New York City.

(3) Betsy May Wilcox, born 1869, still living in Chicago. She married a man named Connor.

Alva Nathan Wilcox after the death of his mother grew to manhood in Champaign County, Illinois, and went to Dayton, Ohio, there being employed by the Ohio Hedge Company, and after the termination of said employment returned to Champaign County, remaining there a short time, in 1886, he migrated to Eastern Colorado, settling in Elbert County. In 1887 the Chicago, Rock Island, and Pacific Railroad line was graded through said county, the steel being laid in 1888. In 1889 Kit Carson County was organized out of a part of Elbert County, Burlington becoming the county seat, Alva Nathan Wilcox being appointed sheriff, and in the election held on November 5, 1889 was unanimously elected to said office, his term to extend until January, 1890, and until his successor was elected. An early homestead settler, final proof thereof was made December 10, 1890, covering the Southwest Quarter of Section 15, Township 8 South, Range Forty-three, West 6th P. Meridian, in Kit Carson County, Colorado.

Later he removed to San Antonio, Texas and met the late George A. Winter, of Durant, Choctaw Nation, Indian Territory, with whom he became associated, and engaged in the nursery and fruit-tree business at Durant and adjacent territory, where he continued to reside, except the years that he was officially at the capital of the state at Oklahoma City from January 11, 1915 until January 13, 1919. Under the administration of the late Ben F. Hackett, United States Marshal for the Central District of the Indian Territory, during the presidency of Theodore Roosevelt, Wilcox was appointed United States Deputy Marshal with headquarters at Durant, and served in that capacity until the erection of the state of Oklahoma on November 16, 1907.

On January 11, 1915 he was appointed by the Governor of the state of Oklahoma as a (Republican) member of the State Board of Affairs, serving in the capacity of Vice-Chairman, the two Democratic members being the late James M. Aydelotte, Chairman, and Samuel L. Morley, Secretary.

Whilst a resident of Colorado, Wilcox was a delegate to the Republican state convention held in Denver in 1890, at which the late Hosea Townsend was nominated as a candidate for re-election as a representative at large from said state to the Congress of the United States, later being Judge of the United States Court for the Southern District of the Indian Territory, 1897-1907.

After honest and faithful public service, he died at Durant, Oklahoma on the 5th day of June, 1919, and was buried in Highland Cemetery.

His wife, formerly Miss Anna Hoard, now of Durant, Oklahoma, and daughter, Mrs. Anne Louise Buxton, of 2230 Northwest 19th Street, Oklahoma City, survive him.

—R. L. Williams

ADOLPHUS EDWARD PERRY 1867-1939

A. Edward Perry, the son of Edward Perry and Melanie Sophronie Perry nee Bruette was born in Montreal, Canada, July 23, 1867, and died in Denver, Colorado, July 29, 1939; he was buried at Rush Springs, Oklahoma.

His father, Edward Perry, was in charge of construction of the M. K. & T. Railroad through the Indian Territory for his brother-in-law, John Scullin, of St. Louis. He brought his family to Denison, Texas, while the road was constructing, camping in the Indian Territory.

Ed. was one of a family of eight boys and one girl. His early years were spent in Denison, where he attended school afterwards going to Montreal, Canada, to the Jesuits where he finished the regulation course of studies. He then went on the road as a "drummer" for several years.

Many of his vacations were spent in the Indian Territory at the home of the late Governor Johnston, and on the ranches of the Colberts and the Loves. Thus Ed. grew to manhood with a knowledge and love of the old Indian Territory.

Robert L. Owen was a great friend of the family, he and Will Perry having married Daisy and Fanny, the only daughters of Captain G. B. Hester of Boggy Depot.

In 1888 Ed. his brother, H. T. V. Perry, and John Hodges opened a large store in Atoka.

During these early years he formed the enduring ties of friendship with Governor Green McCurtain, Bill Durant, Peter Hudson. Governor Bird (Chickasaw), Captain Charles LeFlore and many other prominent men.

In 1889 and 1890, Ed. and H. T. V. made the move to the town of Cottonwood, afterwards known as Coalgate, where they opened a general merchandise store and coal mines. A year later Ed. decided to continue his education and enrolled in Holy Cross College, Worchester, Mass.

He resumed his work in Coalgate in 1895 and on July 27, 1896, was married at Boggy Depot to Carrie LeFlore, daughter of Colonel Forbis LeFlore and Anne Mary LeFlore nee Maurer.

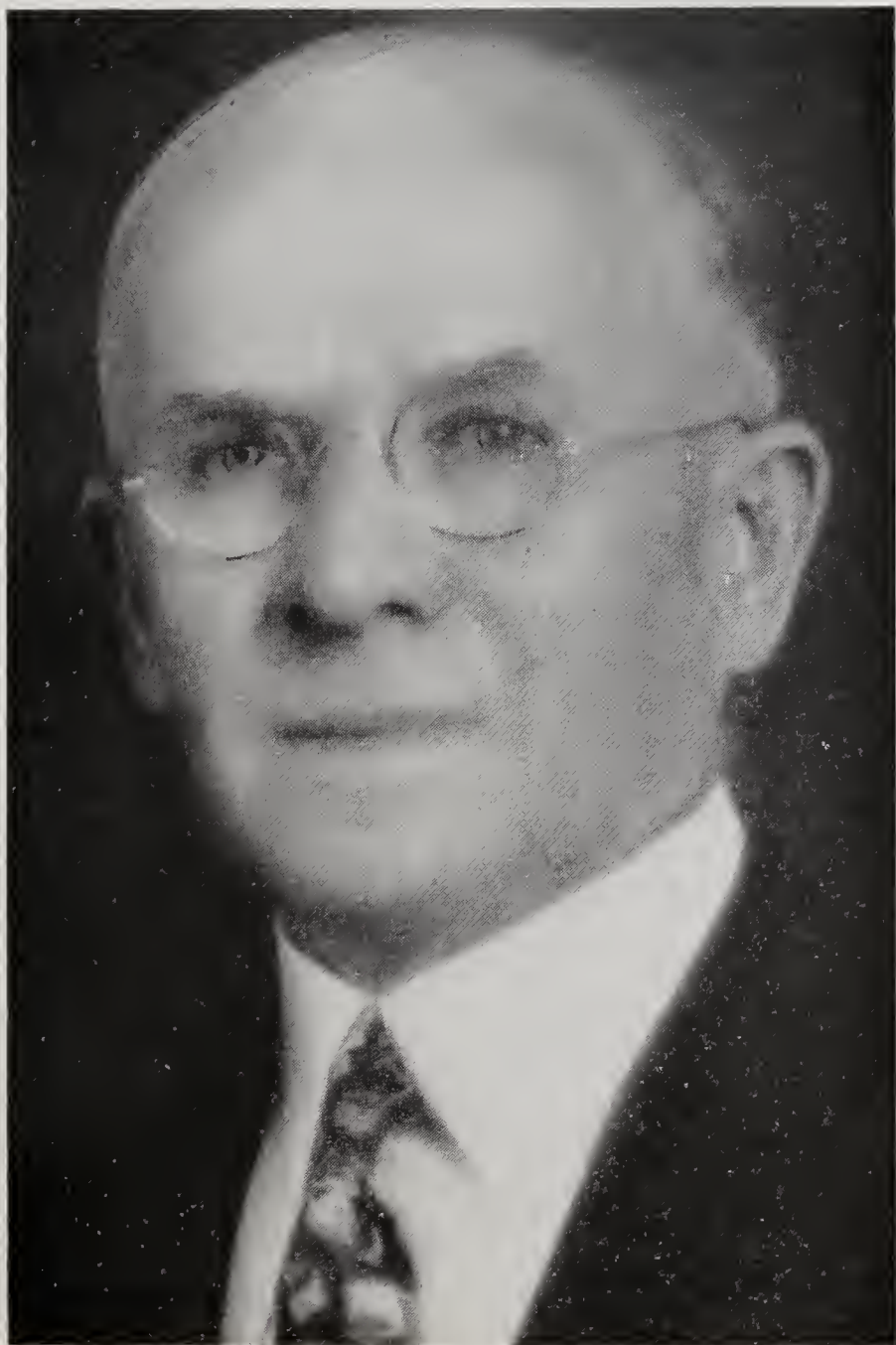
Ed. Perry and H. T. V. Perry of Perry Brothers were the first mine operators to sign the union scale.

My first acquaintance with Ed. Perry, known in political parlance as "Dynamite Ed." (to say the least he was dynamic) was more than 40 years ago. At the meeting of the Constitutional Convention in Guthrie, he spent most of his time at my room and office. My confidence in him was such that I was not afraid of betrayal of a secret. The year of statehood he was vice-chairman, and was made manager, and his Republican associates insisted that he knew "something on Murray," because of his close connection during the Convention, and Perry's character is expressed in his reply: "I know nothing unconscionable, and if I did, I wouldn't tell you as it would be a betrayal of a friend." He and I had up to the time of his death a steadfast, unbroken friendship, and I am delighted when requested to write this observation, and only wish I had more space than *The Chronicles* can allow.

Perry engaged in many enterprises, among which was manager of the Concho Gravel and Sand Company, dealing with the state. Never was there one whisper of dishonest course in his many deals with the state under several Governors of the State. He was always ready "to bid."

I may observe that Perry's influence in the carving of counties was more potent than the delegate, as he got the county seat.

Wm. H. Murray



ADOLPHUS EDWARD PERRY



LEANDER G. PITMAN

LEANDER G. PITMAN

1853-1938

The news came to me over the radio a little while ago of the death of L. G. Pitman at Tecumseh. Pitman was 86 years old and had been a resident of Oklahoma since 1889. To the most of the people now living in this State but little thought was given to this announcement, but to the early settlers in Oklahoma County and Oklahoma City it came as a shock and one that made sad their hearts. The more recent writers, who have tried to tell of the early history of Oklahoma Territory, and especially that of Oklahoma City, have failed to even mention Judge Pitman, although he was one of the most public spirited citizens and one who helped in developing this great Commonwealth. He was identified with every move made to bring about the passage by Congress of the Organic Act that would enable the people of the new territory to organize a Territorial Government.

Judge Pitman was a Democrat and was present at the convention held March 11, 1890, in the Boon and McKennon Building, corner Broadway and California, at which the Democratic Party in the Territory was organized. He was also a delegate to the Territorial convention in August 1890, held at Norman, at which Joe G. McCoy, "Cow Counter McCoy" was nominated for the long term and J. L. Mathews the short term as delegates to Congress.

Although Judge Pitman was never Governor, Congressman, nor United States Senator, yet he was in public life in Oklahoma for more than forty years, holding positions of honor, trust and responsibility, and no one could cast an aspersion upon his character or question his integrity. His innate modesty kept him from seeking the highest places in either territorial or state government, yet he could have filled with credit to himself and honor to the State the highest office within the gift of the people.

L. G. Pitman was elected to the Council of the first Territorial Legislature, representing Oklahoma County. There were but thirteen members of the Council, or Senate, and Pitman was recognized as one of the leaders in that branch of the legislature. He took an active part in the work of that body. He assisted in the enactment of a code of laws, seventeen years before the constitutional convention, that was well adapted to the needs of the people of the new territory. Representing Oklahoma County, he made a hard fight to locate the Capitol at Oklahoma City. He had much to do with harmonizing the discordant and conflicting interests and perfecting an organization that would have made Oklahoma City the Capitol of the Territory in 1890, except for the veto of Governor George W. Steele, and which did locate and establish the University at Norman, the Territorial Normal School at Edmond and the Agricultural College at Stillwater. Judge Pitman was a member of the first board of regents of the Territorial University and was the secretary of the Board. It was while a member of the Board that this great state school had its beginning and the first building was constructed in 1892. Judge Pitman was re-elected to the Council of the second legislature from Oklahoma County and served through the term from January to March 1893.

With possibly one exception, he was the last living member of the Council of the first Territorial Legislature. I believe there is now but one man living who served in the House in that legislature.

Judge Pitman was a lawyer and practiced his profession in Oklahoma City, sometimes associated with R. J. Ray and Charles Wrightsman.

Soon after the opening of the Sac and Fox and the Pottawatomie reservations he located in Pottawatomie County, where he resided until the close of his life. He was recognized and honored by the citizens of

that County and was soon elected county attorney. He served the people as Superior Judge for many years, making his home at Tecumseh and later at Shawnee.

L. G. Pitman was a man in whom the people confided and respected. He was always considerate of the rights of others and was altogether unselfish. He was affable and congenial. He loved his friends and had few enemies. The fact that a man might differ from him in politics or other questions did not in the least affect his friendship for him. But with all his affability there was none of the "goody-goody," "holy Willie," about him. He was a man's man and played the man's part. He loved the great outdoors and liked to go camping, hunting and fishing with his friends.

The writer became acquainted with L. G. Pitman a short time after the opening in 1889 and a friendship was formed that lasted until his passing. Both of our names were on the first tickets ever printed for members of the legislature in Oklahoma: he, a candidate for the Territorial Council; and I, a candidate for the House. We made our campaign together and were both elected. (This election was held August 5, 1890 and the first Territorial Legislature convened August 27 and adjourned December 24 of the same year.) We represented the same people and worked together in the interests of our constituency.

In the election in 1892, we were both re-elected by the people of Oklahoma County and served in the second Territorial Legislature, which met in January 1893. If you were to call the roll of the first legislature; in the Council there would be no one to answer, with possibly one exception. In the House there would be only one to answer, "Here."

—Dan W. Peery

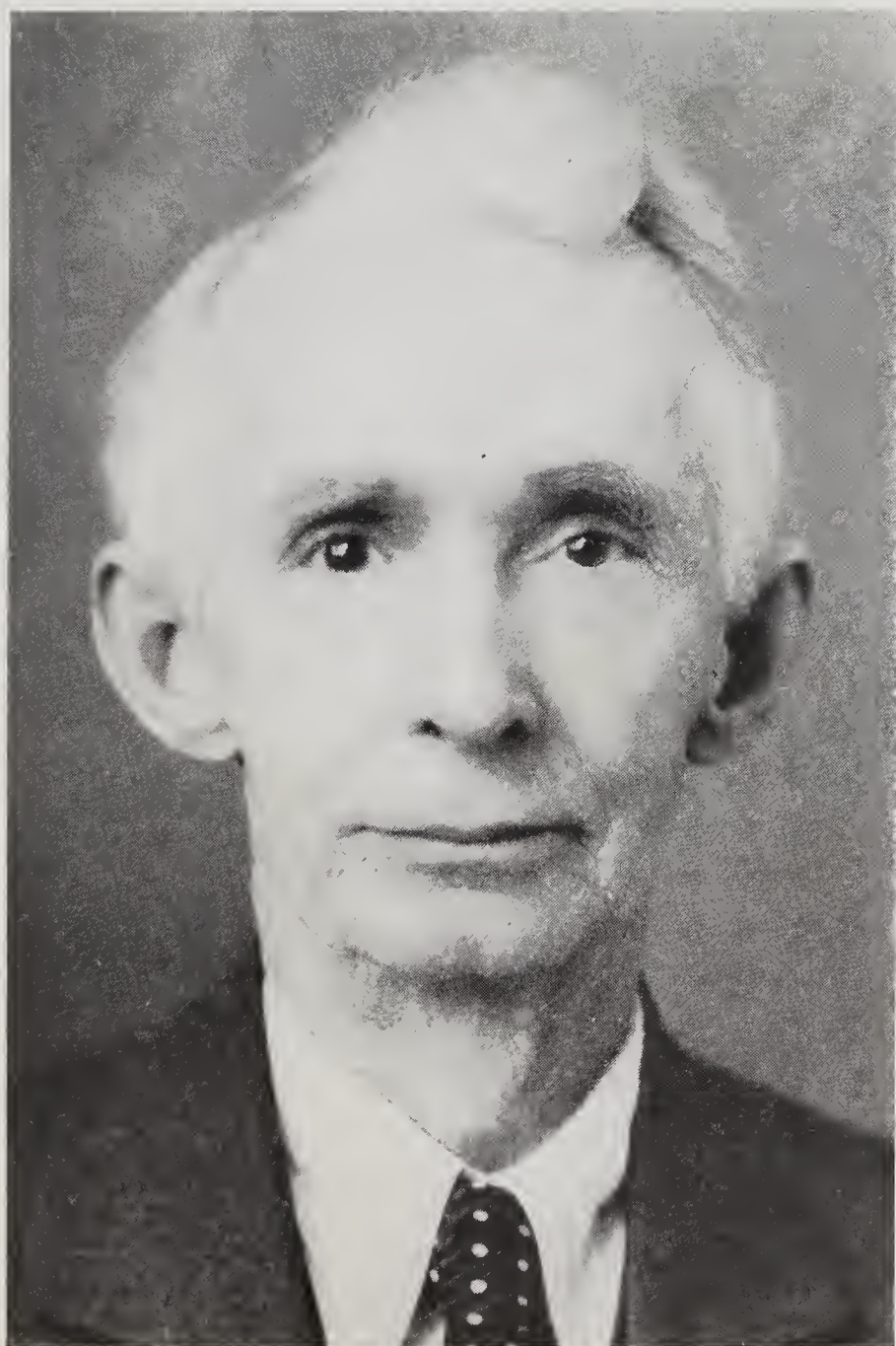
Carnegie, Oklahoma.

GRANT HARRIS

1865-1939

Recently, Oklahoma people were called upon to mourn the passing of three notable pioneers in the course of a few days; namely, Dennis T. Flynn, Dick Quinn and Grant Harris. All three had been printers and newspaper men. Of the three, Grant Harris alone remained printer and newspaper man all his life, the other two being largely interested in other phases of life and its activities. It may truly be said of Grant Harris that he was born a pioneer, his birth having occurred near Vinton, Iowa, where his parents had paused for a time in the course of their migration from Pennsylvania to Kansas, their journey both before and after that event, having been made in a covered wagon. The date of his birth was September 13, 1865. A few months later found the Harris family located and settled at Independence, the county seat of Montgomery County, in Southeastern Kansas. There he attended the public schools until, at the age of fourteen, he entered the office of the old Independence *Courier* as an apprentice in the printing office. The fourteen-year-old boy went from his home in Independence to Caldwell to take a position in the printing office of the Caldwell *Post*, in May, 1884. In those days, Caldwell was a wild, frontier "cow-town," where shooting scrapes were more or less frequent and where men were sometimes killed as the result of personal misunderstandings.

Grant Harris met Capt. David L. Payne, the noted leader of the Oklahoma boomers. Accidentally, Captain Payne learned that the youngster was a printer and he immediately sought to enlist the interest of the youth in his movement to effect the settlement of homesteaders on vacant



GRANT HARRIS



WILLIAM McILWAIN

lands in the Indian Territory and closed the deal by offering him employment in the print shop of the *Oklahoma War Chief*, the official organ of the settlement which the Oklahoma boomers were just then trying to plant at Rock Falls, on the Chikaskia River, only a few miles distant from Caldwell. Young Harris hesitated at first but the wages offered seemed too tempting to be passed up, just then, so he decided to accept it, so he packed his few belongings, mounted his pony and set forth on the brief journey to Rock Falls.

Grant Harris eventually made his way to Wichita, Kansas, where he found an opportunity to set type on the *Wichita Eagle* which is still the leading newspaper in that city. In the years that followed he continued to work at the printer's trade, in Wichita, in Topeka, in Lincoln, Nebraska; Leadville, Colorado, Sioux City, Iowa, and in Kansas City. In 1905, he quit the service of the *Kansas City Star*, where he had operated one of the first linotype machines ever installed west of the Mississippi River, moved to Lahoma, west of Enid, to edit and publish the *Lahoma Sun*. Subsequently, he published papers at Wakita and at Hennessey. In 1912 he went to Wagoner, where, with Ursel Finch, he took over the publication of the *Wagoner Tribune*, acquiring sole ownership, later. In 1930, the *Tribune* and the *Wagoner Record-Democrat*, published by Jim Biggerstaff, were merged under the corporate name of the *Wagoner Publishing Company*, both papers being published by the same plant, but with each paper retaining its separate editorial management with independent editorial policy and opinion.

Harris married his wife in St. Joseph, Missouri, in 1891 and is survived by her and by three daughters and two sons.

The course of Grant Harris through life had been one of kindly interest in the welfare of his fellow men. Death came to him suddenly and unexpectedly on the evening of July 4, 1939, leaving in the hearts and minds of a legion friends sentiments of appreciation of a life that had been well lived and usefully employed. Funeral services were held the following Thursday afternoon at the home, with the Rev. A. S. Cameron, pastor of the First Methodist Church, officiating.¹

Joseph B. Thoburn

Union Memorial Room,
Oklahoma Historical Society

¹The *Wagoner Tribune*, July 11, 1939.

WILLIAM McILWAIN

1858-1939

A great humanitarian, a sincerely-loved neighbor, a very distinguished World War soldier and one of the state's early-day settlers passed to the Great Beyond on November 28, 1939, when Dr. William McIlwain, age 81, died in the Detroit, Michigan veterans' hospital. Death followed two years of serious illness. Approximately two thousand neighbors, old settlers from all parts of western Oklahoma and members of the American Legion from all sections of the state gathered at Lone Wolf on December 3rd to pay a last tribute to their friend and comrade. Burial was in Lone Wolf cemetery, near this little town which had known him intimately for all the years since this territory was opened to settlement. Dr. McIlwain came to Lone Wolf in 1901. The post office then was called Dill and later was changed to Lone Wolf in honor of a Kiowa Chief. The life of the country doctor demanded getting out of bed at all hours of the night to attend the sick. A sister, Mrs. Elizabeth Stewart and her children constituted Dr. McIlwain's family. He never married. Throughout the early days of western Oklahoma he treated the ill and suffering, attended

at births and eased the dying in the half-dugouts and shacks of the early-day settlers. His fast, fine team, spinning his buggy over the prairies, was a thrill to the youngsters of old Dill township. Frank Harston, druggist of Lone Wolf, has the tiny scales which the Doctor carried on calls where the stork was expected back in those early days. Many men and women of middle age now ask to see those little scales which weighed them at birth.

Dr. McIlwain was the leader in keeping his American Legion post membership high and was post service officer. Once, when the Lone Wolf Legion post had saved \$500 by hard work and closely guarded financial activity, the state department called upon the post for \$265 as its share of the funds raised to build the Home School for orphans now in operation at Ponca City. Dr. McIlwain promptly induced the post to give the \$265 from the hut fund and build the hut later.

It was always a mystery how Dr. McIlwain, at sixty years of age, ever got into the Army in 1917. He served as Lieutenant, Medical Corps, with the famous 77th Division. He was medical officer with the 308th Infantry, the Division which went to the rescue of the Lost Battalion. It was in this action he won the Distinguished Service Cross, second highest award for valor offered by the United States to its military heroes. The award was made at Ft. Sill in 1928, before the entire troop force and a large group of citizens.

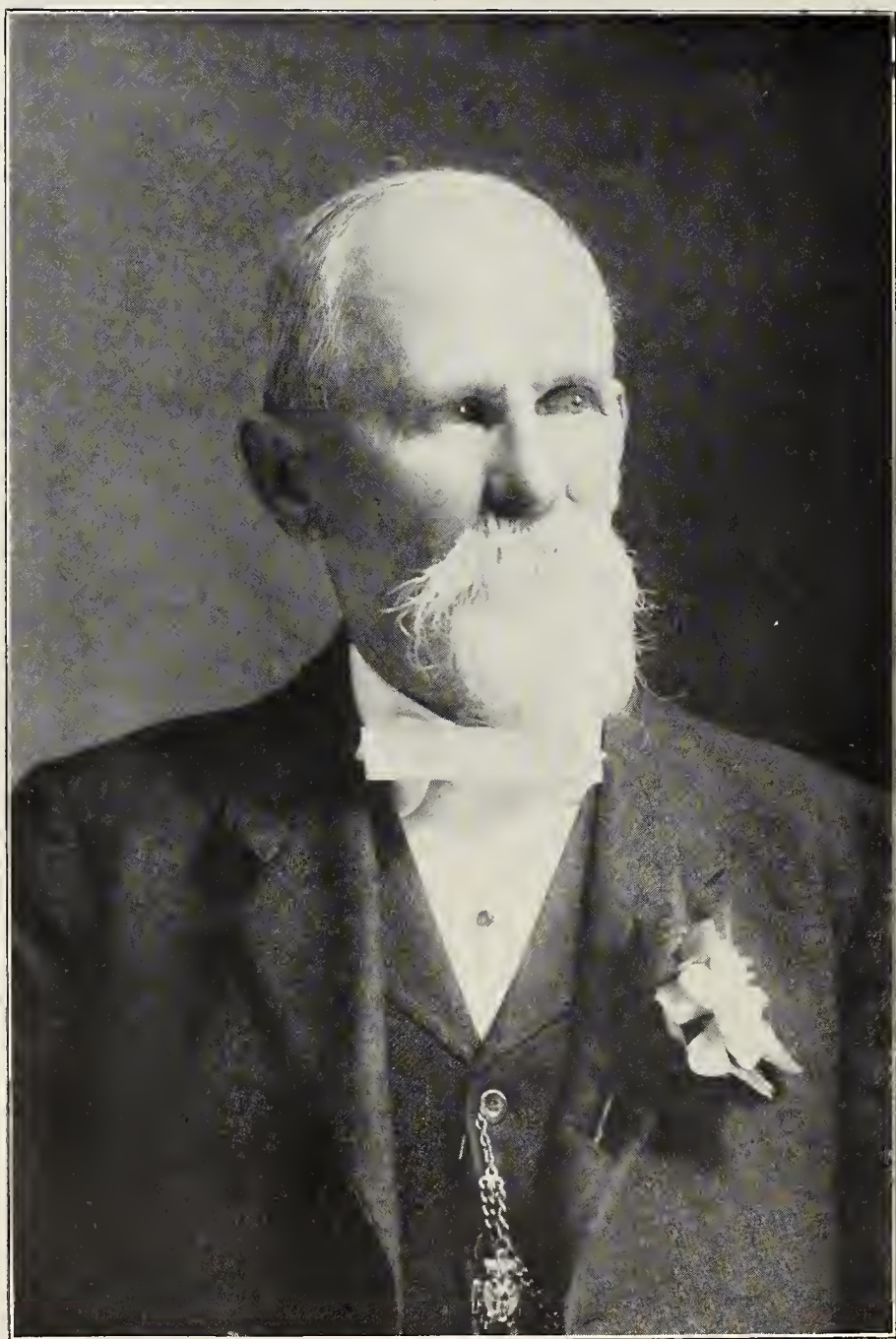
Dr. McIlwain was the moving spirit behind the erection of the Memorial bridge over Red River near Lone Wolf, where the beautiful statues of the American Doughboy and Sailor stand guard at each end. The bridge was dedicated on Memorial Day, 1928.

The Doctor was proud of being one of Oklahoma's pioneers. He organized the Dill Township reunion in 1920 and served actively in promoting the annual meetings each summer at Harvey's Spring. In 1936 this annual reunion was dedicated to Dr. McIlwain and prominent speakers attended and paid tribute to the life and service of this "Grand Old Man." One of Dr. McIlwain's most cherished dreams was accomplished when the Legion Memorial grove, at the end of Memorial bridge, was planted and the trees grew large enough to shelter the annual old settlers reunion. Trees were contributed from all sections of Oklahoma at the Doctor's request, and a beautiful grove is now growing here in this prairie country. The land on which the Memorial grove is located was donated by C. M. Davis, himself a Kiowa pioneer, and his two sons, Charles and Ross. Dr. McIlwain, the Davises and other citizens carried water often to keep the trees from dying. The Legion post planted the trees as they were donated and the grove is now the coolest place in this section of western Oklahoma. A well is located in the grove and passers-by often stop in the heat of summer to quench their thirst and rest in the shade of the elms. Dr. McIlwain was the moving spirit in this project and devoted more time to it than any other citizen of the community.

In Dr. McIlwain's passing Oklahoma lost a fine citizen, the Historical Society lost a friend whose knowledge of the early days of this great state was a valuable asset and the people of western Oklahoma lost a sympathetic counsellor.

Rev. S. E. Henderson

Lone Wolf, Oklahoma.



DR. DANIEL MORRIS HAILEY

The Chronicles of Oklahoma

Volume XVIII

September, 1940

Number 3

DR. DANIEL MORRIS HAILEY

1841-1919

By Robert L. Williams

Dr. Daniel Morris Hailey was born in Baton Rouge, La. February 9, 1841, and died October 14, 1919, being buried in the Masonic Cemetery at McAlester, Oklahoma. He and his only brother, John, sole survivors of their father and mother, both of whom died about 1846 in a yellow fever epidemic, were reared by an aged aunt and a "black mammy." Having attended schools in his native city, later at New Orleans he studied medicine in Tulane University.

On June 19, 1861 he enlisted as a private in the Confederate States Army in Company A, 8th Louisiana Regiment, which was assigned to Hay's Brigade, Early's Division, Stonewall Jackson's Corps, Army of Northern Virginia. Serving as Acting Hospital Steward, he was on February 10, 1863, appointed as Hospital Steward. On March 21, 1863, under orders, he reported to his regiment. The Prisoner of War records (U. S. A.) show that he was captured November 7, 1863, and admitted to the Harewood U. S. A. General Hospital, Washington, D. C., November 8, 1863 for wound, left leg, and transferred to the Provost Marshal's Office November 13, 1863, paroled at Point Lookout, Maryland May 3, 1864, and received at Aiken's Landing May 8, 1864 by the Confederate Agent for exchange. His name appears on a Register of the Confederate States Receiving and Wayside Hospital (General Hospital No. 9) Richmond, Virginia, as admitted October 3, 1864 and returned to duty October 4, 1864. The Confederate muster roll for September and October, 1864, dated February 27, 1865, last on file, shows him "Absent wounded since February 6, 1865."

He was wounded four times, on one occasion being sent back for convalescence, he aided the wounded. When ready to return to the front for duty, an effort was made to retain him on account of the scarcity of physicians, but he preferred to re-join his regiment.

After Appomattox, he started for home, joining two comrades, both having lost a leg and been furloughed, and having two horses between them, Dr. Hailey riding behind one of them (John Wax), a friend from Baton Rouge, he ran into Sherman's army, in its march through the Carolinas, but flanking it on the right, he went on his way.

Having then no living near relatives, at Memphis he boarded a river boat for Fort Smith, instead of returning to Baton Rouge. A short distance over the border from Fort Smith in the Choctaw Nation lived R. S. McCarty, to whom he applied for a position as a school teacher, and being accepted as such he taught two years, at the same time practicing medicine. From the school room his life romance developed into his marriage with R. S. McCarty's daughter, one of his pupils, Miss Helen McCarty, at Oak Lodge on September 24, 1868. They celebrated their golden wedding anniversary at their home in McAlester on September 24, 1918, having had seven children, two of whom, boys, Matthew and John, died in infancy, and another, Dr. Walter P. Hailey, died at Haileyville, Oklahoma on October 10, 1938. Edward S., William E., and two daughters, Mrs. Hattie Little of McAlester, and Mrs. Arthur Walcott (Lutie) of Ardmore, still survive.

His wife was a sixteenth Choctaw, born near the Tombigbee River in Alabama. Her parents migrated first to Doaksville in the Choctaw Nation in the early 50's, and later to the vicinity of Oak Lodge. A year or two after Dr. Hailey's marriage, he removed to what was at that time Perryville,¹ then quite a settlement, at the crossing of the north and south Texas road with the military road from Fort Smith to Fort Washita and other western forts. There as a proprietor of a small store, he practiced his profession¹ of medicine, being often called to go on horseback as far as fifty miles in a day to administer to the sick.

In 1872 the construction of the Missouri-Kansas & Texas Railroad line was completed through the Indian Territory, the first passenger train being run into Denison, Texas from the north on Christmas Eve.² Owing to the fact that Perryville was so near to McAlester, it was not designated as a station for the stopping of trains, and its residents gradually moved to McAlester (now North McAlester), and other points.

Dr. Hailey, having closed out his store, removed to McAlester, where he opened the first drug store in the Choctaw Nation as well as a physician's office. With J. J. McAlester he joined in the venture of sinking the first shaft in the coal veins of the McAlester district (old No. 5 Krebs mine), and interested the Jay Gould interests not only in this district but also in the adjacent coal fields. With the opening of the mines, rapid development followed.

In 1875 he joined with Colonel Granville McPherson in publishing the *Star Vindicator*, Dr. Hailey being its editor, and McPherson

¹ In the Joseph A. Edmonds Diary, it is stated that on November 11, 1870 at 11 o'clock in the forenoon "We came to a pretty village for this country by the name of Perryville. Here I saw a doctor's sign. At the bottom was 'Perryville, C. N.' (Choctaw Nation)" (*The Chronicles of Oklahoma*, XVII (1939), 312)

² *The Chronicles of Oklahoma*, XIV (1936), 183.

the printer and business manager. McPherson later removing to Texas, the newspaper was discontinued.³

In 1876 Dr. Hailey and William Pusley having discovered coal at Savanna, they induced the Jay Gould interests to begin mining operations there, developing for a time the largest mining industry in the Choctaw Nation, Savanna becoming then the largest town in the territory. Dr. Hailey removed from McAlester to said place, the company store being operated by Hailey and Pusley.

In 1887 Dr. Hailey took over the Osage Trading Company which was located at another point.

After the passage of the Act of Congress of June 28, 1898 (30 Stat. 495, chapter 517), Section 13 providing that leases as to coal and mineral deposits made under Indian customs and laws were terminated with the additional proviso that the parties in possession having made improvements and produced coal in substantial quantities should have preference in taking new leases under the Secretary of the Interior in compliance with his directions, Dr. Hailey retired from the mercantile business and opened mines at Haileyville and at Wilburton, operating under the name of Hailey-Ola Coal Company, which he had developed into large producers at the time of his death.

He was one of the organizers and principal officers of the South McAlester and Eufaula Telephone Company, afterwards absorbed by the Southwestern Bell Telephone Company and an organizer and for years Vice-President of one of the National banks at McAlester.

From his youth until his death, Dr. Hailey was affiliated with the Democratic party. Whilst in his teens he had been thrilled by the eloquence of John C. Breckenridge. He occupied many places of honor in the party, never seeking any position with a pecuniary reward. From 1896 to 1916, inclusive, quadrennially, he served on the committee to notify each Democratic nominee for President of such nomination, and in 1904 in addition served on the committee that notified the Democratic nominee for Vice-President.

As to the marker attached to his life-sized portrait in which he was dressed in an appropriate Confederate uniform, and which he delivered to the custodian of the State Confederate Memorial Hall, at the request of the Oklahoma Historical Society, he prepared and submitted at the request of the Governor of the state, the inscription to be placed thereon, (indicating his most prized services), as follows:

"Private, Co. A, 8th Louisiana Infantry, C. S. A. — Commander, Choctaw Brigade, U. C. V. — Commander, Oklahoma Division, U. C. V. — Member, Confederate Pension Board — Member, Board of Trustees, Confederate Home — Sovereign Grand Inspector General A. A. Scottish Rite in Okla."

³ *Oklahoma Imprints*, Foreman, 147, 164, 165.

In the elegant casket in which he was buried, he was clothed in his uniform as a Major General of the United Confederate Veterans.

He was a charter member of the first Masonic (Blue) Lodge organized in that section (North McAlester) in 1875. Many full-blood Indians under his leadership became members of the Lodge. A Royal Arch Chapter was later installed there (the first in the Indian Territory), of which Dr. Hailey was a charter member. He took a marked interest in Masonry and at one time or another held the highest office in each branch in that jurisdiction. He was also a Shriner and at one time held a national office in the Elks. For years he was a member of the board of trustees of the Carnegie Public Library in the city of McAlester.

Flanking Highway 69 (Jefferson Highway) to the left going north through north McAlester on its outskirts, is the old Choctaw Court House of Tobucksy County, an unpretentious frame building with a stone chimney and a porch and lean-to like modest dwelling houses erected over fifty years ago in the Indian Territory. This building was erected at the expense of Dr. Hailey in 1876 for the Choctaws.

He lived in what is now Pittsburgh County, Oklahoma from 1870 to the date of his death on October 14, 1919. His wife who then survived him has since passed away.

Coming to the Indian Territory at a time when there were no local courts other than those of the Indians, these not having jurisdiction over the white people, he had a large part in shaping the development and uplift of the country, and discouraging its being a refuge for undesirables.

He took the leadership in the organizing of the Confederate Veterans in the Indian Territory and the state of Oklahoma. For many years he was the commander in the respective jurisdictions. In cooperation with others he secured the building of the Confederate Home at Ardmore and was active in promoting the passage of the act providing pensions for Confederate soldiers. During the many years of his association with these organizations he did not prior to the year of his death miss either a state or a national meeting.

A fine and distinguished citizen, he was the embodiment of courtesy and a typical representative of the antebellum South.

GUSTAVUS LOOMIS

Commandant Fort Gibson and Fort Towson.

By Carolyn Thomas Foreman.

Gustavus Loomis, born at Thetford, Orange County, Vermont, entered the United States Military Academy June 15, 1808, and was No. 10 in the class of nineteen graduated March 1, 1811. As second lieutenant he was assigned to a regiment of artillerists and served at Fort Columbus, New York, before taking part in the war with Great Britain from 1812 to 1815. When a first lieutenant he participated in the capture of Fort George, Upper Canada and was made a prisoner at the surprise of Fort Niagara, December 19, 1813.¹ From Fort Niagara, May 14, 1813 Loomis wrote John Armstrong, secretary of war, accepting the position of assistant deputy quartermaster general and reporting that his bond had been sent to Vermont for sureties. On May 21, 1814, Loomis wrote from Montpelier, Vermont to Gen. George Izard, who had furloughed him, that he wished to go to Fort Niagara to look after cash vouchers which he feared had been lost at the taking of the post.²

The following month Loomis notified the war department from Thetford, Vermont that he had received no orders and he would report to Adjutant General William Cummings, Northern Army at Plattsburg, New York. The "Old Files" of the war department contain letters to the effect that charges and specifications were to be preferred against Lieutenant Loomis, but from several letters in the following months it appears that charges had not been filed and Loomis was still awaiting them in Montpelier on May 4, 1815. The next month he reported as an officer of the Peace Establishment although he was not attached to any particular company.

Loomis was on Ordnance duty from 1815 to 1817, in garrison in New York Harbor, Coast Survey and recruiting until the middle of 1820. He received his captaincy April 7, 1819, and was ordered to the South where he served at Fort Gadsden, Florida and Baton Rouge, Louisiana until 1825. When the army was reorganized in June, 1821, Loomis was transferred to the First Infantry as a captain but in spite of the increased rank he was disgruntled and wrote to John C. Calhoun, secretary of war, from Fort Gadsden on June 11, saying that the change was mortifying to him as it "has been my pride to acquire a knowledge of the duties of an artillery officer. . . . after 8 years as a subaltern at last obtained command of a company." He boasts of his fine company and speaks of the "delicate health of Mrs. Loomis as well as my own, I shall leave this

¹ George W. Cullum. *Biographical Register of Officers and Graduates of the U. S. Military Academy, at West Point, N. Y.*, vol. I, pp. 118-19.

² Adjutant General's Office, "Old Files."

post as soon as practicable and report at Baton Rouge if I cannot obtain leave of absence to carry Mrs. Loomis to the North."³

After serving two years in the Creek Nation in Alabama, Loomis spent 1826-27, in Florida followed by a year in New Orleans. His time was occupied with recruiting in garrison at Fort Crawford, Wisconsin until 1832. In the spring of that year Black Hawk and a band of his followers at Fort Crawford murdered a company of the Menominee Indians who had been friendly to the white settlers; General Atkinson wrote Captain Loomis in command at Prairie du Chien, to furnish the Menominees with such arms and ammunition as he could spare. After the battle of Wisconsin Heights part of Black Hawk's men descended the Wisconsin River planning to escape to the west side of the Mississippi, but they were attacked by a detachment stationed a short distance above the mouth of the Wisconsin. These soldiers had been sent there by Captain Loomis and the Indian agent, Gen. Joseph M. Street; they were commanded by Lieut. Joseph Ritner, Fourth Infantry, who fired on the "distressed and forlorn Indians," capturing thirty-two women and children, four men, and killing fifteen men.^{3A}

A severe fight occurred August 1, 1832, at the junction of the Bad Axe River, with the Mississippi, in which a detachment of sixteen men of the Sixth Infantry were engaged. Captain Loomis had sent the steamboat *Warrior* up the river from Prairie du Chien and it arrived early in the morning. The real battle of Bad Axe River took place August 2, 1832, between 400 Indians and four companies of the First Infantry, one of the Fifth and eight of the Sixth Infantry aboard the *Warrior*. The steamboat returned to Prairie du Chien that night, probably carrying the sixteen wounded men of Dodge's troops.^{3B}

Loomis later was on duty at Fort Snelling, Fort Crawford, and Jefferson Barracks, Missouri. From 1837 to 1842 Captain Loomis fought in the Florida war and took part in the battle of Okeecho-bee Swamp against the Seminoles on December 25, 1837.⁴ He had been made a brevet major April 7, 1829 for faithful service ten years in one grade and on July 7, 1838 he became a major in the Second Infantry; this was followed by a promotion to lieutenant colonel in the Sixth Infantry September 22, 1840.

Gen. Z. Taylor in command of the army in Florida reported to the adjutant general from Tampa, July 20, 1839 that:

³ *Ibid.*

^{3A} *Report of the Secretary of War, 1832, p. 58; Report from the Office of Indian Affairs, November 22, 1832, p. 162; Wisconsin Historical Collections, vol. II, pp. 256, 414; Harper's Encyclopedia of United States History, vol. I, p. 353.*

^{3B} *Ibid., Wisconsin Historical Collections, vol. VI, pp. 406-07; Francis B. Heitman, Historical Register and Dictionary of the United States Army, vol. II, p. 395.*

⁴ *Harper's Encyclopaedia of United States History, vol. 7, p. 14.*

"Major G. Loomis, 2d infantry, who had been stationed with four companies of infantry and one of dragoons around Okee-fen-okee swamp, was ordered to co-operate with General Floyd, who, with a force of mounted Georgians, had been authorized by the department to proceed against the Indians in that quarter, without being placed under my orders. . . . After the expiration of service of General Floyd's command, a battalion of mounted Georgians was called into service, under Brigadier-General Nelson, acting as major, which, together with the troops under Major Loomis, have succeeded in giving entire protection to the Georgia frontier."^{4A}

Major Loomis served as a member of a court martial convened at Pilatka, Florida from December 20, 1839 to January 19, 1840. During the latter month he and his regiment were ordered from Picolata to Camp Fanning. Loomis was reported at St. Augustine, Florida February 8, 1840, having arrived aboard the steamer *William Gaston* from the southern posts; the next month he captured an Indian on the Wacassa by aid of Cuban bloodhounds, called in the news of the day "Cuban auxiliaries" and "Cuban curs." On May 12, 1840 Major Loomis arrived at Charleston, South Carolina by the steam packet *William Seabrook* from Savannah, Georgia.^{4B}

Exasperated by their long effort to conquer the Seminoles, an order was issued June 1, 1841, for the utmost activity of the officers who received "the simple injunction, 'Find the enemy, capture or exterminate.'"^{4C}

Major Childs, commanding Fort Pierce, seized Coacooche and a party of other prominent Seminoles in May, 1841, and sent them to New Orleans, *en route* to Arkansas where it was proposed to settle the warring tribe. "This was without authority, but under the circumstances, was by many thought justifiable." A disbursing agent of Indian affairs was immediately sent to New Orleans with orders to intercept the prisoners and take them to Tampa Bay. The Indians were found at the U. S. Barracks and Coacooche was elated at the chance to return home. He assured the officer who arrested him that his entire band would follow him to Arkansas. This brave fighter was humiliated and saddened by being put in handcuffs and he plead that his companions might be spared this indignity. The commanding officer, on his way to Tampa Bay to meet Coacooche, ordered expeditions in all quarters to disperse the enemy. Loomis, with two hundred of the Sixth Infantry, from Clear-Water Harbor, on June 25, scoured the country between Fort Cooper and the Gulf coast.^{4D}

When Colonel Loomis relieved Major Thomas Turner Fauntleroy of the command of Fort Towson in 1842, he found the post

^{4A} John T. Sprague, *The Origin, Progress, and Conclusion of the Florida War*, pp. 222, 226.

^{4B} *Army and Navy Chronicle*, January 2, 1840, p. 15; *ibid.*, February 13, 1840, p. 112; February 27, 1840, p. 138; March 19, 1840, p. 187; May 21, 1840, p. 329.

^{4C} Sprague, *op. cit.*, p. 274.

^{4D} *Ibid.*, 278.

in a wretched state. Time was required to police the reservation and white-wash the buildings.⁵ Only a few of the buildings could be occupied and one of the barracks, in danger of falling down, was propped on all sides. Ten thousand dollars had been appropriated for repairs at this fort and Colonel Loomis devoted his time and the services of the soldiers of the Sixth Infantry to putting the place in order. With a monthly fund of \$146 raised from a tax on the sutler and profits from the bakehouse Loomis kept up a post school, bought books for a library, subscribed for newspapers for a reading room, purchased garden seeds and maintained a band while Towson was headquarters for the regiment, thus displaying his public spirit and his efforts to keep up the morale and good health of his men on the far frontier.

In the spring of 1843, the steamboat *Fort Towson* while ascending Red River loaded with ten thousand dollars worth of merchandise consigned to three Choctaw merchants at Doaksville was arrested by low water and the crew stored the cargo at Bryarly's Landing on the Texas side of the river. The Texas revenue collector seized the goods in the name of the state because of violation of revenue laws but a few weeks later the commander of the boat with his crew and that of the *Hunter*, numbering in all thirty men, returned, bound the collector with a rope, took the merchandise, and returned it to the boat. The Texan authorities made an attempt to recover the property but Colonel Loomis was called upon to protect the merchandise as part of it was consigned to the sutlers at Fort Towson and Fort Washita. In complying with this request he laid himself and the government open to criticism but after an investigation General Taylor, then stationed at Fort Smith, fully exonerated Loomis of any wrong conduct in the affair.⁶

In April, 1844, Colonel Loomis was in command of Fort Gibson on the Neosho River where four companies of infantry and two of dragoons were stationed. At that period the post was surrounded by hundreds of Seminole Indians who had been brought from their old home in Florida. They were reluctant to leave the protection of the post for the lands assigned them farther west where they were in danger of marauding plains Indians. The Rev. N. Sayer Harris visited the garrison at that time and he notes in his diary conversations he had with Micanopy, principal chief of the Seminoles through Gopher John who acted as interpreter; he also records that the celebrated Wild Cat and Alligator were in the neighborhood.⁷

Through the efforts of missionaries, temperance meetings were being held in the Cherokee Nation and Colonel Loomis, "the Christian commander of Fort Gibson," permitted "the finest band in

⁵ Grant Foreman, *Pioneer Days in the Early Southwest*, p. 175.

⁶ *Ibid.*, *Pioneer Days*.

⁷ *Chronicles of Oklahoma*, vol. X, p. 234.

the United States Army" to attend some of the meetings of the Rev. Samuel Austin Worcester. On one occasion a choir of nineteen soldiers sang temperance songs at one of the gatherings and Mrs. Hannah Worcester Hitchcock stated that she never heard more delightful singing in all her long life.⁸ In May, 1844, Colonel Loomis ordered teams and wagons to carry soldiers from Fort Gibson to Park Hill where the Rev. Mr. Worcester and some Cherokee Indians were conducting meetings. In June of that year he caused to be erected in the garrison a building twenty-two by forty feet to be used as a church and schoolhouse in an effort to encourage temperance among the soldiers.⁹

Mrs. Loomis's sister, Miss Mary Eliza Mix, was making her home with Colonel and Mrs. Loomis at Fort Gibson when she died in May, 1844. The Rev. Mr. Worcester was summoned from Park Hill to conduct the funeral services at the post. He made the trip on horseback and his children were deeply impressed on his return by the broad band of crepe on his arm and by his account of the funeral with its procession and the dirge played on muffled drums by the military band.¹⁰

Shortly after the death of her sister Mrs. Loomis went to New Orleans to the home of her brother who had died leaving a family of children. When she returned to Fort Gibson she was accompanied by her niece Catherine Mix who was to make her home with her relatives. On account of illness Colonel Loomis was unable to meet the steamboat and he requested his adjutant, Lieut. Ralph Wilson Kirkham to go in his place to receive Mrs. Loomis and her niece. This meeting was the beginning of a friendship which developed into love and finally into marriage on October 20, 1846.¹¹

After a period spent at Fort Towson as commanding officer, Colonel Loomis was ordered back to Fort Gibson and on May 24, 1846, he wrote Adjutant General R. Jones from Fort Smith that he was on his way to Fort Gibson where the headquarters of his regiment were to be established and "hopes were being entertained that disturbances on the Arkansas and Cherokee lines will cease."¹² In July, 1847, Gen. Mathew Arbuckle, commandant of Fort Gibson, was given command of the Third Military Department with headquarters at Fort Leavenworth; he was ordered to that post and Colonel Loomis was left in command at Fort Gibson.¹³

⁸ Grant Foreman, *The Five Civilized Tribes*, p. 387.

⁹ *Ibid.*, *Advancing the Frontier*, p. 68, note 22.

¹⁰ The grave of Miss Mix is in the officer's circle in the National Cemetery at Fort Gibson, Oklahoma.

¹¹ Foreman, *op. cit.*, p. 64; *Chronicles of Oklahoma*, vol. X, pp. 240-41.

¹² AGO, "Old Files," Loomis, 101.

¹³ Grant Foreman, *Pioneer Days in the Early Southwest*, p. 304.

That all the disturbances were not confined to the Arkansas line is shown by a letter to the adjutant general of the army written by Cave J. Coutts, first lieutenant of the Dragoons, from Fort Gibson, June 21, 1847 in which he states: “. . . Mr. Welch, a Catholic priest, favored us with a visit during the past ten or twelve days, and several of the officers being desirous of hearing him, requested ‘the use of the church’ for this purpose.

“That courtesy usually shown a Reverend divine, was *not* extended to him by the Comd’g officer, hence this request which was *refused*.

“A polite and respectful note was addressed to Mr. McManus, the post chaplain, under the impression and belief that the Comd’g offr. had signified his willingness. To which Mr. McManus replied that ‘it rested entirely with the Comd’g offr. —that for his part he had no earthly objection.’ This note of his was handed to Lt. Col. Loomis and returned to me with the message that ‘he had read it.’

“I have never known a case of the Government having *built* and consecrated a church at any of our military posts, and think it would be at variance with the spirit of our laws, — nor have I ever before known of a minister visiting one of our frontier posts, without being invited, less *refused* the privilege of preaching, refused too in the face of a request from a majority of the officers present.

“I say majority—there are but five officers of the line present—three of these *were desirous* of hearing Mr. Welch, the fourth it is presumed had no objections, though he was not consulted, and Lt. Col. Loomis, the fifth, and *only one* known to have had any *objection*.

“A minister of another denomination, or some missionary may come, and he gets a Dragoon with his horse (rations and forage money commuted) to escort him through the country—once as far as Fort Scott.¹⁴ Yet a Catholic priest comes along, and something very like fanaticism aided with power, rules him out of a little government cabin *called* the church! I am no Catholic—though if we had all been Catholics it would have been the same— It is the religion too of a large number of our soldiers, many of whom serve their entire enlistment without an opportunity of once seeing a priest. . .

“I make this communication to know whether or not the commanding officer of a post, can set aside the post chaplain, temporarily by producing a substitute; and if it depends on *him alone*, who shall and who shall not preach in the cabin used as a school room and Church.”¹⁵

Adjutant general Jones wrote to Colonel Loomis regarding this matter on July 24 and in his reply dated at Fort Gibson, August 20, 1847, the Colonel stated that Lieutenant Coutts had not retained a copy of his letter which he had sent *direct* to the Adjutant general. Of course that was a breach of military regulations which no doubt annoyed the commandant of Fort Gibson. Loomis wrote he did not think the request for use of the church had been made direct to

¹⁴ Probably the Reverend James Otey and N. Sayer Harris, Secretary and General Agent of the Protestant Episcopal Church. *Chronicles of Oklahoma*, vol. 10, pp. 219-256.

¹⁵ AGO, “Old Files,” Coutts, 332-614.

him by Coutts or any one else. He asked for a copy of Coutts's letter in order to see the charges and justify his conduct in the affair. He added: "You assume the complaint to be true; . . . imply that I have violated" the constitution and enquired: "*Is this just? Is it not rather condemning me unheard?*"¹⁶

After receiving a copy of Lieutenant Coutts's letter Loomis wrote to General Jones on October 15, 1847, saying he regrets the message, "I have read it," which he had sent to the request for the church. He said he had once proffered use of the building and Father Walsh had asked for another room for his service on account of the difference in the Catholic Church.

"But I have been waiting for an answer from Revd Mr. Welsh (*sic*) at Little Rock, the Lord, as I believe, has shown me, that, as a Christian, I was wrong in returning only such an answer to Lt Coutts message, and I very much regret, I did not send for him, that he might explain his wishes; or, repeat in my message to him, the permission already given. I mourn lest I may have bro't a reproach upon religion.

"With regard to 'sending a Dragoon, rations and forage commuted'—I would observe the first time this was done, was in 1844, when one was sent with the Rev. V. S. Farvis, [N. Sayer Harris?], Secy to the Episcopal Board of Missions, who came recommended by the President, through the Genl. in Chief, to the courtesy and assistance of officers in the Indian country—the next was last fall or winter, to accompany the Rt. Rev. Bishop Freeman, who had been staying with us at this post for several days and requested a guide and a 'little protection' to Cane Hill, Ark. The last was the Hon. Walter Lowrie, Secy. of the Pres. Board of Missions, who was travelling alone—a guide was proffered to him. . . ."¹⁷

Loomis regarded the language of Lieutenant Coutts as strong and highly colored, but he did not believe he intended, or was capable, of wilfully stating anything false. Loomis felt much ill feeling would have been avoided if Coutts's letter had been sent through the regular channel. He wrote that there were twenty-five Roman Catholics in the fort and he enclosed a questionnaire he had sent to officers in the post and their answers.

Coutts on October 11 said he had not applied to Loomis personally for the church. In answer to the questionnaire Coutts wrote that Yankee-like he wished to ask the Colonel, whether or not he would have let Mr. Welch use the church on *that* Sunday, during the usual church hours, if he had been asked by a respectful note, signed by three officers of the post, and sent through his adjutant. Colonel Loomis replied that he would have granted the use of the church only when not needed for the post purposes—which would have been Sunday afternoon and all the rest of the week except Thursday evening beginning at early candle lighting.

¹⁶ *Ibid.*, Coutts, 332-614 Loomis 411.

¹⁷ Loomis to Jones; "Fort Gibson, May 10, 1847. William Geck Priv. of H. Co. 1st Dragoons is selected to accompany Walter Lowry (*sic*), Esqr. Sect. of the Ores. Board of Missions as far as Fort Scott as a guide and assistant."

Delos Bennet Sacket, second lieutenant of Dragoons, replied to Loomis that he had not asked personally for the church but he was one of the officers who wished to hear the Rev. Mr. Walsh. Lieut. Henry W. Wharton of the Sixth Infantry wrote to his commanding officer that he had been directed, as acting assistant quartermaster of the post, to "grant the Rev. Mr. Welsh a room to fit up as a church for him to hold meetings in." Capt. William Scott Ketchum of the Sixth Infantry, confirmed the statement.

Loomis, determined to vindicate himself, wrote to Father Walsh at Little Rock, October 7, 1847, enquiring if he had not told him that the quartermaster would give him a room or that he could use the church when it was not required for garrison purposes. The priest wrote from Fayetteville, Arkansas, October 28 as follows:

"Much Respected Sir Yours of the 7th inst I received this morning. . . Before touching the question you put to me, I must beg you to accept my sincere thanks for the kind and gentlemanly hospitality you tendered me on my visit to Fort Gibson. . . . You referred me to the Quarter Master and you did further state, that the church was at my service when not required for post purposes. . . . I feel quite sorry that my visit should have been the occasion for any misunderstanding or misconception. . . . I am Your Very Obedient Servant, P. W. Walsh."

When the author of these notes concerning Colonel Loomis unfolded this document in the War Department a little shower of blottling sand fell from it showing it had not been opened since it was placed in the "Old Files." Father Walsh expressed sorrow at having caused trouble by his visit but he little knew how much interest this little tempest probably aroused in the deadly dull army post where the occupants rarely saw a stranger and where they got on each others nerves to a lamentable degree.

Colonel Loomis had no sooner extricated himself from that affair than he was plunged into more trouble when Marcellus Duval, sub-agent to the Seminoles, wrote William Medill, commissioner of Indian affairs, October 15, 1847,¹⁸ complaining that Loomis was teaching Negroes in a slave state or territory

"to read and possibly to write; in fine he keeps a school, —A Sunday school I believe, to be sure, but the effects are the same, and felt by every man having slaves in this section of the country. . .

"The effect of all this schooling and petting of negroes, (or even grant they are free) is such, that every sensible man can see the evil of it."

Duval said he was sending Loomis a copy of his letter so he would have an opportunity of defending his conduct, if possible, and exculpating himself from any erroneous view of the case.

A new duty devolved upon Colonel Loomis in January, 1848 when James McKissick, Cherokee agent, died suddenly on the thirteenth of that month, in his office in the Cherokee agency seven

¹⁸ AGO, "Old Files," 1326.

miles east of Fort Gibson. The army officer acted as agent for a time until Richard C. S. Brown, from near Fort Smith, was appointed to fill the position.¹⁹

Loomis served in the Mexican War and Gen. D. E. Twiggs reported his arrival at Vera Cruz March 6, 1848.²⁰ Major General W. O. Butler, commanding, wrote to Adjutant General Jones from the Headquarters Army of Mexico, Mexico City, April 21, 1848 that Lieutenant Colonel Loomis, Sixth Infantry, had arrived the day before in charge of a large train belonging to the merchants in that city, with a command of some eleven hundred recruits, including those under Captain William H. Shover of the Third Artillery with a field battery. Recruits belonging to regiments in and near the city of Mexico immediately united with Loomis's force and arrangements were made whereby regiments at Pachuca, Toluca, and Cuernavaca would join them in a few days.²¹

Later in 1848 Colonel Loomis served in St. Louis and Fort Snelling and September 26, 1848 he reported to Jones from Fort Crawford of his arrival at that post "with Hd. Qrs. Non Comd Staff, Band and boys learning Music, and companies B. & F. of the 6th Regt. of Inf." comprising 140 men.²²

On October 26 J. Hooker, assistant adjutant general, wrote Adjutant General Jones from Jefferson Barracks that Gen. S. W. Kearney was relinquishing command of the Sixth Department on account of ill health and that the command would devolve on Lieutenant colonel Loomis of the Sixth Infantry whose arrival from Fort Crawford was daily expected.²³

Loomis was lieutenant colonel of the Sixth Infantry from September 22, 1840 to March 9, 1851, when he became colonel of the Fifth Infantry. He served on the frontier of Texas at Fort Belknap, Fort McIntosh and Ringold Barracks until 1855. He was engaged in hostilities against the Seminole Indians from 1856 to 1858 and he commanded the Department of Florida during 1857 and until July, 1858. The first leave of absence mentioned in the record of Loomis, after his very early service in the North, was from 1858 to 1861. During the Civil War Loomis was occupied in mustering in Connecticut and Rhode Island volunteers and he also was superintendent of recruiting at Fort Columbus, New York from 1861 to 1864. He was retired from active service June 1, 1863, after being borne on the Army Register more than forty-five years.²⁴

¹⁹ Grant Foreman, *The Five Civilized Tribes*, p. 390.

²⁰ AGO, "Old Files," 156.

²¹ *Ibid.*, 449.

²² *Ibid.*, 371.

²³ *Ibid.*, 324.

²⁴ Cullum, *op. cit.*, pp. 118-19.

Gustavus Loomis was made a brigadier general on March 13, 1865, for long and faithful service in the army and from 1864 to 1867 he was on court martial duty. General Loomis served in the War of 1812, two Seminole wars, the Black Hawk War, the war with Mexico, the Civil War and it seems that he should have been rewarded with a major general's commission on his retirement.

The war department was in receipt of a telegram from M. A. F. Loomis, dated Stratford, Connecticut, March 5, 1872, reporting the death of General Loomis at six o'clock that morning.²⁵ Henry Warner Slocum, member of Congress from the State of New York, in April, 1872, introduced a bill into the House of Representatives to grant a pension to the widow of Gustavus Loomis.²⁶

²⁵ AGO, "Old Files," 1258 A. C. P. 1872. A notation in the Loomis file in the War Department dated November 28, 1865, states that he was seventy-six years old which would make him eighty-three at his death.

²⁶ *Ibid.*, A. C. P. 1872. Loomis was a first lieutenant when he was married to Miss Julia Ann Mix in 1817; by her he had one daughter, Eliza, born in 1818. On February 24, 1851, Colonel Loomis married Mrs. A. T. Pantou (*Descendants of Joseph Loomis in America*, p. 320 *Drake's Dictionary of American Biography*, p. 562). For information furnished thanks are due Miss Agnes K. Lawson, Librarian-Curator, Vermont Historical Society, Montpelier, Vermont.



REVEREND STEPHEN FOREMAN

REVEREND STEPHEN FOREMAN,
CHEROKEE MISSIONARY

BY MINTA ROSS FOREMAN

TABLET

“He Labored with The Cherokees and Walked with God”

THE REVEREND STEPHEN FOREMAN

Born Oct. 22, 1807, in the Cherokee Nation near the present site of Rome, Georgia, of Scotch-Cherokee parentage. Died December 8th, 1881, at Park Hill, Indian Territory, and is buried in the Stephen Foreman Cemetery there.

A gentleman of the old Southern type, a scholar of much culture and learning, a writer of prominence.

Educated College of Richmond, Va. and Princeton Theological Seminary.

Licensed to preach Sept. 23rd, 1835, by Union Presbytery, Tennessee.

Served “Old Nation” as associate editor of the Cherokee Phoenix. Translated into Cherokee the New Testament and part of the Old, also many tracts and hymns. Worked with the missionaries at Brainerd and preached for forty-six years among his people. Had charge of a train of wagons at the removal of the Cherokees, 1838. Organized Cherokee National Public School system and was first superintendent of education west of the Mississippi River.

Elected to the Supreme Court of the Cherokee Nation Oct. 11, 1844, Executive Councillor, 1847-1855, and held many places of trust and honor.

Established first Presbyterian Church at Tahlequah.

In memory of the great Cherokee who did so much for his people along lines of religion, education and good fellowship, this tablet is lovingly dedicated by his children, grandchildren and great grandchildren.

September 21, 1938.

The old Brainerd Mission Cemetery near Chattanooga, Tennessee, was the scene of the dedication of the above tablet to the Rev.

Stephen Foreman on the morning of September 21, 1938.¹ The Chattanooga Chapter of the Daughters of the American Revolution had had the almost forgotten and neglected cemetery restored during the year and it sponsored the simple but beautiful exercises honoring the memory not only of Stephen Foreman but of other native ministers, who more than a hundred years ago carried Christ's message of "peace on earth goodwill to men" to the Cherokee and neighboring Indian tribes.

Stephen Foreman was the son of John Anthony Foreman, a Revolutionary soldier of Scotch nationality, who came among the Cherokees as a trader at the close of the war. He married Wattie or Elizabeth a Cherokee (Ka-ta-yah).² This was the second marriage for each of them and of it were born six children and Stephen was the fourth. Little is known of his early boyhood. He first went to school in 1815 and in later life he said of this experience, "Just how long the school was kept, or how much I learned, I do not now recollect. Webster's Spelling Book and Reader were my first books and Burgess Witt was my teacher."³

His father died in 1817 when Stephen was ten years old. It is probable that he afterward lived with his older brothers about five miles from the present town of Cleveland, Tenn. When Candy's Creek Mission was established in 1824 and a school was started, he attended as a day pupil. A letter written by him at Park Hill, C. N., on August 21, 1881, to Mrs. E. H. Coltrin, daughter of William Holland, tells of this period in his life.

My very dear Friend,

Your letter has just been received, and the reading of it brings up many pleasant and sad recollections, that I am really so full I know not what to say.

Candy's Creek, that old loved spot where many of my earliest days were spent.

It was the spring of 1826 that I left my home and became a member of your father's family. It consisted of your mother, father and brother, William H. Holland, then about eighteen months or two years old.

I had attended school before this coming from home, a distance of three miles.

¹ Three generations of his descendents attended the ceremonies: Minta Ross Foreman, Millerton, Okla., daughter and only living child; Mrs. Susan McClellan Wear, Springfield, Mo. and Mrs. Jen Foreman Faulkner, Claremore, Okla., granddaughters; James Edward Rider, Oklahoma City, grandson; Mrs. R. P. Shelton, Atlanta, Ga., and Miss Susan Comer, Dallas, Texas, great granddaughters. The worn leather covered Bible, presented by fellow students when he left Princeton, and which he used and carried over "The Trail of Tears", had been brought over for the occasion and from it was read the 121st Psalm, his favorite. Mrs. Wear unveiled the bronze tablet and read the inscription and his daughter gave a brief sketch of his life.

² *Memoirs of Narcissa Owen*. 1907.

³ Rev. A. N. Chamberlain. *History of the Presbyterian Church in the Cherokee Nation*. In Library of the State Historical Society.

I attended also a Sabbath School conducted by your father and mother. Although your father was not a gifted speaker, yet his words found a place in many hearts. My attention was awakened on the subject of religion before I attended your father's school, yet I was in the dark and knew not whither to go . . . until he said to me, "This is the way, walk ye in it". . . . After attending school two years at Candy's Creek and completing all the studies taught there, it was thought best that I go to Mr. Worcester who was then at New Echota, Cherokee Nation, and pursue studies preparatory to preaching. This I did during the winter of twenty-eight, but progress was slow on account of the temptations to engage in worldly business. (Letter is incomplete).

Next he studied under Dr. Rice in the Union Theological Seminary in Virginia. After the death of Dr. Rice in 1830, his friends advised him to go to Princeton Theological Seminary in New Jersey. He entered there in 1831, remained two years, completed the course in theology and returned to Tennessee in 1833. The same year he was licensed to preach by the Union Presbytery of Tennessee.⁴ From 1834 to 1838 he was connected with the Candy's Creek mission. From his home nearby he carried on his work, preaching at the Mission and at other places in the vicinity. He was also assigned to the more distant missions, Haweis, Carmel, and New Echota in Georgia; Creek Path, Willstown, Raccoontown in Alabama, some of them being more than a hundred miles from his home. He preached at Brainerd and assisted at the Communion season there and at Carmel. He visited the Valley Towns near the North Canadian border where he was welcomed by the Rev. Evan Jones, a prominent Baptist missionary among the Cherokees.⁵

The *Missionary Herald* of this period contains reports of his work made by the missionaries in charge of the different stations where he preached. They tell that he devoted himself principally to the ministry but established Cherokee schools, taught in them, trained native teachers for them, and spent some time in translating tracts and hymns into the Cherokee language. He continued this work up to the time of the Cherokee removal in 1838. His true worth was recognized and acknowledged by the missionaries and those whom he served. Early in his ministerial career Mr. Wm. Holland said of him, "He preaches with fluency and animation in the Cherokee language and promises to be highly successful as an evangelist among his people. "Mr. Butrick, missionary at Carmel, in September, 1838, wrote, "At a meeting of the Union Presbytery in eastern Tennessee held on the twenty-third of September, Mr. Stephen Foreman and Mr. Wm. E. Holley were ordained to the work of the ministry, Mr. Foreman is a well-educated Cherokee of mixed descent, and has labored for a year or two as a licensed preacher under the direction of the Board, and has been an acceptable and useful preacher to his countrymen in their own language." At another time in

⁴ *History of the American Board*, p. 265.

⁵ *Missionary Herald*, Vol. 32, 1835. P. 108.

a letter dated at Carmel, Mr. Butrick told of the desire for Christian instruction manifested by the people, "that Cherokees from 20 to 50 miles distant crowded in the house; three new members were received. Stephen Foreman, a Cherokee preacher, preached. The eclipse of the sun which was nearly total at the time of administering the Lord's Supper, added to the solemnity of the scene."⁶

On March 4, 1834, he was married to Miss Sarah Watkins Riley at the Creek Path Mission in Alabama. She was the daughter of John Riley of Double Springs (now Guntersville) Alabama.⁷ They called their home Pleasant Hill and it was situated near Candy's Creek Mission. Their first child, a son, was born there in 1835. He was named Austin Worcester for Samuel Austin Worcester, the well-known missionary; was educated in Massachusetts; and when a young man met his death accidentally while hunting one January night in 1855, near his home at Park Hill, Cherokee Nation. Their second child, a daughter, was born in March, 1837, at Pleasant Hill, also. A letter to Miss Ermina Nash, which tells of the birth, is quoted in part:

"My dear Miss Nash . . . you will now, I suppose, be glad to hear something more about us, if not for my sake, for the sake of one whom you love more than me. And I think it will afford you pleasure to learn that she (Sarah) had a fine daughter a week ago last Sabbath (the 15th instant). . . . We call our little daughter, Ermina Nash, after yourself, if you have no objection to a Cherokee namesake."⁸

The political affairs of the Cherokee Nation reached a crisis during this period. No important changes had occurred in the Nation since the ratification of the Removal Treaty of 1835. President Jackson maintained that it was valid and had it officially proclaimed May 23, 1836. By its terms the Cherokees were given two years in which to remove to the West. The end of the stipulated time was drawing near and the people were much upset and becoming very restless. They had rejected the terms of the treaty, saying, "If it to be enforced upon us, it will be your superior strength." Those living in Georgia were being driven from the state and their property confiscated. The missions were being closed and some of them were reopening in Tennessee, and large numbers of the people were taking refuge in that state and in North Carolina.

The Cherokees, reluctant to leave their homes, were taken to concentration camps established for the purpose. Rev. Evan Jones wrote from Camp Hetzel near Cleveland, Tennessee, June 16, 1838:

"The Cherokees are nearly all prisoners . . . Our Bro. Bushyhead and his family, Rev. Stephen Foreman, native missionary of the American

⁶ *Missionary Herald*, 1835-38. Vols. 32-38.

⁷ *Necrological Report*, Princeton Theo. Sem, April 25, 1882, pp. 27-28. Historical Foundation of the Presbyterian & Reformed Churches, Montreat, N. C.

⁸ Miss Ermina Nash was a missionary teacher at Creek Path Mission and came west with the Cherokees. Several years later she became the wife of Rev. S. A. Worcester.

Board, the speaker of the National Council, and several men of character and respectability, with their families, are here prisoners. . . . They are prisoners, without a crime to justify the fact. . . . The principal Cherokees have sent a petition to Gen. Scott begging that they may not be sent off to the west till the sickly season is over." On June 19th the General agreed to do this on condition that they would all start by September 1. But a severe drought prevailed throughout the summer and autumn and removal was postponed another month. In the meantime the people were kept under military guard in the concentration camps.

Stephen Foreman and Jesse Bushyhead were among the number chosen to assist with the transportation of the last thirteen thousand Cherokees under Ross's leadership. Capt. Old Field and Fly Smith, late a member of the Cherokee Council, were with the detachment to which Mr. Foreman had been assigned. This company was made up largely of Cherokees of religious attachments, doubtless, members of his different churches. They left Rattlesnake Springs October 20, 1838, with 983 persons at the start. Enroute there were 57 deaths, nineteen births, a few desertions and accessions, and upon arrival in the west February 27, 1839, numbered 921 persons.

They were more than four months on the trail. Their progress was slow, due to sickness, rainy weather and resulting bad roads. The route for all the companies under the Ross leadership passed through Nashville, and it was November 11th that this particular group passed through the town. Chief Ross had arranged for the contractors at this place to furnish the emigrants needed clothing, and many of them were made more comfortable for winter travel. *The Nashville Union* (issue of Nov. 13) described Stephen Foreman's party as being well provided with teams, horses, ponies, and mules; some had private carriages; most of them were furnished with good cloaks, bearskin or blanket overcoats, thick boots, shoes and stockings.⁹ In Hopkinsville, Kentucky, the aged Fly Smith became very ill and was unable to resume the journey. The company was compelled to proceed without him, but Mr. Foreman and his wife remained to take care of him. He died a few days later. While they were still in the camp another detachment came along in charge of the aged chief, White Path, and Rev. Jesse Bushyhead. White Path was very ill and died the next morning. These two old Cherokees, broken in spirit and exhausted by the hardships of the trail, were buried by the roadside the same day and markers were placed on their last resting place. Mr. James F. Buckner who lived in Hopkinsville at the time, wrote for one of the Louisville papers an account of what transpired. In it he said, "Funeral addresses were delivered in the church by both Bushyhead and Foreman to crowded audiences, in which sketches were given of the lives of these distinguished chiefs, with occasional allusions to the history and trials of the Cherokee, and while I have since heard many eloquent funeral sermons, yet none more impressive or eloquent than these spoken by these two Indian ministers over the graves of Fly Smith and White Path."¹⁰

"The company did not travel on the Sabbath. Religious services were held regularly by Mr. Foreman and he also preached in villages through which they passed. In many places large congregations of white people came to listen. When he preached in Nashville he was given a contribution of forty or fifty dollars in money for the benefit of his detachment. The weather was cold and freezing as they advanced and traveling was

⁹ Grant Foreman. *Indian Removal*, pp. 289, 309, 311.

¹⁰ By courtesy of Geo. W. Smith, Dept. of History, Southern Illinois State Normal University, Carbondale, Ill. from his manuscript, "The Trail of Tears."

very uncomfortable especially for the women and children. They endured much suffering before the journey was over.”¹¹

Clear Creek Camp, four miles from the Mississippi river, in Illinois, was one of the camps best remembered for it was here that several detachments were encamped at the same time. Rev. Evan Jones wrote on December 30, 1838, to the *Baptist Missionary Magazine*, (Vol. 19,) as follows:

“We were stopped from crossing by ice running so that boats could not pass for several days. Here Brother Bushyhead’s detachment came up with us and we had the pleasure of having our tents in the same encampment; and before our detachment was all over, Rev. Stephen Foreman came up and encamped along side of us. I am sorry, however, that both their detachments have not been able to cross.”

The Foreman and Bushyhead detachments were delayed about a month, and many deaths were said to have occurred while the congestion in the camp lasted. (One report gives more than two thousand persons encamped there at one time.) It was while in this camp that Archibald, an older brother of Stephen died. Also while there the third child, a son, was born to Mr. and Mrs. Foreman, on December 3, 1838. He was named Jeremiah Evarts for a treasurer of the American Board who twice visited the old Brainerd Mission. Evarts, as he was called, grew to manhood at Park Hill and was educated at Dartmouth College, Hanover, New Hampshire.

Arriving at his destination February 27, 1839, Mr. Foreman settled at Park Hill Mission, which was well established at that time. Rev. Samuel Newton, a missionary to the Cherokees since 1821, had been placed in charge of a branch mission of old Dwight called “The Forks of the Illinois” in 1830. It proved to be an unhealthful location, several deaths having occurred there at short intervals, and it was removed to a more elevated spot about three miles to the west and renamed Park Hill. This was in 1835 and Rev. Newton remained in charge of the school till 1838, when he was made post master at Park Hill.¹² The natural beauty of the locality with low wooded hills, clear streams and virgin forests, made the name, Park Hill, most appropriate for the new mission site, and soon others were attracted to it. Rev. Samuel A. Worcester came with his printing press in 1837, and when the last of the Cherokees arrived in the spring of 1839, several families had already settled in the community. Chief John Ross and his brother, Lewis, purchased houses and improvements made by earlier settlers; Stephen Foreman built his house near that of Rev. Worcester; and the George M. Murrell house, one of the finest in the Nation at the time, was built on the north bank of Park Hill Creek.

¹¹ John P. Brown. *Old Frontiers*. Letter of Henry Parker, written, 11-27-1838.

¹² Foreman. *Advancing the Frontier*. p. 314. & S. W. Ross “Park Hill Observes Centennial of Missionary Activity.” *Tulsa World*, Dec. 8, 1935.

At a later period the National Female Seminary became a part of the community. Truly, it could be said that Park Hill was the cultural center of the Nation.

Rev. Samuel A. Worcester, under whom Stephen Foreman had studied as a young man in the old Nation, came to Indian Territory in 1835. He had had a printing establishment at New Echota, Georgia, and when the Cherokees were driven from that state, the Board advised him to go to the Western Cherokee country and find a site for the new press in order to print tracts and books for the Indians in that section. After stopping at Dwight and Union Missions for several months, he felt he should be more centrally located and decided to move to Park Hill. Here he started his press in 1837 and it continued until 1861. Mr. Worcester's assistants at first were two men who had been active in the publication of the Cherokee Phoenix in Georgia, Elias Boudinot and John F. Wheeler.¹³ Boudinot was one of the minority group that executed the Removal Treaty of 1835 and was so unpopular in the Nation that it was with difficulty Mr. Worcester retained his services as translator. Feeling against him became so bitter that he was assassinated June 23, 1839, supposedly by members of the opposite faction. He was a highly educated man and was almost indispensable to Rev. Worcester as his translator, but Stephen Foreman, living near by and having worked with Mr. Worcester in the old Nation, became his interpreter and translator. In July of the same year he said of Mr. Foreman that he gave promise of the same seriousness and effort as a translator that Elias Boudinot had possessed.¹⁴ He was engaged in this work up to the time of Mr. Worcester's death, April 20, 1859. Together they completed the translation of the New Testament and portions of the Old into the Cherokee language from the original Greek, and he helped with the other work that was turned out by the Indian Press.

Besides devoting much of his time to his ministerial duties and assisting Worcester, he filled many offices in the Nation and served as Clerk of the Court; as Judge of the Supreme Court; as Executive Councillor; as Interpreter for the Council; and at the time of his death was a member of the Board of Trustees for the Insane Asylum.¹⁵ He was always active in the educational field, serving at different times as Supt. of Schools; Director, Board Member, Examiner, et cetera. He did everything he could for the advancement of his people and for the preservation of their nationality. In 1839 he served as secretary of the Committee of the "National Convention of Cherokees" in session at the "Camp Grounds on the Illinois River", to straighten out affairs between the two factions after the Ridge

¹³ Carolyn Thomas Foreman. *Oklahoma Imprints*, Chap. 2, p. 4.

¹⁴ Althea Bass. *Cherokee Messenger*. p. 257.

¹⁵ Emmett Starr. *History of the Cherokees*.

murders. He signed all reports and petitions appertaining to clearing up the situation, and on September 5, signed a letter of protest to Western Cherokees about not getting together after the Ridge murders at a meeting of the National Council at Tahlequah. He was one of the signers of the Constitution, which he assisted in drawing up, and afterward translated into the Cherokee language together with most of the Cherokee laws. At this important meeting the two factions agreed to forget their differences and were united as one nation under the name of Cherokee Nation.

In 1846 when gross misrepresentations and interference in the affairs of the government brought a recurrence of the old troubles, he and other influential members of the tribe were sent as delegates to Washington to join the delegation already there, for the purpose of protecting the integrity of the Cherokee Nation in its negotiations with the Federal Government. Again he was one of the signers of the treaty that reunited the Cherokees, settling all differences between the two factions, and between them and the Federal Government.¹⁶

Being a highly educated man and having a deep interest in the education of his people, he was eminently fitted for the work of creating a common school system for the Nation. *Missionary Herald*, (Vol. 38, 1848,) has this record: Rev. Stephen Foreman, a well-educated Preacher, connected with the American Board, has been appointed by the Cherokee Government, Superintendent of Schools, to hold office two years, and in connection with three directors for each school, to be appointed by him, and to hold office during good behavior, is to appoint the teachers, furnish the books and have control of the schools. It states further that the books had been selected from the best in use in New England and sent forward; that the teachers were to be intelligent, discreet and pious young men, well qualified to teach good district schools and were to receive \$500 a year as compensation.

A report by P. M. Butler, Indian Agent, the year following the creation of the school system said that 11 common schools had been opened under the superintendency of the Rev. Stephen Foreman, a Native Cherokee, that in them were taught reading, writing, arithmetic, bookkeeping, English grammar, geography and history. And further along he expressed his appreciation of what had been accomplished during the year by saying, "It gives the undersigned pleasure to bear testimony of the excellent character of the present Superintendent of Schools, the Rev. Stephen Foreman, who is a native Cherokee and both teacher and preacher. He may truly be said to be a good and useful man."¹⁷

¹⁶ *Report Com. Ind. Affairs*. 1839, p. 373.

¹⁷ *Ibid.* pp. 20-24.

Know all men by these presents that we Stephen
Foreman Principal, Richard Taylor and Walter S.
Adair Securities, are held and firmly bound unto
John Ross Principal Chief of the Cherokee Nation
(or his successor in Office) in the Penal sum of
Sixteen thousand dollars, the payment of which
will and truly to be made; We bind ourselves,
jointly and individually, our heirs, Executors or
assigns, by these presents;

The conditions of the above obligation is such
that ^{whereof} Stephen Foreman, shall have faithfully
discharged the duties of Superintendent of
Schools, as prescribed by law, then this obliga-
tion to be null and void, otherwise to remain
in full force and virtue.

Signed Sealed and acknowledged
this 8th Jan'y 1842.

John Ross, Cherokee Nation Stephen Foreman

Witness

J. J. Payne.
J. F. Thompson

R. Taylor Seal

W. S. Adair Seal
Securities

Bond.

Stephen Foreman
Superintendent of
Schools.

Richard Taylor

W. S. Adair Securities

\$16000.

Jan'y 8. 1842

J. J. Payne

A fund for orphans attending the schools was set apart by the National Council and provided for their board, clothing and schooling. Several years later an Asylum was built at Salina on Grand River near the town of Pryor, for a home for the orphan children in the nation. By 1848 there were 500 children in attendance in all the public schools.

Interest in education had increased so rapidly and the demands for schools was so great that the mission, neighborhood, and tribal schools could not accommodate the children, and numbers of private schools were opened by individuals on their own responsibility. Chief Ross believed the time had come for schools offering more advanced courses of study, and recommended that legislation be enacted by the National Council to provide for two such institutions. In 1846 the Council passed such a bill providing for a Male and a Female Seminary. The site selected for the young men's school was about one mile from Tahlequah, the capital of the Nation, and the one for the young women was near Park Hill. Construction was begun in 1847, but due to unavoidable delays they were not completed until 1851. They were dedicated in May 1851, the Male Seminary on the 6th and the Female Seminary on the 7th. May 7th has a very definite place in the hearts of the Cherokees, and a Home Coming celebration is still held each year in Tahlequah, commemorating the opening of the school for young Cherokee women.

Augustus W. Loomis, a missionary, visited Park Hill in the fifties after the seminaries were opened and wrote:

"We visited the Female Academy, a large, handsome, well-finished brick building. One almost wonders what such a noble edifice is doing away out here. . . . Near the residence of the missionary (Rev. S. A. Worcester) lives the translator (Stephen Foreman) who assists him in translating into the Cherokee language, books, tracts, etc. . . . He employs his preaching talent for the benefit of his countrymen. His house resembled some parsonage in a quiet eastern village. The yard, flower beds, the orchard and gardens were refreshing to the eye."¹⁸

When Stephen Foreman and his family arrived at Park Hill in the spring of 1839 there were three children, Austin Worcester, Ermina Nash, and Jeremiah Evarts. In the following years seven others were born to them: Susie Elizabeth, Jan. 26, 1842; John Anthony, June 10, 1844; Sarah Ann, Oct. 10, 1846 (died in infancy); Stephen Taylor, Sept. 24, 1848; Jennie Lind, Oct. 8, 1850; Archibald Alexander, Aug. 9, 1853; Austin Worcester, Aug. 11, 1855.¹⁹

Ermina Nash, the eldest daughter, was educated in the Cherokee schools and at Mt. Holyoke, South Hadley, Massachusetts where

¹⁸ Foreman. *Advancing the Frontier*.

¹⁹ Mr. Foreman named this son Austin Worcester for the eldest who had died a few months before his birth because of his love and admiration for Samuel Austin Worcester and his desire to have a living son bear his name.

she finished in 1854. An old Autograph Album she kept during the years, 1852-54, reveals many interesting facts, among them that she had many real friends and was greatly loved and admired by them. In 1855, Worcester in a report said, "Miss Ermina Nash Foreman is teaching a school of twenty scholars." But soon she was stricken with the dread disease, consumption, during the course of which her mother took her to Texas, hoping the change of climate might benefit her. Mr. Foreman was called away from his work to see her about the time Mr. Worcester was so ill, but he returned in time to do some more translations as Rev. Worcester's failing strength would permit, and they were both gratified to know they would have manuscripts ready to print when more funds were available. But before they finished the work they had planned, Rev. Worcester died. In June of the same year, 1859, Ermina Nash Foreman passed away, at the age of twenty-two. Miss Alice Robertson's letter telling of her recollections of Park Hill, said, "I particularly remember the occasion of a double funeral, two (members) of my grandfather's church, a young Ross and a daughter of the Rev. Stephen Foreman (a Cherokee minister and grandfather's assistant) died at the same time and the family services were conducted at the same time, but they were buried at different places." Ermina was buried in the family graveyard near the house and in which two children already rested. In August, 1860, the mother was laid to rest beside them. This sacred spot was close by the garden he loved and tended so carefully—and flowers in season were always blooming there. Today a plowed field covers the spot where they lie.

During the period that closed in 1860, the churches, missions and schools had made great progress and much had been done toward christianizing and educating the Indians of the Five Civilized Tribes, and when the Civil War broke over the country, practically the entire system stopped functioning. The American Board had withdrawn a short time before and never returned to the Territory. The Southern Presbyterian Church then entered the field and, beginning in 1861, the mission work was carried on under the supervision of the Executive Committee of Foreign Missions until 1889, when it was by act of the General Assembly transferred to the Executive Committee of Home Missions which still has supervision of it. It was while he was in the South that Mr. Foreman united with the Southern Branch of the Old School Presbyterian Church and was appointed a member of the Cherokee Mission.²⁰

At the beginning, the Cherokees as a nation were for neutrality, but outside pressure and internal dissension forced them into the war. However, the sympathies of the majority were with the South and this group made a treaty with the Confederacy and soon had

²⁰ Southern Presbyterian Assembly *Minutes* (1891), p. 229.

a regiment in the field. Many of the other group fled to the Union army for protection. Mr. Foreman was opposed to war and fighting and left Park Hill September 15, 1862, with his family and crossed the Arkansas into the Creek Nation. Two of his sons were in the Cherokee regiment and took part in the fighting around Fort Gibson, the Creek Agency, Webbers Falls and farther south. During 1863 in order to be near them he was in the vicinity of Elk Creek and North Fork Town (Eufaula today). After the Battle of Honey Springs, July 1, 1863, he kept in advance of the retreating army and went into the Choctaw Nation. He stayed several weeks at Boggy Depot where he met some of his old friends and neighbors, and many other Cherokees who had taken refuge among the Choctaws. In the retreat from North Fork Town he had to leave behind the greater part of the property he had carried with him from Park Hill, and while at Boggy Depot he lived in a little log cabin among others who were likewise homeless and without property and friends. Besides the two sons in the army he had with him five younger children, two girls and three boys, and in addition to caring for them, he preached and taught his people as usual, ministered to the sick and dying, and comforted them with words of encouragement and prayer. The next year, 1864, he was in Texas near Sulphur Springs, where he stayed for the duration of the war.

Excerpts from his journal written in January, 1864 tell of his sojourn in Texas.

"Last year we could go into our Nation, at least into parts of it, and feel that we were at home, or had some faint hope that we might get back during the spring or summer and save what little property we left behind. But now there seems but little hope that we shall ever get back home, and less hope that we shall ever recover any of our property. If we live long enough I have not despaired of seeing home again, but how soon, I cannot say. . . . Besides our losses, I have been wounded with a gun ball, thus rendering me unable to labor at present, at least, in a way for our support."

He also wrote that it was the coldest winter in Texas in ten years, that snow lay on the ground for two weeks, and that many cattle and sheep were lost. He stayed in Texas two years waiting till he felt it was safe to return to the Nation, and in May, 1866, began his homeward trek. His route again took him through the Choctaw Nation and he told of stopping in the vicinity of Armstrong Academy, a Choctaw school, for several days being delayed by heavy rains, bad roads, and having some smith work done. While he was there he attended a meeting of the Cherokees called by Gen'l Watie, to give them information with regard to what a Washington delegation had done in effecting a new treaty and settling their differences with the Pins. He did not like the arrangement for he had always been opposed to a division of the Cherokee country.

He alone of the Presbyterian ministers returned to the Nation at the close of the war. His home, the Robert Meigs and Murrell homes, the Female Seminary and the Schon Chapel were a few of the places in the community not utterly destroyed during the war. The old mission was in ruins; the brick church built by Worcester in 1854 was damaged beyond repair; his widely scattered neighbors, now impoverished, slowly returned to find their homes gone, and some did not return at all. It was to this desolated country he returned in the summer of 1866, but not with the family he had taken away four years before, for he left behind in Texas the graves of two of his children in a cemetery in the vicinity of Sulphur Springs.²¹

He was needed as never before and immediately began preaching to the people in his own community. Needing a meeting house, he used the large frame house that stood in the woods a few rods east of his home, and at his own expense, repaired and renovated it, put in hand-made benches, and built a belfry in which he placed the old mission bell, cast in 1847. Here in the "Church in the Woods" he preached many years. Not only here but in the outlying communities—at Caney, White Oak Springs, Pleasant Valley, and to more distant places as, Coody's Bluff on the Verdigris river and Webbers Fall to the south, he went to preach and to baptize the children.²² When the seminaries were reopened after the war, he held monthly afternoon services in them and in the church at Tahlequah.

In 1873, at the age of sixty-five, he married the second time. His wife was Ruth Riley Candy, daughter of Lewis Riley and the widow of Reece Candy. They were married by the pastor of the neighboring Moravian church, the Rev. T. M. Rights, February 23rd. Four children were born to them. One child, a daughter died in infancy. His son Charles Hodge died while attending the Male Seminary in 1889, at the age of fifteen. His second daughter, Flora Elizabeth, married Austin Rider and lived in Talala, Oklahoma, until the time of her death in July, 1916. She left one son, James Edward Rider, who is living in Oklahoma. His youngest daughter, the writer of this sketch, is his only living child. Ruth Riley Foreman died December 29, 1885, a few days before the old church, being used as a school house at the time, was burned to the ground. His old home was destroyed by fire July 19, 1910. His old book case with many valuable books and papers was stored in the attic and all were consumed. Among the things were diaries he had kept through the years from day to day, in which were recorded all

²¹ His two children who died in Texas were Susie Elizabeth, the second daughter, Aug. 26, 1864, and Jeremiah Evarts, Dec. 1864. He died from illness resulting from exposure during the war.

²² *Tulsa World*, Dec. 8, 1935.

happenings, and his record of the journey from the old Nation was thus lost. Other valuable papers were destroyed when a son's home burned many years after his death.

A few persons are still living who knew him and they remember him as a leader, peacemaker, and adviser to his people; as a kindly, benevolent man and as a true and loyal friend; as not having an enemy and not having anything against his good name.

He loved his home and worked about the place keeping it in repair, making it more comfortable, and beautifying yard and gardens with shrubs and flowers. He had a large orchard in which were apple, peach, and pear trees. Just inside the picket fence and around three sides of the garden berry vines of different sorts were planted. A picket fence separated the garden from a small peach orchard and in each was a grape arbor. In his last years he spent much time in his garden and he could be found sitting in the shade of the grape arbor, in contemplation, reading or greeting his friends and neighbors. He was loved and respected by all and was lovingly called "Uncle Stephen" by most of the community. He was a familiar figure to all as he rode about the countryside on his white horse, keeping his various appointments. He always carried his saddle bags on his right arm when he dismounted.

His duty, whatever its nature, was discharged with faithfulness and impartiality. With regard to the various government offices he filled, he said that he was known as a religious and not a political man, that he had never taken time to promulgate his sentiments on political matters, neither had he taken pains to conceal them; and that so far as a course or act was concerned he would "hew up exactly to the line" as he had always done as a private citizen.

It is an interesting fact to note and one that emphasizes the stress he always placed on education, that his own children received the best he could give them. They grew up in the new Indian Territory in the west and travel facilities were limited, yet he sent four of them to eastern colleges; one took a medical course in Louisville, Ky., and four were sent to colleges in Cane Hill and Fayetteville, Arkansas. He often said to his children, "Get a good education. That is one thing that cannot be taken from you."

He was strict in his observance of the Sabbath. He said it was always a delightful day to him whether attending worship in the House of God or at home engaged in reading and meditation. That to him it was a day of *rest*—not to be spent in eating and sleeping, but in contemplation and in drawing the thoughts off from the world and in holding communion with his Maker.

There were other missions in the Nation, Northern Presbyterian, Methodist, Baptist and Moravian, but he felt that his own church

should send other missionaries to help in the large missionary field in which he worked alone, not only in the churches where he preached but in other parts of the Nation. As he advanced in years and was confronted with failing health, he was more and more distressed by not having some assistance in his work. In January, 1876, he wrote to the Committee and said,

"I feel sad . . . as I enter upon the New Year, and think how little has been done for this people compared with what remains to be done. . . But what can I do? I am now near seventy years old . . . but feel ready and willing to labor on for the good of my people in my humble way while life and health last. And if I could make my voice heard, I would raise in all earnestness the missionary cry, 'Come over and help us!' "23

The Executive Committee did not see that it could enlarge the mission work in the field at this time, and Reverend Foreman continued his work alone until 1878, when for lack of funds and owing to his advanced age, it decided to discontinue the mission among the Cherokees and to allow him an annual sum of \$250 to go toward his support. In his seventy-first year he completed forty-six years of active service under the two Boards. And though not longer employed by either Board, he continued to preach in his chapel up to the time of his final illness. His sickness began October the 25th with paralysis in the hand and partial loss of speech, which gradually grew worse until the whole left side of his body became paralyzed. A second stroke followed on December 2nd, after which he continued to sink until the end came December 8, 1881, in his seventy-fourth year.²⁴

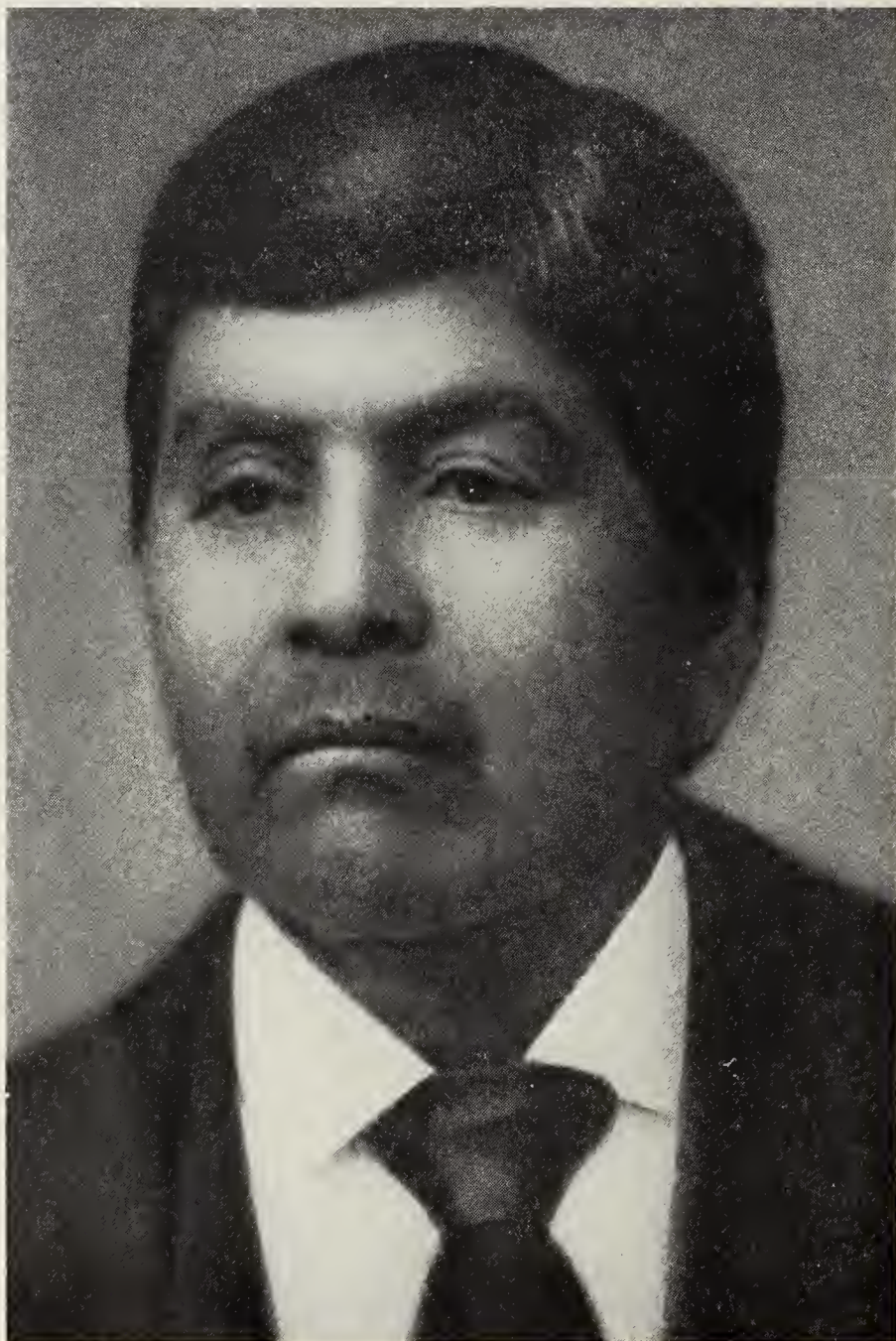
Reverend Leonidas Dobson conducted the funeral services which were held in the church at Park Hill and he was buried in the Foreman Cemetery a short distance from his home. Thus closed the eventful life of one who passed from his labors on earth to his reward in Heaven. He left a wife and children to mourn their loss and a vast circle of friends who missed "The Old Man of the Mountains" now that he was gone.

Servant of God, well done;
Rest from thy loved employ,
The battle fought, the vict'ry won.
Enter thy Master's joy."

²³ Taken from a letter written to *The Missionary*, March, 1876.

²⁴ In his last illness, Rev. Foreman had made it known that if the Presbyterian Board at any time desired to reestablish the mission at Park Hill, a site for it should be given for the purpose from his own land holdings. In 1884 the Woman's Board decided to open a day school near the former mission of the American Board, and the Foreman chapel, taken over for the purpose, became the school house of the new mission. Miss Ada Bodine was the teacher and the school grew rapidly in interest and importance. Early in January, 1886, hardly two years from the date of opening, the building was totally destroyed by fire and the old mission bell was reduced to a shapeless mass of metal.

Because it was impossible to secure a title to the land on which it had stood, the new mission was located about a quarter of a mile north on Park Hill Creek.



GOVERNOR JONAS WOLF

GOVERNOR JONAS WOLF AND GOVERNOR PALMER SIMEON MOSELY

BY JOHN BARTLETT MESERVE

Not infrequently the political counsels of the conservative full blood Indians were committed to ambitious leaders of the mixed blood and, at times, it would seem that the higher evolutionary impulses of these people were postponed in their effect by these aspiring leaders. Considerations other than for the immediate welfare of the native Indian may have provoked many illogical things which were done. The leadership of the full blood party among the Chickasaws was committed largely to the impatient Overton¹ and later to the suave Byrd² each of whom possessed only a minor strain of Indian blood. Each of these outstanding governors was unfeigned in his opposition to the allotment policy of the Government and each inspired the full bloods in their responsive opposition. Overton dominated the political affairs of the Chickasaws from 1874 until his death in 1884 being succeeded by Jonas Wolf, the picturesque full blood who became governor in the spring of 1884.

Jonas Wolf, a son of Capt. James Wolf³ and his full blood Chickasaw Indian wife, was born near Horn Lake in what is today De Soto County, Mississippi, on June 30, 1828. Captain Wolf was a character of some prominence among the Chickasaws, having been a signer of the Treaty of October 22, 1832.⁴ He removed with his family in the Chickasaw removal party which departed from Memphis on November 1, 1838, arriving at Doaksville on December 22nd. Shortly thereafter the Captain removed to lands south of Boggy Depot but later effected his permanent settlement on the Blue in the vicinity of the present town of Milburn, Johnston County, Oklahoma, where he and his wife passed away some years later.

Meager educational advantages were afforded young Jonas Wolf during his adolescent years. He briefly attended school at Boggy Depot but the school of experience reenforced by self-

¹ "Governor Benjamin F. Overton," *Chronicles of Oklahoma*, Vol. XVI, p. 221.

² "Governor William L. Byrd," *Chronicles of Oklahoma*, Vol. XII, p. 432.

³ Grant Foreman, ed., *A Traveler in Indian Territory: the Journal of Ethan Allen Hitchcock* (Cedar Rapids, Iowa, 1930) at page 162 states: 'McClure says * * * the Chickasaws continue their old customs more generally^{3a} and many of them have several wives. Captain Wolf (February 17, 1842, date of Ethan Allen Hitchcock's visit to the Chickasaw Nation), one of the principal men, has three wives, one of them being a Delaware woman. McClure has seen them all sitting together like so many sisters.' One of these wives was the mother of Governor Wolf of the Chickasaws.

^{3a} *The New Age* (Masonic), v. XLVIII, no. 6 (June, 1940), p. 355.

⁴ Kappler, Vol. II, p. 356.

education were the factors which prepared him for the efforts which he later undertook. Farming and stock-raising became his gainful pursuits. Early in life Jonas Wolf established himself upon a farm along the north bank of the Washita some five miles west of Tishomingo and south of Ravia which remained his home until his death and where he lies buried. He saw no service in either the Union or Confederate armies during the Civil War. Jonas Wolf became a member of the Presbyterian Church, South and later was ordained to the ministry of that denomination. Active participation in tribal politics did not seem to enlist his interest until later in life. He served consistently as a member of the Chickasaw legislature but had reached the age of 56 years when he first became governor.

Death halted the strenuous career of Gov. Benjamin F. Overton on February 8, 1884, in the concluding year of his fourth term as Governor of the Chickasaws. He was succeeded by Ah-chuck-ah-nubbe, the president of the tribal senate who survived but a few weeks, and in April the legislature convened and chose Jonas Wolf as governor to conclude the vacancy occasioned by the deaths of Overton and Ah-chuck-ah-nubbe. In the succeeding general election held in August, 1884, Gov. Wolf was elected for the regular term of two years as the candidate of the Pullback Party. He had supported the policies of Gov. Overton although his posture was much milder. He was adverse to the allotment of the tribal domain. Immediately upon his induction into office he summoned the legislature in a special session and on May 8, 1884, delivered his initial message to that body. Touching the freedman situation he advised the legislature,

I would further suggest that in view of the bill now pending the Congress of the United States, providing for the adoption of the freedmen, residing in the Chickasaw Nation, as citizens of said Nation which if passed by Congress would result in great injury to the Chickasaws as a people, that you take such action in the premises as your wisdom seems best for the interests of the people.⁵

The Chickasaws so far had parried successfully the efforts of the Government to enforce the adoption of the freedmen into the tribe although the other tribes had yielded. The influx of white intruders was beginning to imperil the political autonomy of the Chickasaws. In his message to the legislature on September 3, 1884, Gov. Wolf admonishes,

The Chickasaws are few in number but are still ample and sufficient to maintain ourselves as a government and I would advise that you have an eye solely to that one important object. Lay all your prejudice and selfish motives aside and labor for the general good and interest of your country and people.⁶

⁵ *Indian Champion*, May 10, 1884.

⁶ *Indian Journal*, September 18, 1884.

The first term of Gov. Wolf was rather uneventful save as he exerted every effort to prevent further intrusions of the whites. He issued proclamations forbidding the issuance of more permits to traders and physicians. In the fall of 1886, Gov. Wolf was denied a second consecutive term and William L. Byrd became the candidate of the Pullback Party but suffered defeat, and William M. Guy was chosen. The two terms of Gov. William L. Byrd succeeded the one term of Gov. Guy and in August, 1892 Gov. Jonas Wolf was chosen Governor of the Chickasaws for a second term, succeeding Gov. Byrd. He was pitted against Colbert A. Burris of the Progressive Party, whom he defeated by a narrow margin.

Grave conditions provoked by the predominance of white intruders confronted Gov. Wolf when he entered upon his second term as governor in the fall of 1892. The government over which he presided was a minority government as the whites were then in the majority. The United States Government through its Indian officials became outspoken in its criticism of conditions among the Indians in the old Territory. The U. S. Commissioner of Indian Affairs in 1886 advised that Indian treaties should be disregarded if necessary to bring about a change—"the treaties never contemplated the un-American and absurd idea of a separate nationality in our midst. * * * These Indians have no right to obstruct civilization and commerce and set up an exclusive claim to self-government, establishing a government within a government and then expect and claim that the United States shall protect them from all harm, while insisting that it shall not be the ultimate judge as to what is best to be done for them in a political point of view."⁷ He advised the forcible allotment of the land in quarter section tracts and the purchase of the remainder for homestead entry. These observations by the Commissioner of Indian Affairs recall to mind the denunciations made by the governors of the southeastern states against these Indians in the early twenties of the last century.⁸

A concrete notion of the situation which confronted Gov. Wolf and his successors after 1893 is reflected as a more intimate contact is made. Said the *Purcell Register* in its issue of January 19, 1893, in speaking of the Chickasaw country, "This fair land is held by a nation of about 6,800 citizens. These dwell amidst a population of over 40,000 non-citizens * * *."⁹ Obviously the

⁷ *Report of the Commissioner of Indian Affairs, 1886*, pp. 5, 8 and 10-12.

⁸ "Chief John Ross," *Chronicles of Oklahoma*, Vol. XIII, p. 428.

⁹ For a highly illuminative resume of the social, political and economic affairs of the Chickasaw Nation during this period see the extended sketch, "Fairest of the Five" appearing in the *Purcell Register* of January 19, 1893, Vol. VI, No. 9, page 1 which was written by a Kansas City *Times* staff correspondent at Ardmore.

In the *Marlow Magnet* of June 28, 1894 appears an interview given by Governor Wolf at Tishomingo, in which he expressed much solicitude for the safety and in-

opening of Oklahoma in 1889 and the Cherokee Outlet in 1893 materially augmented the inflow of white intruders among the Chickasaws.

Vigorous efforts were maintained by Gov. Wolf to enforce the collection of all permit fees. Frugal were his efforts in the matter of governmental expenditures. The annual report of the national treasurer in September, 1893, disclosed that a national debt amounting to \$96,000, which confronted the governor when he entered office, had been entirely paid and a balance of \$750.00 remained in the treasury.

Gov. Jonas Wolf became somewhat mellowed in his opposition to allotment and may have assumed this posture as he surveyed the hopelessness of the situation. However, the language of his message to the legislature on January 25, 1894, would indicate a firm policy of opposition as he states,

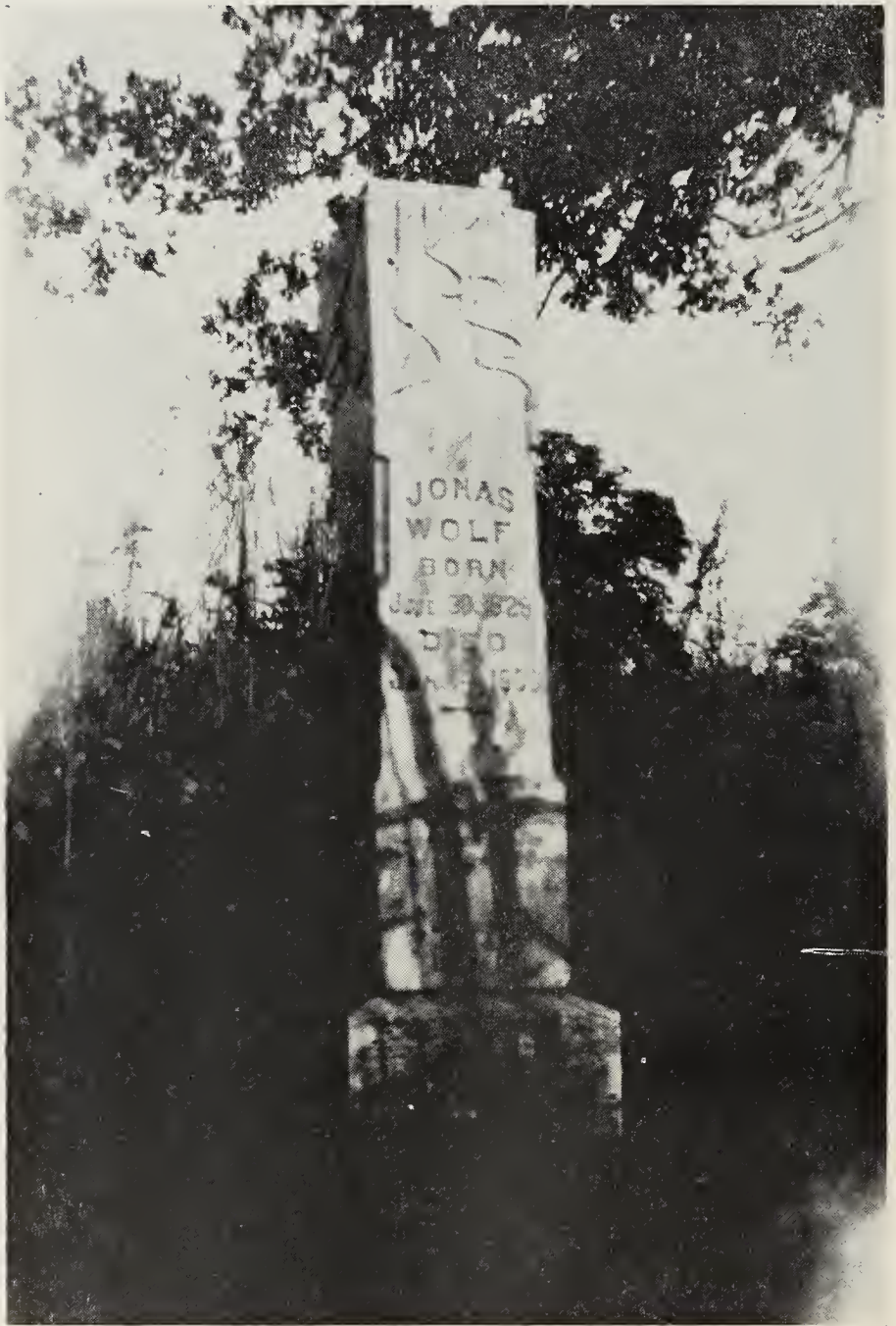
There is a great question being agitated throughout the United States upon which depends the very existence of the Five Civilized Tribes. The policy advocated almost universally by the press in the Territory as well as abroad, is detrimental to our existence and calculated to do our Nation grievous wrong. The question is allotment and Statehood and it should be strenuously opposed by each of the Five Tribes to the end that we may retain our tribal forms of government and the holding of our lands in common as it is today. I now recommend to your honorable body that you pass a law providing for the election of two delegates to attend to all the business pertaining to the welfare of the Chickasaw people at Washington.¹⁰

On June 24, 1893, the Governor summoned the legislature in special session to arrange details for the disbursement of monies received from a sale of the interest of the Chickasaws in the leased land district to the west. This payment was duly made later in the summer upon a per capita basis of \$85.00.

Judge Joseph Kemp of the Tishomingo court was removed from office by the governor and charges lodged against him before the legislature in September, 1893. These charges later were withdrawn. Early in May, 1894, and when the campaign of Governor Wolf for reelection was getting under way, the governor

tegrity of his government owing to encroachments of non-citizens upon the public domain of his people. He said that one county (Pickens) of his nation was so dominated by intruders that it had passed practically beyond his control, that the Chickasaw laws were defied, that his officers were obstructed in the discharge of their duties, his mandates treated with contempt and that said county better known as the "Free State of Pickens" was in a revolutionary attitude to his authority. He appealed to the Indian Agency for protection. It may be necessary to invoke the strong arm of the military to correct the evil but the men thus intrenched upon Chickasaw soil are strong in numbers, fruitful in resources and resolute in character and are not to be dislodged by any "rosewater or milk and cider policy."

¹⁰ Purcell *Register*, February 2, 1894.



MARKER AT THE GRAVE OF GOVERNOR JONAS WOLF

was indicted by a Chickasaw grand jury in the Court of Judge Kemp and charged with having embezzled monies from the leased land per capita fund. He was arrested but released under bond. The earlier Kemp incident was seized upon by political opponents to provoke this affair and the governor immediately again removed Judge Kemp from the bench and appointed Isaac Burris to succeed him. Kemp declined to acknowledge the authority of the governor to remove him and continued to preside.¹¹ Affairs among the Chickasaws assumed a critical phase and as a gesture to alleviate the grim situation Governor Wolf withdrew from his race for reelection and sponsored the election of Palmer S. Mosely, his secretary and who was also superintendent of the tribal schools, who was elected. Nothing further was heard of the embezzlement indictment against Governor Wolf nor of the removal charges against Judge Kemp. They had served the purpose of disaffected political leaders who were opposing the governor's reelection. A few weeks later, the disheartened governor resigned from office, his term being concluded by Tecumseh A. McClure,¹² the president of the Senate. He sought a return to Chickasaw public life in the fall of 1896 when he made the race against Robert M. Harris for the governorship but suffered defeat.

The governor was married twice, his first wife being Ludie Carney, a widow. After her death he married Lizzie Maytubbe, who passed away on February 12, 1894. No children were born of these marriages. Governor Wolf died on January 14, 1900, and is buried in a family burying ground on his old home place five miles west of Tishomingo and one and one-half miles south of Ravia where his last resting place is suitably marked.¹³

Jonas Wolf was of medium stature and weighed around three hundred pounds. He was a typical full blood, neither spoke nor understood the English language and was usually accompanied by an interpreter. His posture was pleasing and agreeable. The faithful full blood Chickasaws believed in his rugged integrity as well they might. He was faithful and true to the highest impulses of his people as he understood them and will ever linger among memories of an age when the Chickasaws stood definitely at the parting of the ways and the demand was being made of them to scuttle the old regime. We now pass on to note Palmer S. Mosely who succeeded Governor Wolf as governor of the Chickasaws.

¹¹ Duncan Banner, May 12, 1894.

¹² H. F. O'Beirne, *Leaders and Leading Men of the Indian Territory: Descriptive, Biographical and Genealogical* (New York and Chicago, 1901).

¹³ The writer acknowledges much valuable assistance given by Mr. Rosebud Bryce of Tishomingo.

The rather muddled executive affairs of the Chickasaw Nation were intrusted to the interesting Palmer Simeon Mosely,¹⁴ in the fall of 1894. In his first term he succeeded the regime of Gov. Jonas Wolf. The new governor was a son of Rev. Lafayette Mosely, a Presbyterian minister and his full blood Chickasaw Indian wife and was born at Tam-a-ho-shay, Choctaw Nation, on September 16, 1851. Lafayette Mosely, familiarly known as "Luffay" Mosely was a full blood Choctaw Indian, was born in Mississippi and removed with his parents to the Choctaw country in the old Indian Territory. He married a full blood Chickasaw Indian woman and later established his home near what is today the settlement of Olney, Coal County, Oklahoma. Upon the death of his first wife, who was the mother of Palmer S. Mosely, he married Salina Maytubby Donovan, a widow. Lafayette Mosely engaged in farming and in his spiritual endeavors served as pastor of the old Greenwood Springs Presbyterian Church about a mile northeast of Bromide. He was a member of the Chickasaw senate in 1870 and passed away at his home near Bromide about 1900.¹⁵

Palmer Simeon Mosely was a full blood Indian although he is borne upon the approved rolls of the Chickasaw Indians opposite roll number 2020 as of the one-half blood. This enrollment is correct in so far as it reflects his quantity of Chickasaw Indian blood. He was a character of much resource and ability, his native elements being reenforced by his scholastic training of four years at Crocker School in Nashville, Tennessee. Upon his return from school he engaged in farming and in 1875 entered the domain of Chickasaw politics when he was chosen as interpreter for the legislature. He was elected a member of that body in 1877 and in 1882 became a county judge. He began his engaging service as National Interpreter in the fall of 1884 with the advent of Gov. Jonas Wolf and occupied this position at various times. He was perhaps the most efficient and capable interpreter among the Chickasaws. The scholastic attainments of Palmer S. Mosely were further recognized by his election as Superintendent of Schools in the fall of 1885, in which capacity he served for many years. He became a trustee of the old Wapanucka Academy, which was then known as Rock Academy situated some five miles northwest of Wapanucka, in September, 1892 and served as National Secretary of the Chickasaw Nation during the incumbency of Gov. Jonas Wolf from 1892 to 1894.

The law which created the celebrated Dawes Commission was passed by Congress on March 3, 1893. This commission visited

¹⁴ H. F. O'Beirne, *Leaders and Leading Men of the Indian Territory* (Chicago, 1891); *Indian Territory: Descriptive, Biographical and Genealogical* (New York and Chicago, 1901); The writer acknowledges indebtedness to Mr. E. J. Ball of Bromide, Oklahoma, for much valuable information.

¹⁵ *Chronicles of Oklahoma*, Vol. XII, p. 423.



GOVERNOR PALMER SIMEON MOSELY

the tribes in the old Indian Territory early in the succeeding year and although its members were received with respect, they experienced difficulty in awakening much interest among the Indians. The commission first contacted a delegation of twenty full blood Chickasaws appointed by Governor Wolf, at Tishomingo in February, 1894. The forenoon session was occupied by members of the commission in explaining their mission and in urging an acceptance of the allotment policy. After a brief adjournment at noon the meeting was to be resumed at which time the Indian delegation was to give its answer. The afternoon session was not held as the Chickasaw delegates, being uninfluenced by the talks made by the commission, packed up and went home and made no response.¹⁶ This is but a grim example of what the Commission was up against during its earliest efforts.

The Dawes Commission contacted the Chickasaw leaders in 1895 and '96 but met with small response. Governor Mosely expressed his views concerning the Commission in his message to the legislature on January 28, 1896.

In view of the fact that the Dawes Commission has made a strong report in favor of destroying our tribal autonomy and a delegation of non-citizens having been sent to Washington to urge upon Congress the passage of townsite laws and other legislation detrimental to the welfare of our people and the other nations having their representations in the field of action guarding their interests, I deem it my duty to especially urge upon you the necessity of a representation or representatives being sent by our nation and trust your honorable body will concur with my views and pass some act authorizing a delegation to Congress.¹⁷

At the tribal election held in the fall of 1896 Governor Mosely did not seek a second consecutive term but supported the efforts of Ex-Governor Wolf to return to the governorship. Robert M. Harris was chosen to succeed Governor Mosely, who was elected to the tribal senate. The famous Atoka Agreement was entered into by the Choctaw and Chickasaw Nations on April 23, 1897, and the Chickasaw Nation as a political entity was on its way out. Palmer S. Mosely was a member of the delegation which conferred with the Commission and, with keen foresight, became one of the signers of this agreement. The single term of Governor Harris was succeeded by the two consecutive terms of Douglas H. Johnston which terminated in the fall of 1902.

¹⁸ In the fall of 1902 Ex-Governor Palmer S. Mosely reentered the arena of Chickasaw politics in one of the most hectic campaigns in the history of those Indians. His vision of conditions seems to have undergone a decided change. He was living in

¹⁶ Purcell *Register*, February 23, 1894.

¹⁷ Minco *Minstrel*, February 7, 1896.

¹⁸ For details of this campaign see "Governor William Leander Byrd," *Chronicles of Oklahoma*, Vol. XII, pp. 441 et seq.

comfortable environs and at that time was a vice-president of the Bank of Tishomingo. As the candidate of the Progressive Party, he was matched against Ex-Governor William L. Byrd of the Full Blood or Pullback Party. The defined issue of this campaign was the so-called Supplemental Agreement which was approved by Congress on July 1, 1902. This Agreement detailed the provisions for the complete allotment of the tribal domain and the ultimate dissolution of the tribal government. Mosely favored the Agreement while Byrd was in bitter opposition and sought to enlist the full bloods to his support. The election of Governor Mosely on August 13, 1902, although rather feebly expressed by a bare majority of six votes, committed the Chickasaws to the allotment policy of the Government. The new governor was inducted into office on September 1st and immediately called a special election for September 25th at which the Agreement was submitted to the electorate.

In his first message to an adjourned session of the legislature later in September, 1902, the Governor adroitly expressed himself upon the ratification issue to come before the Chickasaws for determination on the 25th,

During the campaign just closed I felt it unwise to make the Supplementary Agreement an issue and thus obscure the issue raised by it with those of local politics, but by reason of the violent opposition of our opponents this was impossible. It is now apparent to all that my election and the defeat of those opposed to the agreement is a rebuke to them and a definite reflection of a sentiment favoring its ratification. Since the ratification of the Supplementary Agreement by Congress I have considered it fully and am now firmly of the opinion that it should be ratified. Inasmuch as my predecessor, Hon. Douglas H. Johnston in his retiring annual message just communicated to you has discussed it in detail, I deem it sufficient to refer to the same by approval and commend it to the careful consideration of our people.¹⁹

The Chickasaws ratified the Supplemental Agreement at the election held on September 25, 1902, and the long fight against the pressure of the white intruders, which had persistently encouraged the policy of the Government, was now in its final stages. Instead of the white man adapting himself to the environments of what hitherto had been strictly an Indian country, the Indian now faced the alternative of adjusting himself to the different pattern of life of the white man.

The regime of Governor Mosely witnessed the preliminary steps by the Government in the preparation of the tribal rolls and the initial allotment of the tribal domain. His tenure drew to a close and at the last tribal election held among the Chickasaws in the fall of 1904 Douglas H. Johnston was chosen as his successor and functioned as governor until his death on June 28, 1939.

¹⁹ *Chickasaw Democrat*, September 28, 1902.



MARKER AT THE GRAVE OF GOVERNOR PALMER SIMEON MOSELY

²⁰ Governor Mosely was a man of medium build and of a pleasant, agreeable and tolerant poise. He was rather debonair and handsome in appearance. During his last term he resided at Wapanucka and after his retirement lived at the old farm place near Bromide. He was a member of the Presbyterian Church. The governor married Lizzie Holloway and after her death married Amanda Greenwood, who survived him and on August 10, 1910 married E. J. Ball and lived at Bromide where she died on December 12, 1933. She was a daughter of Harris Greenwood. Palmer S. Mosely passed away on October 3, 1908 and rests in the old family burying ground on the farm one and one-half miles east and one quarter of a mile north of Bromide where his grave is suitably marked.

²⁰ The writer is indebted to Hon. A. B. Honnold of Tulsa, who enjoyed the personal acquaintance of Palmer S. Mosely, for much valuable information.

THE MISSIONARY WORK OF THE REFORMED (DUTCH) CHURCH IN AMERICA IN OKLAHOMA¹

By Richard H. Harper

Part I

For a long period fruitful Christian missionary work has been carried on among the Five Tribes of Indian Territory. Churches and mission schools had been established, and had flourished. All Christian efforts among the western Oklahoma tribes, known as "blanket Indians," is, however, of more recent date.

From the middle of the seventeenth century the Dutch Reformed Church had shown its interest in American Indian Missions; and had, in conjunction with Presbyterians and others, sent its missionaries to several tribes.² This denomination was a member of the American Board of Commissioners for Foreign Missions, under which joint organization the Rev. Samuel Parker was sent to the great Northwest, in 1835, to ascertain the spiritual needs of the Indians.

As early as 1642 Johannes Megapolensis became the Reformed Church pastor at Rensselaerswyck, now Albany, New York State; and, added to his other duties, preached and did pastoral work among the Indians. The Gospel seed sown yielded a good harvest.

The United Missionary Society was organized in 1816, "composed of the Presbyterian, Dutch Reformed and Associated Reformed Churches, and all others who may choose to join with them." The purpose of the society was "To spread the Gospel among the Indians of North America," and other peoples throughout the world.³ "Thus," says the Rev. Henry N. Cobb, D. D., "was the Reformed Dutch Church, for the first time in this country, formally committed to the work of executing the high commission of her Lord and Head."

Under what was known as "General Grant's Quaker Policy," the Reformed Church accepted the invitation of this President of the United States to name Indian agents for western tribes, and assumed as their responsibility in this regard the Pima and Maricopa

¹ This is the first of three articles on The Missionary Work of the Reformed (Dutch) Church in America in Oklahoma. I. The Cheyennes and Arapahoes; II. The Comanches and Apaches; III. Work With White People.

² Grateful acknowledgment is made of the kind assistance, in preparing this article, of Mrs. Mary W. Roe, Mrs. Elizabeth M. Page, Miss Muriel H. Wright, Miss Mary Jensen, Miss Helen Brokaw, Mr. R. Kincaide, Mr. Jed Seger, Rev. L. L. Legters, Rev. John H. Baxter, and a number of others.

³ *A Century of Missions in the Reformed Church in America* 1796-1896, p. 3.



THE COLONY CHURCH AND WINTER CAMP

Agency, with a population of 5,000 Indians, and the Colorado River Agency with 23,000 Indians. This work was continued for ten years, from 1870-1880.

Then came a period of more than a dozen years when little if any Indian work was done by this denomination.

At the end of 1893 the Women's Executive Committee, an auxiliary to the Board of Domestic Missions of the Reformed Church,⁴ had \$4,000 for Indian missionary work in America. The urgent needs of the American Indians had been borne in upon their minds and hearts. Then arose questions as to how this money might be made to do its best for the red men, and what tribes to begin with. Another question of highest import was where to find the right man to be a missionary. Success depended largely upon this selection. Not every minister had the qualifications for this difficult service. The good women prayed for the guidance of God.

God works in a mysterious way,
His wonders to perform.

The prayers were answered. The Lord had been getting a man ready.

On New Year's day, 1860, a bright-eyed baby boy was born into an Indian home, in the Choctaw Nation, a son of⁵ Reverend Allen Wright and Harriet (Mitchell) Wright. The former was a member of the Choctaw Nation, while the latter had been appointed as a missionary teacher to the Choctaws, by the American Board of Commissioners for Foreign Missions, in 1855. Allen Wright, whose Choctaw name was Kiliahote, was educated at Spencer Academy, in the Choctaw Nation, completing his work in 1848; taking his college course at Union College, Schenectady, New York, whence he was graduated in 1852. Entering Union Seminary, New York, he completed his theological studies in 1855, and returned the same year to his own tribe as a missionary. On February 11, 1857, he was married to the white missionary teacher Harriet Newell Mitchell.

From this marital union Frank Hall Wright was born, at Old Boggy Depot, Oklahoma. After receiving private instruction in his studies, he followed in the footsteps of his father, attending Spencer Academy, then Union College and Union Theological Seminary, graduating from the latter in 1885.⁶ Soon he married Miss Addie Lilienthal, of Saratoga, New York, and the young couple traveled to the Choctaw Nation, to take up Christian work among Mr. Wright's own Indian people.

⁴ The Women's Executive Committee of the Board of Domestic Missions of the R. C. A. was organized in 1882. It became the Women's Board of Domestic Missions in 1910.

⁵ Allen Wright was head chief of the Choctaw tribe from 1866-1870.

⁶ Westminster College, Fulton, Missouri, conferred upon the Rev. Frank Hall Wright the degree of Doctor of Divinity in 1917.

After a few years he and his wife returned to New York City, where he engaged in evangelistic work among white people. A year and a half of this, in various eastern cities, resulted in an attack of pulmonary tuberculosis which almost cost the young Indian minister his life.

It was at this juncture that God guided to his bedside the President of the Women's Executive Committee of the Reformed Church, and the official head of the work which was to be undertaken for the "blanket Indians" of western Oklahoma.

From a human point of view there was little or no reason to think that this frail man, whose body was wasted by the inroads of tuberculosis, could do the work which the two Church representatives were now laying upon his heart. Both their faith and his were being tested to the utmost. Faith conquered. Frank Hall Wright accepted the challenge given. He had learned that the God who commands also enables, and he dared to trust Him.

To the great southwest he went, far beyond the bounds of his own Choctaw Nation, to find some way of reaching the minds and consciences of the blanket tribes with the simple, saving message of the Gospel of Christ. To the Comanches, Fort Sill Apaches, Arapahoes, and Cheyennes he travelled, over countless miles of prairies, through the long hot summer days. With a team of horses, and a hack, a tent, cooking utensils, and a man-of-all-work to help in the arduous physical tasks,—thus he journeyed. New strength came to his weakened body, and his cough began to lose its hold.

The Indians, at this time of the year, were often on the move. The missionary could contact them only by adopting a nomadic manner of life. When they went, he followed. Pitching his tent near them at night gave him an opportunity to talk with them around their camp fires. They listened to him first, perhaps, because he was one of their own race, but also because he brought to these people whose life was hard and often discouraging, and harassed by pagan beliefs, news of a better Way, made possible by One who was the Son of the Father in Heaven,—a Way in which they might find forgiveness of sins, peace of mind, and release from the chains with which superstition had bound them.

Mr. Wright's genial personality, his winsome smile, his sweet singing, his mild manner of speaking,—all these helped to make the red men listen to his message, if and when they did give attention. But there was little response as far as change of life was concerned. Sometimes they avoided him, and he found an approach difficult.

The new missionary's heart was burdened for the Chiricahua Indian prisoners of war,—“Fort Sill Apaches” they were often called. He made an attempt to gain entrance to the Fort Sill Mili-

tary Reservation for work with them. Military authorities refused him permission.

As autumn approached he decided to go northward, to try another field, in which dwelt the Cheyennes and Arapahoes. On a Saturday he arrived at the Segar Indian Agency and school, on Cobb Creek, about fourteen miles southeast of the present town of Weatherford.⁷ Mr. John H. Seger, the Government Agent in charge, welcomed him, and gave him an opportunity to speak to the Indian children in the Government school.

In talking with the missionary Mr. Seger found that he represented a body of Christian people who were ready to invest money in a permanent mission establishment. This kind-hearted official gave assurance that he would do all in his power to get a tract of land set aside for the use of the mission. Our enthusiastic Indian missionary felt that he was really making progress, and that here at the Seger agency and school was an opportunity for permanent service with the Cheyenne and Arapaho adults and children.

A council of Indian leaders was called to meet in the agency office to consider the advisability of going forward with the plans which Mr. Wright had in mind. After a careful statement by the missionary, the Indians decided that, though the message of the Bible would not be good for them,—holding as they did, to pagan beliefs and following pagan practices,—yet it would be good for their children.

October and November were spent in visiting the Indians in their tepees, some near Colony, others many miles away, between Sundays. Week ends found Mr. Wright with the boys and girls at the Government Indian School. The children, as well as older hearers, enjoyed the vivacious addresses and sweet singing of this Indian evangelist.

Winter came, and the new friend of the Indians had to leave the field, to protect himself from the dangers to health which exposure in camp life would bring.

In his winter preaching Mr. Wright met the Rev. Walter C. Roe, pastor of a Presbyterian Church in Dallas, Texas, and his wife, and interested them in the great needs of the Indians on the plains. Visiting Mrs. Roe was Mrs. Alfred R. Page, her sister, a member of

⁷ John H. Seger, who had been employed at the Darlington Indian Agency in what is now Oklahoma, was appointed by the U. S. Government to establish a new agency at the place on Cobb Creek which took the name of Seger Colony. To this place he came in March 1886, bringing with him a band of renegade Cheyenne and Arapahoe Indians, settling them on Cobb Creek and the Washita River. He was their agent, farmer and school superintendent. Under his instruction they made progress in farming. Those who came with Mr. Seger, increased by other bands later, totaled about 500.

the Women's Executive Committee of the Reformed Church, under whose auspices Mr. Wright had come to the Indians of western Oklahoma.

CHEYENNES AND ARAPAHOS

In May 1896, Mr. Wright returned to his new field, where he had left both Indian and white friends the preceding autumn,—friends whom his compelling methods and personality had drawn to him. He received a warm welcome.

During this summer the stone church of the Columbian Memorial Mission was erected; and, by November, was ready for dedication. Mr. Wright invited the Rev. and Mrs. Roe to be present, and to assist in its dedication. This marked the beginning of many years of helpful services to Indians, and to the white people of the community. For four evenings services were held in the church, and three services on the Lord's Day. This seed-sowing brought an immediate harvest, and a church was organized with twenty-two members. Thus manifestly God gave His seal of approval to the establishing of this Indian mission!

Mr. Wright had allowed no grass to grow under his feet, since meeting the Roes, and had convinced the Board that the work on the Oklahoma field would be greatly strengthened by the addition of these valuable Christian workers to the personnel at Colony. The great need of the red men constituted a Macedonian call,—“Come over and help us.”

Dr. Roe's health had become so impaired by tuberculosis that his only promise of continued service was through life in the open. April, 1897, found Mr. Wright's wish granted, with Dr. and Mrs. Roe added to the missionary force among the Indians of the Seger district.⁸

For many months there was no house for the missionaries. They lived in a tent, and learned many lessons which would be of value to them later.

A stone parsonage was built, west of the church, and into it the Roes moved in the winter of 1897-8. What a haven the new home was! Especially was it appreciated in view of the fact that, the previous summer, Dr. Roe had suffered from a serious attack of typhoid fever, followed by relapses. Mrs. Roe was his faithful nurse.

Once in two weeks the Indians of the district came to Colony for the small amount of rations of beef, flour, baking-powder, coffee, and sugar, supplied by the United States Government. Their com-

⁸ The Rev. Walter C. Roe was graduated from Williams College, and received the degree of Doctor of Divinity from his alma mater.

ing gave great opportunities for service by the missionaries, in visiting the sick, helping the needy, preaching the Gospel; and this faithful man and woman of God were true to the charge committed to them.

The difficulties arising from dealing with people who talk another language are not small; and here were two tribes, each speaking a language of its own, and comparatively few of them either speaking or understanding the language of the other tribe, or of the white man.

It was not always easy to get reliable interpreters; and, in such a case, one must obtain the best available. When the Roes undertook to learn Cheyenne, the Arapahoes were offended; and, when they began to work on the Arapahoe, a similar effect was noticeable with the other tribe. So, the best thing to do was to depend on interpreters and this they did.

The Reformed Church in America is a small denomination; and the Women's Board of Domestic Missions, knowing that the amount of money at their disposal would not be large, decided that, in carrying on their Indian missionary work, they would establish only such missions as could be supported adequately, providing each with facilities for giving the best service. It was planned that each missionary should have a parsonage, a team of horses and a hack, and an interpreter. Later, autos were supplied.

As far as possible, each Indian mission was to be established near a Government Indian school; for religious work with the children is basic in reaching the homes; and through them a whole tribe. The maintenance of a mission school necessitates a large outlay of money; therefore it was thought that school work should be done by the Government. The only exception to this plan, in Reformed Church missions in Oklahoma, was in the case of the small school carried on for the children of the Apache prisoners of war, at Fort Sill.

Government rules and regulations for religious instruction of Indian children in Government Indian schools were such that a missionary might see the children of his parish in the institution at frequent intervals. In many schools the finest cooperation was given by teachers, matrons, and others.

As soon as possible each mission was provided with a "lodge", or parish house. To these the Indians might come for sewing, reading, and simple games. When necessary, Indians were supplied with free lodging. In the case of the Colony lodge, sick people were received and cared for by a competent missionary nurse. Many Indian babies first saw the light here. After many years, sufficient equipment of this kind was supplied by the Government, at the Colony Agency, and the mission ceased to maintain a hospital department.

Each mission was given a field worker, early in its history. Her duties were to call on the families in the tepees, to bring them advice, and material aid when needed. She was also lodge matron, and supervised the activities there. Hundreds of Indian men, women, and children came to each one of the lodges in a year. At regular intervals social gatherings were held in these homes ("lodge" means an Indian home). At the Thanksgiving and Christmas seasons they were hubs of activity, a part of which was the supplying of a generous dinner to the Indians of the parish. Often the Indians shared in the expense of this.

The general plan of missionary service for the Indians was the same in all our missions. Preaching of the Gospel, Sunday School work, Christian Endeavor activities, visitation of the homes, and every kind of help for the needy.

The Reformed Church Indian Missions have tried to make of their parishioners the following five-fold kind of citizens of our beloved country: intelligent, able-bodied, self-supporting, patriotic, Christian. This is a program which would challenge any group of Christian workers, with any people, in America or other lands.

More than this, our missionaries believed that it was a part of their task to deal with the Government officials on the fields and in Washington, on matters pertaining to land, financial affairs, and any other thing which vitally affected the Indians. Many a trip did Dr. Roe and others make to Washington, to confer with the Commissioner of Indian Affairs, senators, and congressmen. Such visits were fruitful of material good to the Indians. Hundreds of letters were written for the same purpose.

Misses Mary Jensen, Johanna Meengs, Marie De Keyser, and Mrs. Van Brakle served as lodge matrons, or field workers, or both, at different periods. Miss Meengs was a trained nurse. Miss Berkenpas, who was a helper in the parsonage and a worker in the camps, took a special short course in nursing in Chicago. Miss De Keyser was a trained school teacher. Miss Jensen, who came to the mission in 1900, served at the same time with most or all of the others named, and never grew weary of her camp work, going in and out among the tepees, ministering to sick and other needy ones. She is still living at Colony, retired, but retaining a deep interest in her Indian wards, many of whom she has seen grow to manhood and womanhood.

There were other experiences, of a different sort, which, however, gave an opportunity for service. On a night which Dr. Roe spent in a western Oklahoma town, he shared his room with a stranger, —a common occurrence in those days. The two men went to bed, but the other occupant of the room was restless and could not sleep. Some time during the night hours he awoke Dr. Roe, telling him

that he wished to unburden his mind; then surprised him by saying: "Parson, I have killed a man." No record is left us of what passed in that room before morning; but all who knew this devoted missionary are confident that good advice was given the murderer, and he was pointed to the Saviour. With Dr. Roe's high regard for observance of law, one may well believe that he urged the killer to make matters right with state authorities.

It was the custom of the Indians, during these years, to give Indians names to their missionaries. Dr. Roe was known as "Iron Eyes"; Mrs. Roe was "Happy Woman"; Mrs. Page, Mrs. Roe's sister, and Field Secretary of the Women's Board of Domestic Missions, "Our New Sister"; Miss Jensen, "Fast Walker"; Mr. Kincaide, "Comb Up,"—that is, pompadour; my own name, "Black Beard"; Mrs. Harper's name, "Walking Around," given her by one of the Cheyenne elders, because of her visits to the Indian Camps.

One of the most valuable methods of work has been the Indian Camp Meeting,—still in use at the Comanche Indian Mission, near Lawton, Oklahoma. To describe one such gathering is sufficient; for they were much alike, no matter whether among Cheyennes and Arapahoes, or Comanches and Apaches.

Here they come! Over the hill, into the large Government pasture southeast of Colony, on Cobb Creek; Indians in wagons, in hacks, or buggies, (today, some in autos,) boys on horseback,—they follow each other through the gate, and put up their tepees and tents. "What's doing?" someone asks. "Camp Meeting" is the reply.

Soon the tents are pitched and the horses are turned loose to graze.

What an attractive sight! A short distance from the creek stands the large Camp Meeting tent, which holds hundreds of people. Near the trees are the tents of the missionaries. Not far from creek and meeting tent are the Cheyennes, Arapahoes, and visiting Comanches, Apaches, and Kiowas. The camp is in a quiet spot, far enough removed from the main road to avoid traffic noises. From Wednesday night through the following Sunday the meetings are held. Not only Indians, but many whites and negroes come, especially on the last day.

Each morning begins with a prayer meeting, before breakfast. At about ten o'clock a second service is held, with Rev. Frank Hall Wright preaching one of his earnest, appealing sermons. At half past two a testimony meeting is held, when the Indians have opportunity to tell what the Saviour has done for them. There is not time enough for all who are eager to tell their story. At dark comes the last service of the day when Mr. Wright preaches again.

Will you sit on the front seat, please; and, along with the ministers and church officers,—most of the latter being Indians,—face the audience. The congregation is distinctively Indian. The shawls worn by the women and girls are attractive,—bright with red and pink. The men, you notice, wear citizens' clothing. Some of the older men wear the customary Indian sheet over their suits. Here and there will be seen a pair of prettily beaded moccasins, the handwork of one of the many industrious women. The decorated cradles, made to be carried on the backs of the mothers, catch your attention. The bright eyes looking out from them win you. During the meeting the cradles are held in the mothers' arms, or stood upon the ground, leaning against their knees.

How captivating are the faces of the listeners! They reveal happy hearts of many who, for months, have been looking forward to the Camp Meeting. Some faces are solemn, showing a consciousness of sins committed. Others are sad, as thoughts pass through their minds of friends who have attended previous gatherings of this kind, but who now have gone out on the "long trail." Some faces are defiant, for Satan is here, and is helping his followers to wage a strong fight against Christ and His Gospel.

The hymns are inspiring. "When the Roll is Called Up Yonder" is started. While the Indians sing it in the Cheyenne tongue, we who speak English join them in our language. The Indian hymn is a translation of that of the same title in our hymn books, and is sung to the same tune. Indians and whites sing together, and the words of praise echo through the trees and rise toward Heaven. Men and women, boys and girls, all help. The strong voices of the men, with the sweet tones of the women, make a melody long to be remembered.

The work of the interpreters is interesting and important. Each tribe represented must have its own interpreter. From the lips of the preacher, sentence by sentence, or thought by thought, each of these faithful men takes the message of the Lord and passes it on to his own tribal group. All the interpreters talk at once, and none seems to interfere with the speech of the others. Cheyennes, Arapahoes, Comanches, Apaches, Kiowas sit, each in the tribal group to which he belongs. Every Indian listener catches the words of his own interpreter, apparently being able, by concentration of mind, to eliminate from his hearing the voices of the other speakers.

At the close of the sermon the preacher gives an invitation for those desiring to become Christians to come forward, and to shake hands with the ministers and the church officers; also inviting Christians who wish to reconsecrate themselves to more earnest Christian living to do the same. An Indian hymn is sung, and those who wish to respond to the invitation given come forward, some-

times many, sometimes few. A prayer is offered; the meeting closes; those who have come forward are now talked with; and then all go to tents and tepees for meals, or for a night's rest.

On the last Sunday of the Camp Meeting the new converts, after careful examination and instruction, are received into the Church. The results of such meetings cannot easily be overestimated.

Each year the Sunday nearest Christmas is used to emphasize giving. Those who so desire bring their children for baptism. An opportunity is afforded to any desiring to become Christians to give themselves to the Saviour; and all are urged to share, as they may be able, of their money, to help in sending the Gospel to other Indians. At an appropriate time of the year they bring gifts for foreign missionary work.

There were times when some of the Christians had no money to give. On one such Giving Sunday Frank Hamilton, the mission interpreter, and his wife, Enosta, came forward, in the church service, at the time of the offering. They brought their little boy to the missionary, saying that they would "put him into the basket," as a gift to the Lord. They asked that Dr. Roe would look after his education, and would see that the little son should be so trained that his life would be lived for Jesus Christ. There was deep sincerity in this gift. It meant far more than money.

It would be interesting to tell of the general Christmas activities in the missions, but lack of space forbids.

A most heartening plan at Colony was the calling in of all Reformed Church missionary workers for a few days of conference, in the summer. Some outstanding minister of the denomination from the east was invited to address the group, and an inspiring occasion was the result.

From Colony went forth an effort to reach all the Chinese men in Oklahoma and Indian Territories. The Women's Board voted one hundred dollars for the purpose of purchasing testaments in the Canton dialect. These were sent out by one of the missionaries, by mail, to ministers of various denominations in towns where there were Chinese men, employed in laundries, or otherwise. These ministers, who had been previously contacted, distributed the books. We expect to see, in the Glory Land, Chinese men redeemed through this small missionary effort.

A language, requiring no words, has been in common use among the plains Indians for an unknown length of time. They travelled hundreds or thousands of miles over the prairies, meeting people of other tribes whose languages were entirely different from their own. They must find some way to converse. As a result of this

necessity there grew up among them what is known as "the Indian sign language." By means of this, Indians of one tribe can converse with those of other tribes, upon any subject with which the two are familiar,—Government, war, hunting, the family, and many other topics. In this language a sign represents an idea rather than merely a word, though in many instances there is a definite sign for a word as, horse, man, tree, soldiers, water, fire, enemy, friend. The Cheyennes and Arapahoes at Colony, being plains Indians, were expert sign talkers. It does not take a white person long to learn enough of this manner of conveying ideas to get along comfortably with an Indian who cannot speak English, and whose language the white man does not know.

No statement of the activities and interests of Dr. and Mrs. Roe would be adequate without a mention of their broad and deep interest in all the Indians in the south lands,—Mexico, Central America, and South America,—and a desire to integrate missionary work here with similar work for the millions of red men there. Since Dr. Roe took up his work in a higher sphere, Mrs. Roe has made one trip to South America and three trips to Mexico and Central America, in behalf of Indian missionary work.

The writer has taken time and space to write thus fully of the conditions and plans of work among the Cheyennes and Arapahoes, because they represent fairly those of Reformed Church activities on other Oklahoma Indian fields. Necessarily, as the years pass, some new methods are introduced.

The ordained Indian missionaries who served at Colony were: Frank Hall Wright, 1895-7; Walter C. Roe, 1897-1913; Arthur Brokaw, 1904-5; L. L. Legters, 1905-6; Richard H. Harper, 1907-9; W. C. Wauchope, 1909-10; John H. Baxter, 1910-13; Henry A. Vruwink, 1913-17; J. Leighton Read, 1917-23; John H. Baxter, 1923-6 (second term); Richard H. Harper, 1927-9 (second term); Peter Van Es, Jr., 1930-2.

Mr. Arthur Brokaw, a consecrated young minister from New Jersey, gave up his life at Colony, while a worker there. He had been ordained in his father's church, in Freehold, New Jersey, in June, 1904, and came to Colony a few weeks after, to give his life to Gospel work for Indians. He gave promise of great usefulness. But, in the providence of God, he was called to higher service in 1905, dying of typhoid fever and spinal meningitis about a year after coming to the field.

The Arthur Brokaw Memorial Chapel, built in the memory, near the Washita River west of Colony, on a piece of land given by Dr. and Mrs. Roe, was erected in 1908 and dedicated in the autumn of that year.

Prominent among the Indian church officers, interpreters and workers, at Colony, were Watan, Washee, Hartley Ridgebear, Joel Little Bird, Kendall Sore Thumb,—Arapahoes; and Frank Hamilton, Paul Goodbear, Wolf Chief, William Fletcher, Stacy Riggs, and others,—Cheyennes. Thunder Bull, a Sioux, married to a Cheyenne woman, was a helpful man in the church, and chief of Indian police; as also James Downs, of an eastern Oklahoma tribe, married to a Sioux woman who was widow of Joel Little Bird. Many earnest Christian women also might be named.

Dr. Walter C. Roe was called to join the many Indians who had preceded him to the Home above where there is no sin, nor sickness, where no wintry blasts nor stinging sand storms come. He went home to God from Nassau, Bahama Islands,—whither he had gone in an attempt to recuperate,—on March 12, 1913.

Dr. Frank Hall Wright passed to his reward at Muskoka Lakes, Ontario, Canada, on July 16, 1922. Others have taken his place, in the service of the Lord, but there was only one Frank Hall Wright, and only one Walter C. Roe. They have no duplicates; nor do they need to have. Often God uses different kinds of men and women to take up the tasks of those who have been promoted to service above.

Supplementary to, and working in finest harmony with the Colony Mission, has been the Mohonk Lodge, whose manager, almost from its inception, has been Mr. Reese Kincaide, a former business man of Fort Worth, Texas. Mrs. Kincaide was a sister of Dr. Roe. Through the urgent request of the Roes, the Kincaides came, and threw all their help in work and influence into the industrial and spiritual tasks for the uplift of these Indian people. Mr. Kincaide has been, and now is, the very efficient superintendent of the Sunday School, and has rendered loving and herculean service for the whole community.

Miss Minnie Van Zoeren has been a faithful and efficient helper in the Mohonk Lodge industrial work for a long period, and is still at her post.

The Mohonk Lodge publishes a small catalog, from which the following excerpt, written by Mr. Kincaide, tells the history and aims of this institution:

THE MOHONK LODGE is a philanthropic institution established at Colony, Oklahoma, by Dr. and Mrs. Walter C. Roe, missionaries of the Reformed Church in America, for work among the Cheyenne and Arapahoe Indians. THE LODGE is, however, independent of church control and has been built up and conducted along strictly undenominational lines; its funds from the start have been contributed by people of all classes and shades of belief.

At the Lake Mohonk Indian Conference in 1898 Mrs. Roe outlined a plan which she thought would reach the Indians socially and industrially,

and immediately sufficient funds were contributed to erect a large, simple building and equip it with sewing machines, cook stove, utensils, cot beds, etc. At the very first, many of the Indian women came for instruction in sewing, cooking, caring for the sick and the various branches of home making, and the undertaking has been a success from that time and many of the Indians have received the instruction and help so much needed.

Soon, however, another need arose. The Government discontinued issuing rations excepting to the old and those not able to work. It was soon evident that some way must be provided for earning money on which to live until crops could be made and gathered. As these Indians are among the best beadworkers in the world, the plan suggested itself of stimulating this art, for ART it is. Some materials were secured and a few women set to work. A ready market was found for all articles they could make, and soon other women were applying for work, and larger markets had to be secured, and so from this small beginning, the business has grown until we are able to give work to every woman of the two tribes who apply for it. And not only this, but we are giving work to our Geronimo Apaches of Ft. Sill, Oklahoma, and also to those of this band who chose to go to the Mescalero, New Mexico Indian Reservation, and also to the Mescalero Apache Indian women.

We are also sending work to the Rocky Boy Band of Crees and Chipewas.

For quite a few years now our efforts have been to stimulate the making of articles of Indian conception. The social and home departments have been taken over by other strictly religious missionary workers. But the ideals held by Dr. and Mrs. Roe have been kept as ours, and we are still carrying on. For several years we have had slight surpluses over operating expenses, and this has been used to some extent for helping young men of the tribes with which we work to gain more educational training than they would otherwise get.

Mrs. Kincaide, after long, faithful service for her Master among the Cheyennes and Arapahoes at Colony, left for the better home in February of 1939.

"Change" is a word written largely on almost every kind of endeavor for and with the American Indian. The Women's Board of Domestic Missions has tried to keep up with the movements and developments which make new plans necessary.

In the Colony district many of the Indians have moved away, leaving but a few families where formerly was a much larger population. It ceased to be necessary to keep workers at this station mainly for Indians. A "community" work must be done. The Colony Mission had always reached out to the white population within a radius of a few miles. Now, a more intensive work was needed for these people, and the few remaining Indians must be cared for still. A plan was consummated by which the Presbyterian Church, U. S. A., purchased the property of the Reformed Church in America at this point. Inasmuch as the Reformed Church belongs to the great Presbyterian family of churches, the change from the one to the other was natural and easy, after the former denomination had ministered to the field for thirty-seven years.

The Church records at Colony contain the following interesting statement: "On December 13, 1932, the El Reno-Hobart Presbytery met in special session at Colony, Oklahoma, for the purpose of receiving and accepting the members of the Columbian Memorial Church of the Reformed Church in America. The long and faithful history of the Church under the Women's Board of Domestic Missions came to an end; but to continue in a broader ministry to the entire community, Indian and white, under the Presbyterian Church, U. S. A.

(Signed) G. Watermulder, Acting Pastor."⁹

⁹ Rev. G. Watermulder is a veteran Indian missionary of the R. C. A. in Winnebago, Nebraska, and also Special Representative of the Women's Board of Domestic Missions for Indian work; Dr. Richard H. Harper is a retired missionary of the Women's Board of Domestic Missions, R. C. A. For many years he served among the Indians in Oklahoma and New Mexico.

THE CIVIL WAR IN THE INDIAN TERRITORY

1861 (Continued)

By Dean Trickett

Albert Pike, then in the midst of his negotiations with the Indian tribes, was appointed brigadier general in the Confederate Army by President Davis on August 13, 1861, the nomination being confirmed three days later by the Provisional Congress.¹ On the 22d of November the Indian Territory was made a separate department, and General Pike was given the command:

"The Indian country west of Arkansas and north of Texas is constituted the Department of Indian Territory, and Brig. Gen. Albert Pike, Provisional Army, is assigned to the command of the same. The troops of this department will consist of the several Indian regiments raised or yet to be raised within the limits of the department."²

At that time Pike was in Richmond, Virginia, where he had gone to submit the Indian treaties to President Davis; but the creation of a new department and the assignment of Pike to the command had been under advisement for some time and was known in the Indian Territory before he left there in the latter part of October.³

Pike completed his work with the Indian tribes when he signed the treaty of alliance with the Cherokees on October 7. Shortly thereafter he received word that Colonel McIntosh's Creek regiment was threatened by Opothleyoholo. Pike hesitated in employing Indians against Indians; but, as he afterward wrote to Secretary of War Benjamin: "When I was informed of Opothleyoholo's intentions to fight, I could do no more than request Colonel Drew and Colonel Cooper to march to the assistance of Colonel McIntosh . . ."⁴ The Cherokees, however, were not eager to fight against the Creeks.

"The Cherokees and Creeks are neighbors," explained Pike to Secretary Benjamin, "and the former are very desirous of maintaining their present friendly relations. They have long had a treaty between themselves by which they can settle in each other's country, and many of each nation are domiciled and married in the country of the other. The Cherokees naturally fear that if they fight any part of the Creeks the feud will last between them for many years after our difficulties are settled."⁵

¹ Congress of the Confederate States of America, *Journal* (Washington: Government Printing Office, 1904-5), I, 343, 363.

² *Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1880-1904), Series I, VIII, 690. Hereafter cited as *O. R.*

³ Annie Heloise Abel, *The American Indian as Slaveholder and Secessionist* (Cleveland: Arthur H. Clark Co., 1915), 332. Rector to Leeper, Oct. 31, 1861. See also *O. R.*, Series I, III, 727.

⁴ *O. R.*, Series I, VIII, 720.

⁵ *Ibid.*, 719.

A detachment of Colonel Drew's Cherokee regiment, about 500 strong, was posted at Coody's Bluff in the western part of the Cherokee Nation;⁶ and after Pike's departure for Richmond, Cooper, as senior colonel, assumed command of the troops in the Indian Territory and organized his forces to cope with Opothleyoholo and the loyal Creeks.⁷

Douglas H. Cooper was a native of Mississippi, and during the War with Mexico served as a captain in the regiment of Mississippi Volunteers commanded by Jefferson Davis.⁸ He became Indian agent for the Choctaws in 1853, the Chickasaw Agency being added to his charge in 1856. He was an ardent champion of slavery, and in his long service as agent seems to have effectively propagandized the tribes under his jurisdiction. In 1854 he wrote to Superintendent Charles W. Dean at Fort Smith, Arkansas:

"If things go on as they are now doing, in five years slavery will be abolished in the whole of your superintendency. I am convinced that something must be done speedily to arrest the systematic efforts of the missionaries to abolitionize the Indian country. . . . I see no way except secretly to induce the Choctaws and Chickasaws and Creeks to allow slaveholders to settle among their people and control the movement now going on to abolish slavery among them."⁹

By 1860, however, he was able to state in the last official report he made to the Federal superintendent at Fort Smith:

"No doubt we have among us *free-soilers*; perhaps abolitionists in sentiment; but, so far as I am informed, persons from the North, residing among the Choctaws and Chickasaws, who entertain opinions unfriendly to our system of domestic slavery, carefully keep their opinions to themselves, and attend to their legitimate business."¹⁰

Cooper was one of the earliest of the Indian agents to openly side with the Confederacy, and his regiment of Choctaws and Chickasaws was the first to be organized among the Indian nations.

In his account of the operations against the loyal Creeks, Colonel Cooper said that he "exhausted every means" in his power "to procure an interview with Opothleyoholo for the purpose of effecting a peaceful settlement of the difficulty existing between his party and the constituted authorities of the Creek Nation,"

⁶ *Ibid.*, 7. Coody's Bluff is in Nowata County on the east bank of the Verdigris River.

⁷ *Ibid.*, 5.

⁸ Joseph B. Thoburn, *A Standard History of Oklahoma* (Chicago: American Historical Society, 1916), I, 307.

⁹ Abel, *op. cit.*, 41-42. Cooper to Dean, no date; received at Fort Smith, Nov. 27, 1854.

¹⁰ "Report of the Commissioner of Indian Affairs," in *Report of the Secretary of the Interior, 1860* (Washington: Government Printing Office, 1861), 353-54. Cooper to Rector, Sept. 15, 1860.

but that his written overtures "were treated with silence, if not contempt."¹¹ Chief Ross likewise charged that the last messenger sent to Opothleyoholo by the Cherokees, bearing offers of peace "with the full authority of Colonel Cooper and Col. D. N. McIntosh," was prevented from seeing Opothleyoholo by some of his chiefs or officers "who were already stripped and painted for war."¹² Learning also that Opothleyoholo had been in correspondence with the Federal authorities in Kansas, Cooper resolved to advance against him and "either compel submission . . . or drive him and his party from the country."¹³

The white and Indian troops under Cooper's command numbered about 1,400 men, consisting of a detachment from the Ninth Texas Cavalry, under Lieut. Col. William Quayle; the First Creek Regiment, under Col. D. N. McIntosh; the Creek and Seminole battalions, under Lieut. Col. Chilly McIntosh and Maj. John Jumper; and six companies of his own First Choctaw and Chickasaw Regiment of Mounted Rifles.¹⁴

The loyal Indians, in the meantime, had abandoned their base at the junction of the Deep and North forks of the Canadian River, breaking camp on November 5 and marching north.¹⁵ Cooper was told later by captured prisoners that Opothleyoholo's party had taken a "route towards Walnut Creek, where a fort was being erected, and which had for some time been their intended destination in the event of not receiving promised aid from Kansas before being menaced or attacked."¹⁶

Although Walnut Creek, in southern Kansas, did eventually become a haven for the defeated loyal Indians, their first move was probably made to avoid for the time being a clash with Cooper's force. By their subsequent maneuvers they revealed their extreme reluctance to leave the Indian Territory. In fact, they did not leave until they had fought three pitched battles and were driven from the country.

Opothleyoholo's party at that time was composed largely of full-blood loyal Creeks, with a smaller contingent of loyal Semi-

¹¹ *O. R.*, Series I, VIII, 5.

¹² Joseph B. Thoburn, ed., "The Cherokee Question," *Chronicles of Oklahoma* (Oklahoma City), II (1924), 187. John Ross' Speech to Drew's Regiment, Dec. 19, 1861.

¹³ *O. R.*, Series I, VIII, 5.

¹⁴ *Ibid.*, 5.

¹⁵ The date is given on a map that accompanied a letter written by Special Agent John T. Cox to Superintendent Coffin in March, 1864. See "Report of the Commissioner of Indian Affairs," in *Report of the Secretary of the Interior*, 1864 (Washington: Government Printing Office, 1865), 477. The original map is now in The National Archives at Washington. A reproduction is given in Abel, *op. cit.*, 263.

¹⁶ *O. R.*, Series I, VIII, 5.

noles. Later they had accessions from nearly all the tribes in the Indian Territory. Traveling with them was a caravan of women and children, together with several hundred negroes. It was a general exodus, their household goods being loaded on a long train of wagons, followed by droves of horses, cattle, and sheep.

As to numbers, no reliable figures can be given. It is probable the warriors at that time did not exceed 1,500, although Opothleyoholo subsequently had a force in excess of 2,500. The caravan, of course, was far more numerous.

The Seminoles were led by a celebrated chief, Halleck Tustenuggee, who with a band of seventy warriors had fought with United States troops in 1843 the last battle of the Seminole War in Florida.¹⁷ Pascofa and other Seminole chiefs had also joined the loyal Indians.¹⁸ In command of all the warriors—Creek and Seminole—was a Creek called the Little Captain. He led in the three battles fought by Opothleyoholo's forces, but remains today a shadowy figure known only by name.¹⁹

Cooper took the field on the 15th of November and soon came upon the abandoned camp of the loyal Indians. Moving up the Deep Fork of the Canadian, he followed the trail northward until the 19th, when a few stragglers were picked up. From those prisoners he learned that Opothleyoholo's party was near the Red Fork of the Arkansas River.²⁰ Cooper's forces crossed the Red Fork and pushed rapidly ahead. About four o'clock they discovered camp smokes and the enemy's scouts a short distance in advance. The detachment of Texas cavalry charged the camp, but found it deserted. For nearly four miles they pursued the retreating scouts, who finally disappeared in the timber skirting a creek, along which the main body of Opothleyoholo's forces was then encamped.²¹

Some seventy men of the second squadron of the Texas cavalry attacked the encampment about sunset, being supported by other companies of the detachment, numbering approximately 150 in all. But after firing from three to five rounds, they were outflanked by the loyal Indians and forced to retreat under a hot fire two and half miles to the main command.²²

As soon as the firing was heard by the main body, the Choctaw and Chickasaw regiment was ordered to saddle and mount

¹⁷ *Ibid.*, 23. See also Grant Foreman, *The Five Civilized Tribes* (Norman: University of Oklahoma Press, 1934), 236.

¹⁸ Abel, *op. cit.*, 319. Rutherford to Rector, Dec. 27, 1861.

¹⁹ *Ibid.*, 277. Coffin to Dole, Feb. 28, 1862.

²⁰ The Red Fork is now known as the Cimarron River.

²¹ *O. R.*, Series I, VIII, 5.

²² *Ibid.*, 14.

and advance to the aid of the retreating Texans. They rode a short distance to the front and dismounted, but it was now dark and extremely difficult to tell friend from foe. Colonel Cooper and his volunteer aide, Col. James Bourland, of Texas, rode to the front, and Bourland called out, asking if any Texans were there. He was answered "by the crack of the enemy's rifles." The Choctaws and Chickasaws immediately opened fire and after a few rounds silenced the loyal Indians, who retreated under cover of the darkness. Off to the right the prairie had been fired and was burning briskly when the engagement ended.²³

That battle, the first to be fought in the Indian Territory during the Civil War, is listed in the *Official Records* as the "Engagement at Round Mountain."²⁴ The location of the battlefield has not yet been determined. One writer placed it "approximately a mile north of the present city of Keystone, around the base and along the crest of one of a number of round-shaped hills in that region."²⁵ A much less likely site in the western part of Tulsa County has recently been proposed.²⁶

Opothleyoholo's force in the engagement was "variously estimated at from 800 to 1,200 Creeks and Seminoles and 200 to 300 negroes," and the loyal Indians were said to have lost 110 killed and wounded, a grossly exaggerated figure. Cooper reported his loss as six killed, four wounded, and one missing.²⁷

Early the next morning the Confederates entered the main camp of the loyal Indians and found it deserted. Left behind were "the chief's buggy, 12 wagons, flour, sugar, coffee, salt, etc., besides many cattle and ponies."²⁸

At that juncture the campaign against Opothleyoholo was brought to a halt by orders from General McCulloch directing Colonel Cooper to take position near the Arkansas line and cooperate with him in meeting a threatened attack by the Federal Army under General Fremont concentrated at Springfield, Missouri. Further pursuit at that time was also held impractical by Cooper owing to the destruction of forage by the loyal Indians and the condition of the horses of his command, "worn down by rapid marches."

²³ *Ibid.*, 6, 14-15.

²⁴ *Ibid.*, 4.

²⁵ Rachel Caroline Eaton, "When the Civil War Raged Around Tulsa," *Tulsa World*, Jan. 11, 1931.

²⁶ Thomas F. Meagher, "Old Tulsa County Battlefield Located," *Tulsa Tribune*, Nov. 19, 1939.

²⁷ *O. R.*, Series I, VIII, 6.

²⁸ *Ibid.*, 6.

Returning on November 24 to Concharta,²⁹ where his train was parked, Colonel Cooper learned that the Federal Army had retreated from Springfield and that it was unnecessary for him to take post along the Arkansas border, "but proper to prosecute the operations against Opothleyoholo without delay and with the utmost energy," which, added Cooper in his official report, "I accordingly proceeded to do."³⁰

After reorganizing his forces at Spring Hill, near Concharta, and giving his men a few days' rest, Cooper moved on the 29th of November in the direction of Tulsey Town.³¹ His command, much reduced, now numbered but 780 men, and consisted of 430 men of the Choctaw and Chickasaw regiment, under Maj. Mitchell Laflöre; 50 men of the Choctaw battalion, under Capt. Alfred Wade; 285 men of Col. D. N. McIntosh's Creek regiment; and 15 men of Capt. James M. C. Smith's Creek company.³²

Col. William B. Sims, of the Ninth Texas Cavalry, who had joined the regiment and removed with his sick to Tullahassee,³³ was ordered to support the movement and march with all his available force up the Verdigris River in the direction of Coody's Bluff, where Col. John Drew was posted with a detachment of the First Cherokee Mounted Rifles.

Colonel Cooper had been informed that the loyal Indians had "taken refuge in the Cherokee country by invitation of a leading disaffected Cherokee"; and on arrival at Tulsey Town he was told by an escaped prisoner that Opothleyoholo's warriors, 2,000 strong, were planning an immediate attack.³⁴

Colonel Drew was ordered to march south from Coody's Bluff and form a junction with Cooper's force somewhere on the road to James McDaniels'; and Colonel Sims, then at Mrs. McNair's on the Verdigris east of Tulsey Town, was directed to join him at David Van's.³⁵ Through some misunderstanding, Drew failed to make connection, and Cooper marched north from Van's as far

²⁹ Concharta was south of the Arkansas River and a few miles southwest of the present town of Leonard in the southern part of Tulsa County. Eaton, *op. cit.*

³⁰ O. R., Series I, VIII, 7.

³¹ "The Tulsey Town referred to in Civil War records was on the terrain covered by the present city of Tulsa. It was more or less a camping site, probably around the springs which were once in use along what is now Riverside Drive." Eaton, *op. cit.*

³² O. R., Series I, VIII, 7.

³³ *Ibid.*, 7. The location given in Cooper's report (Tallahassa, Mo.) is undoubtedly a transcriber's error. Tullahassee is in the southern part of Wagoner County west of the Verdigris River.

³⁴ *Ibid.*, 7.

³⁵ *Ibid.*, 7. The exact location of places given in Cooper's report and identified only by owner's names (James McDaniels', Mrs. McNair's, David Van's, Melton's, Musgrove's, etc.) cannot now be determined.

as the Caney River before he turned west and, about noon on Sunday, December 8, found Drew encamped on Bird Creek. He had arrived there Saturday morning with a force of approximately 480 men.³⁶

The loyal Indians were in camp six miles farther south on the same creek, and Drew was in receipt of a message from Opothleyoholo "expressing a desire to make peace." Colonel Cooper authorized him to send Major Pegg, of the Cherokee regiment, to Opothleyoholo's camp with the assurance that the Confederate commander did not desire the "shedding of blood among the Indians" and proposed a conference the next day. Cooper went into camp on the west side of the creek about two miles below the Cherokees.³⁷

Major Pegg was accompanied on the peace mission by Captains George W. Scraper and J. P. Davis and the Rev. Lewis Downing. Late that afternoon, before they returned, Colonel Drew learned that not more than sixty men were in camp and that a rumor was being circulated that they were to be attacked by a large force then close at hand. Drew and a small party of Cherokees mounted their horses and started for Cooper's camp. After proceeding some distance, they turned back to secure the ammunition. In camp they found Major Pegg, who had returned without being able to reach Opothleyoholo, but who reported that he had seen "a large number of warriors painted for battle," who would be "down" upon them that night. Pegg himself had been allowed to return only on the "plea of removing some women and children from danger." His report completed the demoralization of the Cherokees, and in the darkness they "dispersed in squads."³⁸ Some of them, including Major Pegg and Captain Davis, made their way back to Fort Gibson, but many of the Cherokees put on the shuck badge worn by Opothleyoholo's warriors and joined the loyal Indians.³⁹ Among them were Captain Scraper and Captain James McDaniel, the latter a member of the Cherokee National Committee, 1857-59, from the Coo-wee-scoo-wee district.⁴⁰ Only twenty-eight Cherokees were left to follow Colonel Drew to Cooper's camp and pledge their aid in its defense.⁴¹

³⁶ *Ibid.*, 7, 17.

³⁷ *Ibid.*, 7-8.

³⁸ *Ibid.*, 17.

³⁹ Agent William H. Garrett wrote to Commissioner Hubbard on Dec. 16, 1861, that 400 Cherokees "deserted a few days before the recent battle from Col. John Drew's regiment." Report of the Commissioner of Indian Affairs, 1864, *op. cit.*, 479.

⁴⁰ Emmet Starr, *History of the Cherokee Indians* (Oklahoma City, Okla.: Warden Co., 1921), 272. The Coo-wee-scoo-wee district comprised the western portion of the Cherokee Nation.

⁴¹ *O. R.*, Series I, VIII, 8, 17.



HORSESHOE BEND ON BIRD CREEK, TULSA COUNTY

About 7 o'clock that night Colonel Cooper was informed of the panic among the Cherokees. He sent Lieutenant Colonel Quayle with a squadron of the Texas cavalry to investigate and report the condition of Drew's camp. Some provisions and a portion of the train were brought down that night by the Cherokee wagon-master and his teamsters, "true to their duty." The remainder of the camp equipment was removed the next morning.⁴²

Cooper's whole command was aroused by the alarm and remained under arms all night, and a company under Captain Parks was sent on a scout to the rear of Opothleyoholo's camp.⁴³

The loyal Indians did not attack, however, and on the morning of the 9th two companies of Creeks, under command of Captain Foster, went on a reconnaissance in the direction of Park's Store, on Hominy Creek.⁴⁴

Seeking a position that would enable him to maintain lines of communication with his depot at Coweta Mission⁴⁵ and with reinforcements expected at Tulsey Town, Cooper recrossed Bird Creek about 11 o'clock and moved down the east side. He had proceeded about five miles when two runners reached him at the head of the column with a message from Captain Foster saying that he had found the enemy "in large force" and that Captain Parks "had exchanged a few shots with them, taken six prisoners, and was retreating, hotly pursued."⁴⁶

At that moment shots were heard in the rear. Directing the Cherokee train to be parked on the prairie, under guard, Cooper hastily formed his troops in three columns—the Choctaws and Chickasaws on the right, the Texans and Cherokees in the center, the Creeks on the left—and "advanced at a quick gallop on the enemy, who had by this time shown himself in large force . . ."⁴⁷

Meanwhile, the rear guard repulsed an attack made by a body of 200 loyal Indians, who were driven back to the creek bottom, a distance of two miles, by a squadron of Choctaws and Chickasaws under Captain Young.⁴⁸

Opothleyoholo's main camp at that time is thought to have been on the west side of Bird Creek in a horseshoe bend about

⁴² *Ibid.*, 8.

⁴³ *Ibid.*, 8.

⁴⁴ *Ibid.*, 8. In reports in the *Official Records* this stream is usually called "Shoal Creek." In only one report (*ibid.*, 27) is it given the name by which it is known today.

⁴⁵ Coweta, or Coweta Mission, is in the western part of Wagoner County, about halfway between Tulsa and Fort Gibson.

⁴⁶ *Ibid.*, 8.

⁴⁷ *Ibid.*, 8.

⁴⁸ *Ibid.*, 8, 15.

two miles north and one mile east of the present town of Turley, in Tulsa County. This belief is strengthened by the fact that the Upper Creeks seem to have had a penchant for bends of rivers, in spite of their early disastrous experience at the Horse Shoe Bend of the Tallapoosa River in Alabama during the Creek War of 1813-14. Their warriors, however, were mainly on the east side, above and below the camp, concealed in the heavy timber that skirted the tortuous windings of Bird Creek. The creek was deep and could be forded only at certain points; but knowing these, the loyal Indians could cross and recross at will.

The strategy of Opothleyoholo's forces was clearly outlined by Col. D. N. McIntosh in his official report:

"1st. . . . They had placed their forces in a large creek, knowing by marching across the prairie that we would be likely to pass in reach of the place.

"2d. The grounds they had selected were extremely difficult to pass, and in fact most of the banks on the creek were bluff and deep waters, so that no forces could pass across only at some particular points, which were only known to them.

"3d. This place was fortified also with large timber on the side they occupied, and on our side the prairie extended to the creek, where the enemies were bedded, lying in wait for our approach."⁴⁹

The main body of Cooper's command advanced rapidly across the intervening prairie, clearing the ravines of skirmishers and sharpshooters, and driving the loyal Indians to the creek bank. In describing the terrain, Cooper said:

"The position then taken up by the enemy at Chusto-Talasah, or the Caving Banks (the Creeks call the place Fonta-hulwache, Little High Shoals), presented almost insurmountable obstacles to our troops.

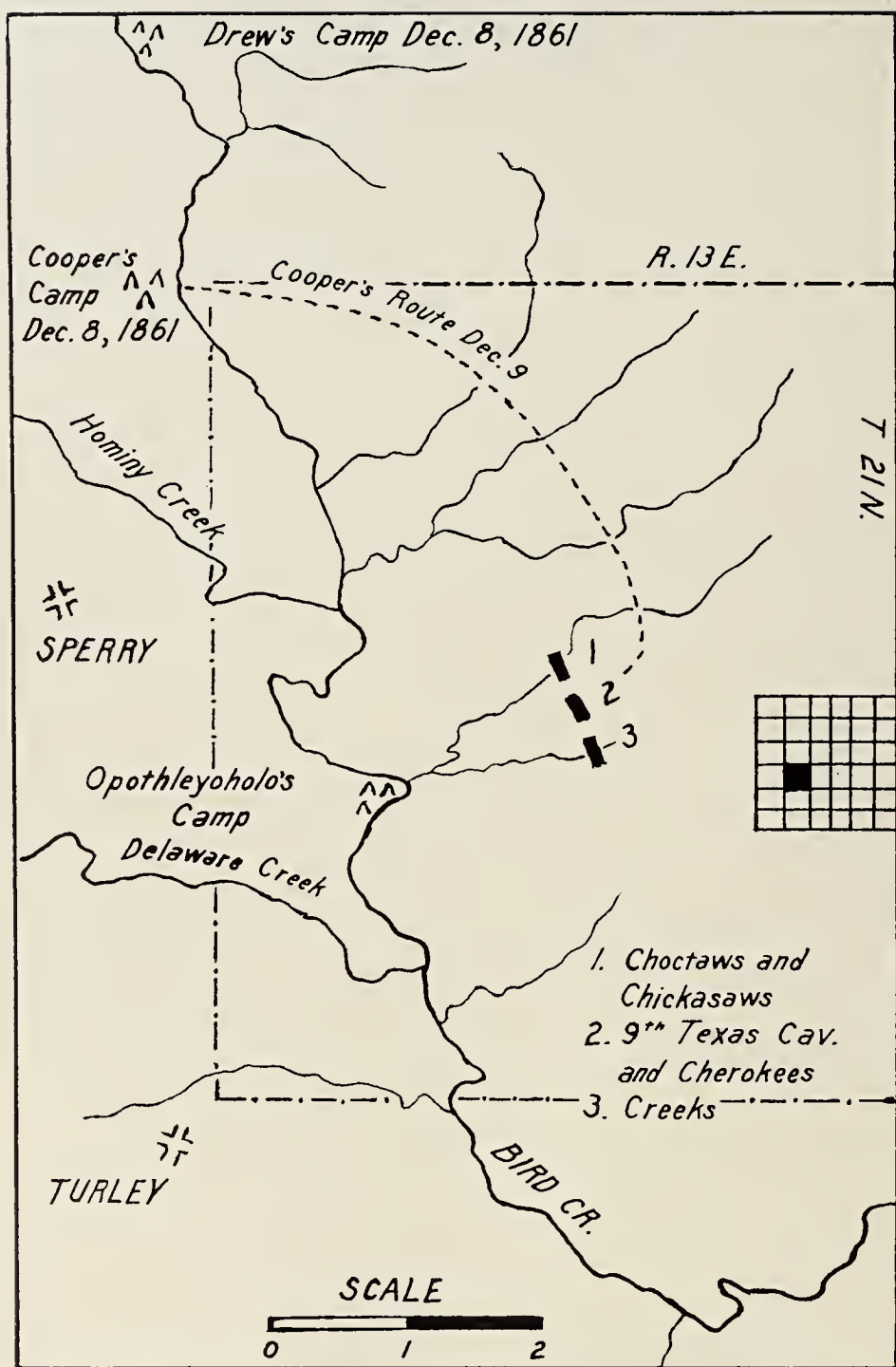
"The creek made up to the prairie on the side of our approach in an abrupt, precipitous bank, some 30 feet in height, at places cut into steps, reaching near the top and forming a complete parapet . . . The opposite side, which was occupied by the hostile forces, was densely covered with heavy timber, matted undergrowth, and thickets, and fortified additionally by prostrate logs."⁵⁰

Cooper was describing, it should be noted, the front along the horseshoe bend. The reverse bends above and below were heavily wooded on the east side.

The battle, which lasted about four hours, was a series of attacks and flanking movements. After being driven back into the timber, and often to the creek bank, the loyal Indians would work around on the flanks of the Confederates and pour in a volley, only to be charged and forced back again. Captain Pitchlynn, of the Choctaw and Chickasaw regiment, stated in his re-

⁴⁹ *Ibid.*, 16.

⁵⁰ *Ibid.*, 9.



MAP OF THE BATTLE OF CHUSTO—TALASAH, DECEMBER 9, 1861

port to Cooper: "The mode of warfare adopted by the enemy compelled us, as you are aware, to abandon strict military discipline and make use of somewhat similar movements in order to be successful."⁵¹

The Choctaws and Chickasaws fought on the right of the line throughout the engagement; and the Creeks, except at the close, on the left. In the center, however, Colonel Sims divided his Texas cavalry, numbering about 260 men, into two divisions; one, under Lieutenant Colonel Quayle, fighting alongside the Choctaws and Chickasaws; and the other, under his own command, fighting at the side of the Creeks; the two being again united on the right late in the afternoon.⁵²

Much of the fighting of the Choctaws and Chickasaws centered around "a dwelling-house, a small corn-crib, and rail fence," the location of which cannot now be established with certainty, but which were situated near and probably north of the ravine at the northeast corner of the horseshoe bend.

Just before sunset the Creek regiment ended the fighting on the left by driving the loyal Indians across the creek; then closed the battle by going to the relief of the exhausted Choctaws and Chickasaws on the right.⁵³

Colonel Cooper estimated his force actually engaged at 1,100, and reported a loss of 15 killed and 37 wounded. He was certain the loyal Indians had "over 2,500" in their ranks, and cited Major Pegg's figure of 4,000. But the loss charged to them of 500 killed and wounded was another gross exaggeration.⁵⁴

The Confederates bivouacked that night on the prairie, returning to the battlefield the next morning, but the loyal Indians had "retreated to the mountains." After burying their dead, Cooper's men marched to David Van's, where the train and their wounded had already been moved, and encamped for the night.⁵⁵

Cooper was again forced to suspend the campaign against Opothleyoholo and the loyal Indians. For one thing, his supply of ammunition was nearly exhausted; but of far graver importance was the alarming news that the defection among the Cherokees was widespread and growing. On arrival at Van's the night of December 10, Colonel Cooper learned that a body of 100 Cherokees from Fort Gibson had passed through the evening before and joined the loyal Indians on Hominy Creek. He decided to place

⁵¹ *Ibid.*, 21.

⁵² *Ibid.*, 16, 18-19, 19-21.

⁵³ *Ibid.*, 10, 16.

⁵⁴ *Ibid.*, 10.

⁵⁵ *Ibid.*, 10. Cooper's "mountains" are the Osage Hills in what is now Osage County.

his troops in position to counteract any further movement among the Cherokees in support of Opothleyoholo.⁵⁶

Colonel Drew, with the Cherokee train, and Colonel Sims and the Ninth Texas Cavalry were ordered to march direct to Fort Gibson. Colonel Cooper, with the Choctaw and Creek regiments, fell back by way of Tulsey Town down the Arkansas.⁵⁷ Meanwhile, Col. James McIntosh, in command of McCulloch's Division, then in winter quarters at Van Buren, Arkansas, had been urgently requested to send reinforcements of white troops into the Cherokee country. "The true men among the Cherokees must be supported and protected or we shall lose the Indian Territory," declared Cooper in a letter to McIntosh.⁵⁸

Arriving on the 13th at Choska, in the Creek Nation, twenty miles above Fort Gibson, Cooper put the main body of his command into camp and hastened on with two companies of the Choctaw and Chickasaw regiment to a point on Grand River opposite Fort Gibson, where he encamped. The rapid concentration of troops, however, had by that time achieved its object, suppressing all "outward show of sympathy with the enemy."⁵⁹

Colonel McIntosh promptly responded to Cooper's call for aid by ordering seven companies of Young's Eleventh Texas Cavalry, five companies of Greer's Third Texas Cavalry, and Major Whitfield's Texas battalion of three companies to report to him at Fort Gibson. McIntosh urged him, as soon as the force was concentrated, "to march at once and use his utmost efforts to destroy the enemy." Cooper was also allowed to retain Sim's regiment, which had been ordered into winter quarters at Van Buren, but which was still in camp at Fort Gibson. Further, he was authorized to call on the ordnance and quartermaster departments at Fort Smith for ammunition and supplies.⁶⁰

On the evening of the 19th Cooper crossed over to Fort Gibson from his camp on Grand River for the purpose of addressing Drew's regiment in conjunction with Chief Ross of the Cherokees. At the fort, much to his surprise, he found Col. James McIntosh, "who announced his intention of taking the field with some 2,000 troops against Opothleyoholo."⁶¹

Although disappointed by the "change in Colonel McIntosh's intentions," Cooper made no objection. He shared with McIntosh all the information he possessed of the location of Opothleyoholo's

⁵⁶ *Ibid.*, 11.

⁵⁷ *Ibid.*, 11.

⁵⁸ *Ibid.*, 709.

⁵⁹ *Ibid.*, 11.

⁶⁰ *Ibid.*, 11, 713.

⁶¹ *Ibid.*, 11.

camp and the topography of the surrounding country, and agreed to cooperate by moving up the Arkansas to the rear of Opothleyoholo's position, while McIntosh marched up the Verdigris and attacked in front. The strategy was excellent, although the division of forces seems to have been prompted by the scarcity of forage.⁶²

Following his address to the members of Drew's regiment, Cooper concluded arrangements with Chief Ross and Colonel Drew for the reorganization of the regiment, and returned to Choska on the 20th with Whitfield's battalion and the squadron of Choc-taws.⁶³

Sims' regiment joined Cooper at Choska, but the companies assigned to him from the Eleventh and Third Texas regiments were retained by Colonel McIntosh. A supply of ammunition promised by McIntosh was not received until the night of the 23d. Delayed also by the desertion of his teamsters, Cooper was unable to begin the march for Tulsey Town until the 24th.⁶⁴

Colonel McIntosh, in the meantime had left Fort Gibson at noon on the 22d with a force of 1,380 men. His command consisted of five companies of the Third Texas Cavalry, under Lieut. Col. Walter P. Lane; the Sixth Texas Cavalry, under Lieut. Col. John S. Griffith; seven companies of the Eleventh Texas Cavalry, under Col. William C. Young; four companies of McIntosh's own regiment, the Second Arkansas Mounted Rifles, under Capt. William Gipson; and the Lamar Cavalry, a company of Texans attached to division headquarters, under Capt. H. S. Bennett.⁶⁵ In addition, Col. Stand Watie's Second Cherokee Regiment, stationed on Grand River, was ordered to join McIntosh at Mrs. McNair's, on the Verdigris.⁶⁶

McIntosh arrived at Mrs. McNair's on the morning of the 24th. Resuming his march the next morning, he made camp on the evening of the 25th at a place unidentified, but which may have been David Van's. As the Confederates went into camp, a party of Opothleyoholo's warriors appeared in sight. A regiment sent to observe them was recalled when the loyal Indians retreated, McIntosh refusing to be drawn into a "fruitless chase." That evening a message was received from Colonel Cooper saying it would be several days before he could join in the movement. McIntosh resolved to attack alone.⁶⁷

James McIntosh was born at Tampa Bay, Florida, in 1828, and was the son of Col. James S. McIntosh, who was killed in

⁶² *Ibid.*, 12, 22.

⁶³ *Ibid.*, 12.

⁶⁴ *Ibid.*, 11-12, 22.

⁶⁵ *Ibid.*, 22.

⁶⁶ *Ibid.*, 12, 24.

⁶⁷ *Ibid.*, 22.

the storming of Molino del Rey during the Mexican War. He was graduated from West Point in the class of 1849. At the outbreak of the Civil War he was a captain in the First Cavalry, and had been stationed at Fort Arbuckle, 1858-59; at Fort Cobb, 1859-60; and at Fort Smith, 1860-61. He resigned May 7, 1861, and joined the Confederates. At the battle of Wilson's Creek, in August, he commanded the Second Arkansas Mounted Rifles, acting also as adjutant to General McCulloch. He assumed temporary command of McCulloch's Division early in December when the general went to Richmond, Virginia, to explain conditions in his department.⁶⁸

Unable to move his train farther, Colonel McIntosh placed it in charge of the brigade quartermaster, with a guard of 100 men, and with four days' cooked rations broke camp early on the morning of December 26 and marched west toward the hills "running back into the Big Bend of the Arkansas." The Third Texas Cavalry, under Lieutenant Colonel Lane, moved in advance, a company under Captain Short forming an advance guard.⁶⁹

Toward noon Captain Short crossed Hominy Creek and immediately came under fire. The loyal Indians were posted "on a high and rugged hill, with its side covered with oak trees." Between the hill and the creek was open ground 200 or 300 yards in width.⁷⁰

Captain Short gallantly maintained his position until the main body came up. Colonel McIntosh ordered the Eleventh Texas Cavalry, under Colonel Young, to form on the left, and the Sixth Texas Cavalry, under Lieutenant Colonel Griffith, on the right. The center, composed of Lane's regiment, Captain Gipson's detachment of the Second Arkansas Mounted Rifles, and Captain Bennett's company, the Lamar Cavalry, were ordered to cross the stream and support Captain Short, and were followed by Colonel Young's troops, who formed on their left.⁷¹

The loyal Indians, "estimated at 1,700," occupied a strong position. The Seminoles, under their chief, Halleck Tustenuggee, were on foot at the base of the hill, posted behind trees and rocks, while others formed a line near the top. The Creeks, on horseback, were stationed beyond in reserve.⁷²

⁶⁸ Marcus J. Wright, *General Officers of the Confederate Army* (New York: Neale Publishing Co., 1911), 69. George W. Cullum, *Biographical Register of the Officers and Graduates of the U. S. Military Academy* (New York: D. Van Nostrand, 1868), II, 252-53. *O. R.*, Series I, III, 107, 110; *ibid.*, VIII, 703.

⁶⁹ *O. R.*, Series I, VIII, 22.

⁷⁰ *Ibid.*, 23, 29.

⁷¹ *Ibid.*, 23.

⁷² *Ibid.*, 23.

At 12 noon Colonel McIntosh ordered a bugler to sound the charge. "One wild yell from a thousand throats burst upon the air, and the living mass hurled itself upon the foe," said McIntosh in his official report. "The sharp report of the rifle came from every tree and rock, but on our brave men rushed, nor stopped until the summit of the hill was gained and we were mingled with the enemy."⁷³

The charge upon the hill was made by the troops in the center led by Lane's regiment. The Seminoles retreated to the top of the hill, unable to stem the impetuous onset of the Texans. There for a short time a desperate struggle took place, marked by hand-to-hand conflict. Forced to give way, the loyal Indians fled in wild disorder. Young's and Griffith's regiments joined in the pursuit over rocky hills and through deep ravines. The loyal Indians attempted to make a stand at their encampment, but were routed, and the battle ended at 4 o'clock with the Confederates "victors in the center of Opothleyoholo's camp."⁷⁴

The battle, known officially as the "Engagement at Chustenhlah," was fought west of Skiatook on Hominy Creek, but the exact location is unknown.⁷⁵ Colonel McIntosh reported a loss of 8 killed and 32 wounded. He claimed the loss sustained by the loyal Indians was "upwards of 250" in killed alone.⁷⁶ That figure is of kindred value to Colonel Young's report: "My regiment killed 211."⁷⁷

Late that afternoon Col. Stand Watie, with 300 men of his Cherokee regiment, joined McIntosh. He made a forced march, but was unable to reach Hominy Creek in time for the battle. The Confederates camped that night on the battlefield.⁷⁸

Early the next morning Colonel McIntosh resumed pursuit of the loyal Indians. After a march of about twenty-five miles, Col. Stand Watie overtook a body of Opothleyoholo's warriors, said to number 500 or 600. He divided his force, placing half of the command under Major Boudinot, and attacked, dispersing the loyal Indians after a running fight lasting two hours or more. Reporting no loss of his own command in either killed or wounded, he and Major Boudinot claimed to have killed about twenty loyal Indians, the figure being revised to fifteen by Colonel McIntosh in his report.⁷⁹

⁷³ *Ibid.*, 23.

⁷⁴ *Ibid.*, 23-24, 26-29.

⁷⁵ "Old-timers and especially the early Osage ranchers always said there had been a battle near Hominy falls, which is west of Skiatook and on Hominy Creek." Eaton, *op. cit.*

⁷⁶ *O. R.*, Series I, VIII, 24.

⁷⁷ *Ibid.*, 27.

⁷⁸ *Ibid.*, 24.

⁷⁹ *Ibid.*, 24, 32-33.

Colonel Cooper arrived at Tulsey Town on the evening of the 26th. The following morning he heard that McIntosh had attacked and defeated the loyal Indians. Abandoning his plan to gain the rear of Opothleyoholo's forces, he decided to pursue by the nearest route. On the 28th, at Park's Store, on Hominy Creek, he met Colonel McIntosh returning to winter quarters. Cooper continued his march, moving up Bird Creek.⁸⁰

In a "fatiguing scout of seven days," his command followed the trail to the Kansas line, then turned west toward the Arkansas River, "embracing the entire country lately occupied by Opothleyoholo's forces." The weather was exceedingly cold, the ground was covered with sleet, and one man froze to death.

"Its results," said Cooper in his official report, "were 6 of the enemy killed and 150 prisoners taken, mostly women and children, the total dispersing in the direction of Walnut Creek, Kansas, of Opothleyoholo's forces and people, thus securing the repose of the frontier for the winter. It also demonstrated that the capture of the whole of those who remained on Shoal [Hominy] Creek up to the 26th of December, including Opothleyoholo himself, could have been easily effected had Col. James McIntosh waited until the forces under my command reached a position in the rear of the enemy, or even if Col. Stand Watie had been sent up Delaware Creek or up Bird Creek and thence to the rear of Opothleyoholo's position, the same result would have been attained and the machinations of the arch old traitor forever ended."⁸¹

Colonel Cooper returned to his train at Tulsey Town and moved with the main body of his command down the Arkansas to winter quarters.

To the north, the fugitive loyal Indians struggled across the bleak prairies of southern Kansas. Many died of cold and privation before aid could reach them; and long, weary months passed before those who survived were able to return to their homes in the Indian country.

(To be continued)

⁸⁰ *Ibid.*, 12.

⁸¹ *Ibid.*, 13.

NOTES AND DOCUMENTS
THE DIARY OF ASSISTANT SURGEON LEONARD
McPHAIL ON HIS JOURNEY TO THE
SOUTHWEST IN 1835

Edited by Colonel Harold W. Jones, U. S. A.

“The iniquity of oblivion blindly scattereth her poppy and deals with the memory of man without distinction to merit of perpetuity.” So wrote Sir Thomas Browne nearly three hundred years ago. As we look at this faded manuscript penned in 1835 before the covered wagon came into its own, when California and Texas were still foreign lands and the great Southwest an almost unknown country, we may well wonder if he who wrote so laboriously at the end of each day, perhaps by the uncertain light of the camp fire, ever speculated as to his rescue from that oblivion.¹

Who was Leonard McPhail? Diligent search through historical records of the Army and biographical works show that he entered the Service November 30, 1834, from Maryland and that he was sent by sea to New Orleans where he was placed on duty at Fort Jackson which had been established but a short time. Almost immediately he was assigned to the Regiment of Dragoons newly created for service in the Indian country. Evidently he went at once to Fort Gibson, Indian Territory, to receive his baptism into Army life in the field. It was on the expedition which ended in the signing of the memorable treaty with the Comanche Indians, that the Diary was written.

No record can be found of any of his movements from that period until August 1845, when war with Mexico appeared certain. At this time we find that Assistant Surgeon McPhail was the medical officer in charge of the 2d Dragoons and that later he became attached to the 7th Infantry encamped near what is now Fort Brown, opposite the city of Matamoras, Mexico. It is possible that early in the month of May 1846 he was actively engaged in the battles of Palo Alto and Resaca de la Palma. In the latter part of 1846 there is found a reference that at Matamoras, Mexico, Dr. McPhail was on duty as one of the Assistant Surgeons at the general hospital there. This hospital was one of the establishments of General Taylor's Army, the headquarters being at Monterey.

During the active operations in Mexico, both under General Scott and General Taylor, we find many numerous references to the bravery and efficient services of the medical officers with the

¹ The original manuscript is a document of 23 pages 6 by 10 inches, briefed on the back by some War Department clerk as “Dr. McPhail's Journal with Dragoons in 1835.” It came into the possession of the Army Medical Library in Washington some years ago. It is doubtful if it has ever been read in its entirety.

troops, but no further mention is found of Dr. McPhail. It is unlikely that he was at any other time in the field during the Mexican War.

Dr. McPhail was promoted at the close of the Mexican War in 1848 to the grade of Surgeon. In an old file two letters have been discovered written by him during the war. One is dated April 2, 1848, from the General Hospital, Army of Occupation, Matamoras, and refers to the shipment of the remains of a brother officer who died in Matamoras. The other is dated September 9, 1848, and contains a reference to the writer's younger brother then in Louisiana. This officer had been brevetted major for gallantry at Cherubusco. Dr. McPhail and his brother resigned the same day, April 30, 1849, but whether to settle in the great Southwest or to join the rush to California in search of gold and adventure, does not appear. The elder brother took no part in the Civil War, although the younger did. Dr. McPhail, as far as is known, published nothing for posterity. He died in 1867.

Let us pause after picturing the young Assistant Surgeon dressed in his army blue at that far off station west of the Mississippi. What of Fort Gibson? This Army post was one of the earliest garrisons ever to be established in the Southwest, antedating Fort Leavenworth by several years. The Army Register of 1821 mentions that the 7th U. S. Infantry was stationed in the Indian country in localities scattered along the Red and Arkansas Rivers in the present State of Oklahoma. A trading post had been established at Fort Smith in 1817 and it was to protect the southwestern trade route into what is now the State of Texas that troops were sent into this area of our Southwest. Gradually as trails became well established a "military road" was constructed through the territory between the Neosho and Canadian Rivers. Fort Gibson is first mentioned in the Army records as "Cantonment Gibson," and it probably came into official existence in 1824, as that is the year in which it first appears in print in the official Army Register. From Fort Gibson to Camp Holmes on the Canadian River by the military road was perhaps 140 miles, a three-hours' journey at the present time. It took the expedition more than three weeks in 1835 to get there and they lost a number of animals and one soldier on the way.

Even thirty years later Fort Gibson was a wretched collection of log and frame huts, and from its malarious reputation it had become known as the "charnel house of the frontier." It was at the edge of a prairie, in a land unknown to civilization. A wild prairie grass, rank and heavy, stretched away to the distant horizon. Here was a wilderness filled with game, turkey, deer and buffalo, but beginning to be penetrated by adventurers and land speculators. There were plenty of Indians there, but the bitter and prolonged

Indian wars, which followed the gradual encroachment of the white man, were yet to come. The thin fringe of Army posts, which would be built later after the Civil War throughout Kansas and Texas, was then undreamed of. Into such a picture then, steps our chronicler who has just received his commission as an army officer from President Andrew Jackson.

The West is before him, the setting sun his guide, the Indian the subject of his eager inquiry. So let us follow the trail with him and live his days over again before the ink which records his travels shall fade before our eyes.

It was on a fine June day in 1835 that Dr. McPhail, under orders from General Arbuckle, left the shelter of Fort Gibson behind him, and it was in company with Lieutenant Seaton that he rode out across the prairie. Just at sunrise they forded the Arkansas River at its junction with the Neosho, and there they found a small command of Infantry and Dragoons with two four-mule wagons. The command proceeded southwest for fifteen miles and camped for the night. The Journal entries are as follows:

Wednesday June 17. Alas! a mule wagon tongue is found broken in the morning and a new one must be fashioned for no wagon can be pulled lacking a tongue. However at seven o'clock we are again on our way. Two hours later a soldier is taken sick and a plague of flies descends upon us, tormenting horses and men. The heat is terrific and not a breath of air stirs. One of the oxen rolls over and dies perhaps from the terrible heat and the flies. By nightfall the expedition had marched but thirteen miles.

Thursday, 18th. The waggons and men on foot left our bivouac at three in the morning, the dragoons following at sunrise. The flies have gone and the weather is cool and fair. We reached the Canadian River in the afternoon and camp was made after a march of 14 miles.

The next day at dawn the river was crossed without accident and a halt made on the right bank near the home of a settler, Chilly McIntosh. There we found some U. S. cattle in a wild state. One was captured for draught purposes and another killed for meat. The following day was rainy and the command bivouaced at four in the afternoon.

Saturday and Sunday. On account of the rain we are compelled to bivouac in the early afternoon. Two Creek Indians visited us, on the way to Fort Gibson and we sent letters by them. A soldier is taken sick and a horse bitten by a snake. The animal is quite useless as a result. The next day the country became much more hilly and rough and a wagon was overturned but no loss resulted. We shot a deer that afternoon and camped having made 18 miles.

Wednesday, 24th. The heavy rains continue and the journey today has been a difficult and painful one. We could march only 7 miles.

Thursday 25. It was necessary to bridge several ravines so we did not start till ten o'clock. A tedious journey, crossing creeks whose banks were so steep they must be dug to allow the waggons to pass. The rain comes down in torrents and officers and men were soaked to the skin. We made but six miles and camped near Little River.

Friday 26 and Saturday 27. Torrents of rain and it is impossible to proceed. On Saturday the streams are so high it is still impossible to march. As the sun comes out in mid morning all hands are engaged in washing clothes and cleaning accouterments.

Sunday 28th. We are engaged in cutting a road to the river. "Wash" my servant crossed over in a bark canoe to a village of the Delawares' in search of fresh meat but he returned reporting the water was too high and the banks too steep. At noon we succeeded in sending an Indian over to the other side who reached Major Mason's camp. His small command of 14 men and 28 pack animals was on the way to Fort Gibson for provisions.

Monday 29th. Still raining at intervals. The river is quite impassable. We are encamped on a ridge (spared by the rising waters) not more than two yards by fifty, the companions of scorpions, lizards, centipedes and Tarantulas that the water has driven to the only spot of terra firma for miles around. Capt. Trenor taken sick.

Tuesday 30th. Fair. River still impassable. Three privates are on "sick report" with intermittent fever.

Wednesday July 1. The weather is fair but two more soldiers are on "sick report." The men have killed a rattle snake and the Lieutenant and others partook of a meal *en fricassie*. A deer is also killed and a bee hive captured so we've been quite in clover in the way of *munitions de bouche*. Private Smith was lost at noon but was found at nightfall. The men talk of "belling the stray."

Thursday 2d. The night was chilly. The men have felled a tree and are making a *pirogue*.

Friday 3d. Rain is falling. Lieut. Seaton and a private taken sick. An Osage runner brings a letter to us from Major Mason directing the Lieutenant to push on to his camp as soon as possible with all his force leaving only enough men to care for the waggons and draught animals. A meditated attack by the Cumanches is assigned as a reason for this order.

Saturday 4th Independence Day. The pirogue is finished and launched and we have named it "Independence."

Sunday 5th. The day is fair. Three cheers! The detachment of Dragoons have made a successful attempt to cross the river. At 5, it is done. The canoe turned over once and some salt and a gun lost. The two dragoons reach shore safely, to our relief.

Monday 6th. This morning broke camp "LOO-KOUT," so-called by a native of the Netherlands who painted a sign for us in the Dutch way of spelling. Again crossed the river successfully with the canoes. Bi-vouaced near the Delaware village and were visited by some of the tribe.

Tuesday 7th. At sunrise we passed the Indian village. The hills are rough and rocky. Plenty of excellent water. On starting the march this morning my stirrup caught in a cut down bush which trailing behind alarmed my horse who ran off with me at full speed through the woods. I maintained my seat though in imminent danger and finally brought my mount up standing. In the afternoon after bridging a ravine we entered the prairie again. We met an Indian with wife and child, goat and dogs. They had returned from a buffalo hunt having killed four.

Wednesday 8th. This morning at daybreak we saw buffaloes for the first time. I chased a *bear* which turned out to be a wolf! Passed through a brush wood of burnt oak and came out looking like so many "pot wrestlers." Today we marched 12 miles.

Thursday 9th. On the way by sun up and shortly after we saw buffalo in herds. We gave chase and our Lieutenant and Peck got a shot but did not bring the game down. In the afternoon Peck went out after fresh meat and returned with the best of a buffalo cow he had killed. The meat tastes good as our appetite for fresh things is keen. It was my first time to dine on buffalo. Taken ill in the afternoon. Sick! Sick! Made 10 miles. Course is now west.

Friday 10th. The Lieutenant was thrown from his horse but is only slightly injured. Lost one of my horses last night. So much for my humanity in loaning him to a sick soldier. I am too sick to ride and have taken to the wagon. Too unwell to write. We made only 6 miles.

Saturday 11th. Water is very scarce the last two days. The animals have suffered for the want of it. Arrive in the afternoon at Camp Holmes, Major Mason's encampment. I am very ill: blooded freely.

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Saturday 26th. Have been sick for several days past which accounts for the blank in the Journal. We are surrounded by Indians, Osages, Pawnees, Kioways and different tribes of Cumanches. Some time ago the Chief of the Cumanches "Ta-ba-que-na" made great exertions to induce the other bands to join him and wipe out Major Mason's men. Since the arrival of our detachment he has become more pacific in his notions and yesterday on the arrival of Captain Lee's command (from the 7th Infantry) and on hearing the big gun fired he became very suspicious and removed his camp some distance away. He is said to be a bad Indian. He is a rather fat, dark looking fellow and bears the marks of "many a wound in battle won." We have been visited by the Cumanche chief who is dressed off in a Dragoon's jacket and a pair of old pattern infantry epaulettes (God only knows where he got them). The Chief is a good looking fellow and much lighter in color than old "Tab"; and besides he has a right pretty daughter, that is, pretty for an Indian belle. She wears a red blanket surmounted over the shoulders by a deer skin capotte fringed with elks' teeth. She wears mocassins and leather gaithers fringed *a la sauvage* with a gingling trail from each leg (said to wipe out her footsteps). She has bracelets and her dark hair is parted in the middle seam of the head, the seam being painted vermilion, as well as her eyelids and lips. She is young and quite the rage with . . .

Monday 27. Some light has been thrown on the indisposition lately manifested by the Indians not to remain. One of the Osages stole a horse a few days ago from a Cumanche. A deputation was sent with the owner to Claremor's farm with orders from Major Mason for the restoration of the horse. One of the return party informed the Major that Claremor would not come to council till the corn was ripe as he knew the white *ki-heka* would not be there before. The Cumanches were told moreover not to wait but to go on a hunt, as the Great White Chief would not come after him and that Major Mason and his officers were no Chiefs but as the dead grass of the prairie—good for nothing. The Cumanches believed they were only fitted to eat up the flour and meat and send back for more and to prepare the way for the White Chief and himself who would come at the proper time after corn gathering. The Osage Chief "Black Dog" expresses great indignation at Claremor's talk and hopes the general may come so as to make him out a "crooked talker."

Tuesday 23. We do not see as many Indians as usual. Suppose the Cumanches to be moving off—indisposed to be near us, being suspicious of our true character. The herds of Buffalos that were so abundant a few weeks since, and had disappeared, are supposed to be on the return as a Dragoon sentinel reports a herd of them two miles off.

Wednesday 29. The Major (Mason) has had a talk today with Tabaguenta who consents to remain till Aug. 20th but cannot insure the stay of others of his tribe, nor that of the other chiefs, as they have some doubts of a council being held "before the fall of the leaf" being infested with this idea from some quarter unexpressed. Saw this afternoon a Cumanche in mourning for his child lately dead. He was painted black in stripes, and the ornaments lately belonging to his infant he wore suspended from his neck: a little buckskin doll, with the head of it covered with a lock of his infant's hair. He looked sad and often upon this feeble image of his lost one showing that affection was with the living for the departed dead.

Thursday 30th. Shortly after our arrival at Camp Holmes a Cumanche ran off with the wife of another. Being caught a few days after, the usual punishment in such cases was inflicted—the gashing of the face and body of the infidel couple and rubbing in charcoal so as to leave permanently the stain of disgrace.

Friday 31st. I have observed today that many of the Cumanches as well as several of the Pawnees and especially the women are tattooed on the neck, face and arms, some quite tastefully.

Saturday, August 1st 1835. Captain Perkins was despatched in search of the Kioways to invite them to council. Camp alarmed this evening between the hours of 7 and 8 o'clock by the report of a firearm followed by the cries of a person as if wounded.

Forces turned out under arms and a *corps de garde* despatched under Lieutenant Harris to the Spring. Returned with the sentry placed there wounded. An Indian supposed to be an Osage, persisting in washing his feet in the spring was attempted to be removed by Private Sharp (Co. F. 7th Inf'y) who not wishing to use violence pushed him off with the butt of his gun (as ordered in such cases) which extremity was seized by the Indian, cocked and discharged, whilst the left hand of the soldier was immediately applied over the muzzle, the hand receiving the whole charge, (ball and three buckshot) entering at the palm and passing obliquely toward the wrist, shattering the metacarpal bones and tearing the integuments so as to render amputation necessary. This I performed at once at the wrist joint.

A *corps de garde* sent under Lieut. Harris to the Osage camp to demand the offending party—returned not being able to find him. The Major has demanded him of Black Dog.

Saturday 2d. A council with the "big men" of the Osages held this morning concerning the affair of last night. Was not able to arrive at any clue by which the affair could be ascertained. The Detachment and waggon sent some days since to Little River for the articles left there by Capt. Lee's command arrived this morning with the exception of one man lost from the waggon party. The two men despatched in search of him reported that they had tracked him 4 miles from camp on the way back and then again toward the camp. Sent immediately back with strict orders for a more diligent search. This afternoon some Cumanches on their return from a visit to the Osages drew up in front of our camp and gave us the compliment of a song accompanied by music from their rude kettle drums. They were dressed off in all their glory with feathers and painted skins, eye lids vermilion and cheeks striped *a leur mode*.

Monday Aug. 3rd. A foot race yesterday afternoon by some Osages for a prize of two papers of paint offered by an officer of the camp. Poor running. A wrestling match today between some soldiers and Osages—the soldiers threw the Indians three times to one (Fair play and no

tripping). A few days since Lieut. H. . . . beat the fastest Osage runner with ease in a race of 200 yards. It is evident that the whites, men without training, are far superior to the savages in athletic sports.

Tuesday 4th. The command sent back yesterday in further search of the man lost from Capt. Lee's command returned this afternoon without any further intelligence of him. John, an Osage who speaks English, stated tonight that he had understood from the Cumanches that a white man had been to their camp several times within the last two days, made signs he was hungry, got to eat, and said he was afraid to come to our camp for fear of being flogged.

On this information John was sent with the Pawnee woman, (Interpreter) to tell the Cumanches to secure the person and bring him to our camp, offering a reward in case he was brought in. The man now turns out to be one of those on "sick report" who had been put on low diet.

Wednesday 5th. The remaining Cumanches removed yesterday afternoon from the west to the east of us. They passed along by us with their tent poles trailing on each side of their horses and the tent skins packed on their backs. Several persons in camp and some Indians report to have heard this morning a sound like the firing of a piece of cannon. We are in suspense to know what it was. A race course laid out today. *Il faut s'amuser quand on est jeune.*

Thursday 6th. The weather which has been fair for some time past is on the change. It showered yesterday and today is cool with a Scotch mist. The Major, Lieut. Harris, "Very Good" a Kansas Indian and some others of the Osages had a Buffalo Chase yesterday afternoon. The Major and Lieut. were in at the death, the animal being dispatched with arrows some of which passed through and through it.

Friday 7th. The Osages who have remained here so long and so patiently for the treaty making party are today preparing to leave for their homes. Capt. Perkins and command returned not being able to find the Kioways. Crossed the main Canadian this afternoon. Rains. Had a fine view of the surrounding country from a hill on the right border of the river 100 feet above the level of the prairie.

Sunday Aug. 9th. A Kioway and his wife appeared in Camp today. They are the finest looking savage folks I have seen.

Monday 10th. The horses for the last few days have been so pestered by flies as to render it necessary to graze them at night and in the morning and keep them in Camp during the day with smoky fires to drive off the plague.

Tuesday 11th. We have been feasting these last few days on wild turkies (sic) which from the numbers daily brought in are abundant in the neighborhood. *Urticaria* or nettle rash is common amongst officers and men. Can it be owing to the prairie fed meat as the oxen and Buffalo are very fond of the white flowering nettle that abounds in these parts? A herd of Buffalo and Indians in chase after them reported within 1½ miles of camp. Weather cool and rainy.

Wednesday 12th. There has been an increase in the number of sick reported, cases of intermittent fever principally attributed to the change in weather from warm and dry to cool and rainy. The winds prevailing blow over a large bottom and marsh a little ways from camp wafting the "mal-aria" over us.

Thursday 13th. A great wailing was heard last night. On inquiry understood it proceeded from the lodges of some Wich-e-taws encamped close by. They had just received information of the complete rout of

one of their war parties and the death of many of their relatives in a fight with the whites of a Mexican settlement. Nothing in the way of mourning can exceed the demonstration of feeling made by the Indians on receiving intelligence of the death of a friend or relative. Has he fallen with honor in battle his exploits are sung with the lament for his death and the scalps of his slaughtered foes are exposed with the last memorials of his fame. The songs of the Indians on these mournful occasions are extemporaneous and sung with streaming eyes, indeed their emotion is strong and heartfelt.

Friday 14th. The detachment sent in a few days since, to Fort Gibson returned last night bringing news, newspapers and letters and some "kicshaws" for the officers. The detachment reports Genl. Arbuckle and Governor Stokes commissioners with a Detachment 7th Infantry to be on their way here. Dense fog this morning.

Saturday 16th. (An error. It was Aug. 15. Dr. McPhail continued the error in dates to the end of the diary. Ed.) The Osage sent yesterday for a further supply of medicines has returned today being turned back by Surgeon De Camp who is on his way with the commissioners and forces, who says he has a sufficient supply of the articles sent for.

Monday 17th. An Osage entered Camp today bringing with him a musket that he had found near the body of a dead man. The musket proved to be one borne by the soldier who was lost from Capt. Lee's command somewhere about the 2d current. A detachment sent to bury the body. Returned and reported that the body was in a great state of decay apparently dead two weeks. Brought in a canteen confirming that the person was the one lost. The body was found about 3 miles from camp.

Tuesday 18th. Six sick men arrived in camp today preceeding the command expected here tomorrow. Report Genl. Arbuckle, Gov. Stokes and command of Major Birch resting six miles hense. Several Creeks with Genl. Chilly McIntosh arrived yesterday and are encamped near by. Cold at night.

Monday 19. Genl. Arbuckle and Gov. Stokes commissioners arrived this day. Salute fired. A preliminary council held *with the few remaining Indians here*. Genl. Arbuckle and Gov. Stokes presiding. Captains Pennywait and Thompson with several other citizens arrived this afternoon to see the "far west" and be present at the council. Deputations are here from a few of the friendly tribes near the U. States border and *some were women and children of the Cumanches and Pawnees*. Owing to the tardiness of the commissioners, the Cumanches, Kioways and Pawnees that were within hail a month ago had to leave to prevent starvation. A few of the Cumanches and Pawnees remain but all the Kioways have long since gone. The promises held out to the Indians should never be broken. They were to be met when the grass was in *blade* and not in the leaf.

Thursday Aug. 20th. First sitting of the Council today. Gov. Stokes opened it in a short and pertinent speech and was followed by Genl. Arbuckle. Indians present Cumanches, Wichetaws, Osages, Creeks, Choctaws, Senekas and Quapaws. The project of the treaty was read and interpreted to the various tribes represented.

Friday, Saturday and Sunday 21st, 22d, 23d. Weather rainy. Have been so busy with the sick as to have no time to note the occurrences of these days.

Monday Aug. 24th. The Council met today. Treaty agreed upon and partly signed. Council broken up by a heavy rain which commenced with a thunder storm and continued all the afternoon.

Tuesday Aug. 25th. The Council met today; signing of the treaty concluded. (This is an error as the commissioners concluded the treaty on August 24 according to official records.—Ed.). Speeches from several chiefs and deputies. Emblems of peace exchanged by the calumet smoked in Council. Council adjourned *sine die*. Rained heavily tonight.

Wednesday 26th. Commissioners distributing presents today to the Cumanches, Witchetaws and Osages.

Thursday 27th. Rained heavily. Orders received to prepare to move homeward. Bid goodbye to the Indian Chiefs. Tabaquena and Black Dog were lavish in their expressions of gratitude for the medical services I had rendered them and gave me the "big shake" on parting. The Infantry broke up camp and moved in the afternoon.

(From this point the Diary is quoted in substance only.—Ed.)

The homeward march to Fort Gibson is made over a new trail blazed by the pathfinders who forsake the military road. There are many adventures and perils in crossing flooded rivers and quicksands but no lives are lost. The Indian interpreter has the best of it as his Indian wife swims his horse over a river and she then rafts his baggage and himself! The command arrives at Fort Gibson on September 5th only to find the hospital there unfinished and unfurnished. The sick must be laid on the puncheon floors and Dr. McPhail roundly curses the "choke-damp" policy of the Government that has made Fort Gibson the "charnel house of the Army." He determines that the death scenes of 1833 and 1834 should not again be visited upon the ill treated and worse provided for Dragoons and his closing words are "I therefore required everything necessary for their comfort and close my journal with the consciousness of having done my duty faithfully."

Following the last entry in the diary are a few notes in McPhail's handwriting covering some four pages. In these notes he comments that his observations were confined largely to trails through which they passed, but a great variety of plants was noticed. They used the *Chironia Angularis*, well known in early American medicine, for intermittent fever, and experienced good effects when using a decoction of the whole plant which they found growing everywhere. They also found that slippery elm was useful in diseases common to the prairies. Buffalo abounded and formed the principal source of food for the Indians, although the meat was inferior to beef and it caused nettle rash among the soldiers. The Indians jerked it for winter use and ate it pounded up with maize. It was often eaten just as cut from the freshly killed animal. The Indians esteemed the kidneys and liver, especially when sopped in fresh blood. Deer were fairly plenty and the does were easily killed by Indians who blackened their faces and bodies. Some fish were found. Traces of coal were frequently seen.

The Cumanches, Dr. McPhail says, were for the most part effeminate in their appearance and the males and females were hardly to be told apart in many tribes. They lived in conical tents of skins and were a wandering predatory race. In the treatment of diseases they made use of cupping, using a flint to scarify the skin and placing a buffalo horn over it meanwhile applying suction to the horn with the mouth. They were vastly astonished when cupped in the manner of civilized man! They often burned the skin over the neck, spine and other parts of the body with live coals to drive away pain.

Dysentery and malarial fever were the commonest and most fatal diseases seen. Opium and Ipecac were the medicines used by Dr. McPhail for the most part, since quinine or even cinchona bark were not avail-

able until many years later. "Prairie fever" our diarist describes so well that any practitioner would now recognize in the symptoms the well known dengue of mosquito origin. Dr. McPhail mentions the folly of drastic medication in the cases of dysentery which were numerous and which he says best responded to mucilagenous drinks given after castor oil. He avers that the fearful mortality among the Dragoons in 1833 and 1834 may be mainly attributed to the tea-spoon doses of calomel commonly given. Such frightful doses, as he relates, were followed by gangrene of the jaws and face, or salivation as it is now called. Those who lived were frequently disfigured for life, becoming "Living monuments of mercurial error."

Thus ends Dr. McPhail's journey of some seventy days in the Indian Country one hundred and five years ago. He was but one of many like him to whom such duty was more or less routine, and there were many others who were on similar missions. Much of our Great West was discovered in this manner and yet of the thousands of arduous and painful expeditions great and small, how few intimate accounts of their daily existence remain! McPhail took the trouble to record the small happenings of his journey and he gives us in his own way a picture of this virgin territory, the home of the buffalo and the Comanche.

Of the characters in his journal, Colonel Mathew Arbuckle was a contemporary of the celebrated Generals Jacob Brown and Winfield Scott and entered the Army as a lieutenant in 1799. He became Brevet-Brigadier General and died in service, well along in years, in 1851. Captain David Perkins was of the 1st Dragoons. He resigned in 1839 and died in 1848. Lieutenant Arnold Harris resigned in 1837 and he died just after the close of the Civil War. Lieutenant Augustine Seaton, McPhail's intimate companion, died at Fort Gibson two months after the return of the expedition. Major Birch rose from the ranks and had served in the War of 1812, and he was dead at Fort Gibson in a little more than a year after the signing of the treaty. Major De Camp, the much older and the senior medical officer with the 7th Infantry, outlived McPhail by several years.

Major Richard B. Mason of Virginia was an officer of the 1st Dragoons and became Lieutenant Colonel the following year and Brigadier General in 1848 dying two years later. Captain Eustace Trenor of New York was Captain in the 1st Dragoons and died the year the Mexican War opened. Captains Thompson and Pennywait cannot be identified.

Chilly McIntosh was the son of William McIntosh, a Creek Indian chief, who was Brigadier General in the United States Army in Jackson's campaign against the Seminoles in Florida. He died in 1825. William McIntosh was descended from a British army captain, at one time agent to the Creek Indians, and an Indian woman. General McIntosh was a firm friend of the white man and a mediator in the Indian troubles in Alabama and Georgia but he

was expelled from the Cherokee Council, and during the enforcement of a treaty in 1825 his house was burned and he himself was killed. His son, Chilly McIntosh, was thus a quarter breed Indian. At this time he was a member of the Muscogee (Creek) tribe and although a chief and one of the four or five Indian signers who could read and write, he had no Indian name. Why Dr. McPhail refers to him in one place as "Genl. McIntosh" is not known unless he was so called in deference to his celebrated father.

Montfort Stokes was U. S. Senator and Governor of North Carolina and he was appointed by President Andrew Jackson one of the three commissioners to report on conditions in the present State of Oklahoma, becoming later an agent for the Cherokees, Senecas and Shawnees. He had the reputation of being an unselfish, tireless worker and he possessed a great influence upon the preservation of peace in what was then probably the most disturbed and turbulent area of the United States. Due to the uncertainties of politics Governor Stokes failed of reappointment in 1841 and he died shortly afterward at Fort Gibson where he was buried with military honors.

Tabaquena mentioned as the Chief of the Cumanches was apparently not the principal Chief of the Cumanches but third in rank. Black Dog was the Osage Chief second in rank, and he was unfriendly to the white man. Claremore was an Indian of importance but he did not sign the treaty, for reasons alluded to in the diary.

Among those who witnessed the ceremony, besides Majors Mason and Birch, Captain Lee and Surgeons De Camp and McPhail, were several others. One of them, Augustine A. Chouteau, was a member of the celebrated family of that name. He was undoubtedly a son of Auguste Pierre Chouteau and grandson of the noted Jean Chouteau of St. Louis and New Orleans. The elder Chouteaus had been fur traders, explorers and Indian agents, and Auguste Chouteau had settled on the Neosho in the country near the present town of Salina about 1820.

In this theatre, which was soon to be thronged with Indian agents, soldiers, traders, missionaries and speculators, the Chouteaus maintained the lives of frontier barons. They were an Indian family of great influence, settling disputes and lavishing unending hospitality. In 1835 the family lived at Camp Holmes on the Canadian River not far from what is now Holdenville, Oklahoma, and perhaps 150 miles to the southwest of their old home. It is likely that this region was chosen for the Council because of the friendly atmosphere prevailing there.

In a rare volume, *The Treaties between the United States of America and the Several Indian Tribes from 1778 to 1837*, issued by the Commissioner of Indian Affairs in the latter year, is the

complete text of the treaty with the Comanches, Witchetaws, Cherokees, Muscogeas, Chocktaws, Osages, Senecas and Quapaws. There are many names which fascinate with their accurate descriptive powers, and in this respect they show that the literary invention of today does not excel that of yesterday. Here we see the marks of Big Eagle, Brass Man, Broken Arm, He-Who-Sucks-Quick, Boy-Who-Was-Soon-A-Man, Stinking-Tobacco-Box, Riding-Chief, First-Man - In - Four - Battles, Man-Who-Sees-Things-Done-In-The-Wrong-Way, Ambitious-Adulterer, Crazy-Warrior, Whoop-Four-Times, Hard-To-Look-At-The-Sun-Rising, Plate-Licker, John Sky, Peter Pork, The Maggot, The Spider, The Tortoise, The Doctor of The Nose, Raw-Meat, Brave-Spirit, and a hundred others, and yet no two are alike.

In the examination of the records of the Army officers one is impressed with the large number of resignations from the Service. This was no doubt due to the fearful living conditions and hardships which were theirs, and such a life, combined with their low pay and doubtful future, caused officers who had had the advantage of a West Point education to seek their fortunes outside the Service. Most of those who did not resign seem to have died early.

From 1778 to 1837, according to official documents published in the latter year, the United States concluded 324 treaties with the Indians, 38 of them with the Potawatomes. The treaty with the Comanches was the first ever entered into with that nation but it included as well a treaty with the Choctaws, Witchetaws, Muscogeas, Osages, Senecas, and Quapaws. No less than 191 Indians set their mark to the document, the greatest number of signers in our Indian History up to that time, and probably the greatest number ever recorded. The treaty concluded at Camp Holmes on Aug. 24, 1835 as related by McPhail, guaranteed perpetual peace and friendship between the citizens of the United States and the Indian nations and tribes named. It was an honestly drawn and a fair and generous agreement, providing penalties and indemnities for infractions, but like the others it was not kept inviolate. It was probably not long before War Eagle, Sleeping Wolf, Black Dog, Man-Who-Marries-His-Wife-Twice, and Fox-Without-A-Heart were again on the warpath, in their never ending struggle against the westward march of the settlers, which, except for the brief respite during the Civil War, was not to slacken for more than a generation. After 1880 it was hardly necessary to make any more promises to the Noble Red Man. Nevertheless, the grandchildren of the Indians who remained have richly profited in the end and the black gold that became theirs has perhaps enabled the descendants of Man-Who-Puts-His-Foot-On-The-Scalp, who now ride in a limousine, to gaze in amused tolerance at the family descended from the early pale face settlers who are trying, desperately, to wring a living from the soil.



CHIEF KIAS

CHIEF KIAS

EDITED BY THEODORE A. EDIGER

When I visited Chief Kias of the Cheyennes late in the summer of 1938, he told me: "He-e-wo-ne¹, I am getting old and I should like to tell the story of my life to someone so that it might be preserved for my grandchildren. You are a writer. Could you write it down for me?"

So Chief Kias spent two entire afternoons telling me the story of his life. Graceful gestures accompanied his eloquent Cheyenne.

Less than a year later he passed away.

His biography is a history in itself, since his life spanned two eras, that of the wild Indian and that of the civilized Indian. It is a moving narrative of the conquest and subsequent civilization of the Indian, told first-hand by one of the actors in the great drama.

Chief Kias' wide reputation for truthfulness adds to the importance of the story, which sheds new light on several historical events.

Through his honesty, dependability, kindness, willingness and excellent judgment Kias rose to even greater heights as a peacetime chief than his father as a war-time chief. Probably no Indian has ever won greater respect from whites and Indians alike.

Here is his story, with portions omitted because of lack of space:

I was born the year known to the Cheyennes as that in which the Osages killed six Cheyennes in a battle, a short distance east of Fort Supply, Oklahoma.² The year is estimated as 1867.

My father was Wolf-Goes-Through-the-Crowd (often incorrectly called Wolf-in-the-Middle), a chief.

My mother was White Horse, a Pawnee, captured by the Cheyennes when she was one and one-half years old.

When a Cheyenne war party came upon the Pawnee camp, only the women were there, the men having gone off to hunt. White Horse was under a tree with her mother and grandmother. Her grandmother was rocking her to sleep. Her mother was scraping a buffalo hide. The Chey-

¹ My Cheyenne name at that time, given me by Packer, one of the heroes of the Battle of the Washita, was He-e-wo-ne (She-Wolf). Subsequently, however, at a Cheyenne gathering, Kias himself gave me a different name—Ho-ho-na-ma-ets (Big Stone). According to Indian custom, I should have given Kias a present, like, for example, a horse. I still owe the horse.

² This battle is remembered so well because the Cheyennes and the Osages were ordinarily at peace. It came about at the insistence of Spotted Bird, a member of the Clown band of the Cheyennes, who wanted to kill an Osage so he could tie his Clown arrow sword in red. (When the owner of a Clown arrow sword killed an enemy he could tie a red ribbon around the sword.) The Cheyennes killed the Osage, but a battle with other Osages ensued. Spotted Bird was one of the Cheyennes who was killed, and his Clown arrow sword had to be thrown away.

ennes shot and killed the grandmother, but the mother escaped. The warriors wanted to kill the child, too, but one young man named Giista said:

"Do not kill the little girl. I shall take her to be my sister. I have no sister."

Later there was a big battle between the Cheyennes and Pawnees.

While the Cheyennes returned, the little girl was the center of attention. She would point to the buffaloes and say something that the Cheyennes couldn't understand.

"She must be talking Pawnee," they laughed.

After they reached the camp Giista gave his little "sister" a horse, one of several that he had captured in a raid against some Mexicans. Since the horse was white, Giista named the girl White Horse Woman, or Woman Who Owns a White Horse.

When White Horse was a growing girl she was told that she was not a Cheyenne, but a captive. She said that she did not care, that she belonged to the Cheyenne tribe.

At the age of 17, White Horse, a beautiful young woman, was much in demand among the young men of the camp. The parents of Chief Bumping Wolf³ succeeded in buying her, according to tribal marriage customs, for their son.

Chief Bumping Wolf was one of the first Cheyennes to go to Washington. He brought back a United States flag to the Cheyennes and explained to them, "This is to protect us from our white enemies. I am told white people have great respect for this flag. I was told to put this flag up before the tepee and if white enemies come we will be safe."

Later⁴ when the camp was attacked, the Indians found that the flag did not stop the white people. White men on horses surrounded the Indians and shot them one by one. Bumping Wolf was one of the first ones killed. The flag was riddled.

White Horse was hit on the calf of a leg. She rushed toward the flag at first, but fled when the soldiers began firing. She fell down when the bullet struck her leg, but got up and made her way toward Sand creek.

As White Horse ran along Sand creek she passed many dead people, from babies on up. The creek was dry. White Horse even passed a woman bearing a child. Another woman picked up the baby and the mother started running, too. White Horse came across some Cheyennes digging trenches behind sagebrush. One was George Bent and another Wolf Man. She went into the trench and was saved that way. Finally she reached another camp.

This may be too much for public printing, but I want you to know the story as it was told to me by my mother, White Horse. The next day some Cheyennes from this other camp went back to see if anyone was still alive at the place they had left. They found their tepees destroyed and soldiers cutting up the dead people, women and men. All the men's privates were cut off, and the women's privates likewise. Even the women's breasts were cut off. Some white soldiers had long sticks, with men's privates tied at the end of the sticks. The women's privates they had around their hats for hat bands.

³ Grinnell, in "The Fighting Cheyennes," calls him Chief War Bonnet.

⁴ The Sand Creek massacre, in Colorado, November 29, 1864.

Later White Horse married Wolf-Goes-Through-the-Crowd, my father. She had five children. I was the oldest and Buffalo Woman (now Mrs. John Fletcher) the youngest.

I also had an older half-brother, Cloud Chief, to whom I was very attached. When I was seven years old, Cloud Chief would already take me along everywhere he went. Sometimes I would be the smallest boy to go.

One day I went along with Cloud Chief and some other boys to chase some buffaloes. A buffalo nearly ran over me, but Cloud Chief pushed me into some shrubbery in an effort to save me, and another boy shot the buffalo.

Later some of the boys butchered the buffalo, while others watched. A boy butchering the buffalo asked, "Boys, have you ever seen a buffalo butchered before?"

I said "no," so the boy dipped his hands in the buffalo's blood and painted my face with it. That was the customary initiation for a boy seeing a buffalo butchered the first time.

Then the boy gave us each a piece of the buffalo, such as the liver, or a kidney, and we all ate it—raw, as the Indians did then—and went home happy.

That evening I saw the first white man I had ever seen, except at a distance. I was frightened and hid under my mother's blanket. I was frightened because the white man had so much hair on his face. He was a trader. Because he spoke some Cheyenne, the Indians did not harm him or his companions.

However, the Indians would kill all white surveyors they found. The faster they killed them, the more came. As a result, the whites kept driving the Cheyenne band west, up the Canadian River.

Those were sleepless nights. The Cheyennes would leave their horses standing, packed, ready to make a quick getaway at any time. Often we would travel without sleeping. Since I was too young to fight, I would travel with the women.

When we reached the rough country out west, the whites turned back, for there was only soap weed and sagebrush there, and the white man's horses were unable, like the Indian's, to live on weeds. Besides, it was getting colder, and there was no timber for fuel. The Cheyenne women would gather buffalo chips, and bring them to camp on their backs, to use for fuel. The stick of soap weed plants, which burned well, was considered an article of luxury. There was no water in that country, but the Indians would find water in crab holes at the bottom of dry streams or ponds. The women knew where to dig for wells in low places. They would do this work; it was the duty of the men to defend the women and children. When the Indians ran out of meat, they butchered some of their horses.

When our band of "fighting Cheyennes" was in Colorado, some Cheyennes who had remained behind at Fort Reno, where they were receiving rations, came up to meet us there. The Government had sent them to try to induce us to return. They brought along a white flag, which they said was a peace flag. They also brought food, which was divided among the hungry Indians.

The chiefs and sub-chiefs of the "fighting" band decided to return, and the order went out to "be prepared to move." The Indians were dubious that the whites would be honest with them, since in the past they had frequently been duped by the whites, but for the sake of the women and children, who were suffering from hardships, they decided to return.

We returned by way of the Rio Grande, which the Cheyennes called Bitter Water Creek. When we came to a stream we called Big Creek, north of the present town of Hammon, Oklahoma (the stream flows into the Washita), the Indians stopped to talk things over. It was agreed to leave the best horses there, for fear the whites would get them, and take only the old plugs. Unmarried young men remained behind to care for the horses. Incidentally, Charley White Skunk lives at that site now. Tall Sun (father of Dan Tallsun) remained behind to care for the good horses of our family.

With the poor horses, we took the trail (there was only one trail) and when we were ready to camp the next night, we saw wagons coming to meet us. We were at a lake northwest of Darlington, along the Canadian River. We found the wagons were from the agency at Darlington, and that they contained rations. That was the first time I had eaten hard tack and salted meat (raw bacon). I liked it. It was also the first time I had drunk coffee. The Indians had to roast and grind the coffee before using it.

It was the second time I had seen white men. All the children hung to their mothers' dresses and were afraid. But the crier called out, "Don't be afraid. They have selected a place for us to camp."

When we were ready to camp, the cavalry surrounded us. When the Indians turned their horses loose for the night, the whites herded them away. The Indians put up their white flag when they started camp.

That evening after the tents were up we saw the whites driving cattle near the camp. The whites shot some of the cattle and told the Indians to butcher them. But few of the Indians did. We had never eaten beef before. The meat, when cooked, smelled strong, and made the Indians sick. It tasted funny, had a strong taste. So the cows that the whites killed were left there.

The Indians didn't trust the soldiers, so the men all hid their best guns after dark. Many of the good guns were placed in plum bushes near the tepees.

The next morning the men of the camp were ordered to go to a certain place, in the open, and the women to another place. Soldiers stood around them. The soldiers searched the men, who had to remove their blankets during this process. Knives and other things were taken from beneath the blankets. Then the women were searched for weapons in the same way. Negro and white soldiers searched the tents, and took all the weapons they could find.

The soldiers took my arrows, and I cried. "Mother, they are taking my arrows," I complained, but she could not help me. I was eight years old then.

The soldiers counted all the weapons they got, and that evening hauled them away in wagons. In the morning they would return them for the day.

Then the soldiers again lined up the Indians, the infantry driving them like cattle. Then the cavalry looked them over and the commander asked for certain chiefs whom he pointed out. Bayoneted men took the selected chiefs to log cabins. I would go out with the other boys and see a Negro chaining these men together.

Every morning the groups would meet on a hill and this process would be repeated. One chief, Black Horse, told his companions one day that when it came time for him to be chained again he would escape. So, after a Negro put the chains on his leg he complained that they were too tight, that they hurt him. When the Negro released the chains to loosen

them, Black Horse let out a loud war whoop, scaring the Negro. All the Indians scattered, and the guards, also frightened, did nothing at first. I was making mud horses with some other boys, when I heard shooting. One woman was wounded, and a boy and an old man were killed.

Meanwhile, the Indians were crawling in the brush hunting for the guns and other weapons they had hidden. Most of the other Indians were already gone, having scattered. I was told to hurry and follow the trail. When the Cheyennes were crossing the Canadian, my mother ran back to look for me, heedless of the danger, and took hold of my hand and continued the flight.

After all had crossed the river, we went on a high sand hill on the west side, and from there we could see that the soldiers were eating.

A crier announced: "Everybody come this way. We want to make a trench here. Come and help make a trench." My father was among those helping make the trench.

The commander of the soldiers motioned for the Indians to return. When they refused, the whites shot. So the Indians piled into the trenches and kept firing. Two young Indians wouldn't go in the trenches and they were killed. We heard loud roars, which I later learned were from cannons.

Above the spot where I lay was a cottonwood tree, and I saw a shell hit this tree, scraping off some of the bark.

It rained and the noise gradually stopped. The soldiers left. Soon it was pitch dark.

All the Indians started walking toward the northwest. We walked all night. My mother came across a woman with three children, and saw that she had a terrible struggle fording the river, so my mother took one of the children with her, helping it across the river.

We continued until we came to the camp of Iron Shirt, north of the present town of Watonga. They killed a colt, and it was the first meal we had had in two days.

That day we remained. I was the only boy in the group. Another boy, Robert Burns, whose son, Ed Burns, later married my daughter, had somehow been left behind, but was found and soon joined us.

The next morning someone announced that the superintendent told him it would be all right for us to return; that we would receive rations. So we returned to Darlington.

When we reached Concho, which at that time was thick woods, we remained until after dark, for fear someone might fire on us if we were seen in the open. We found the tepees all lighted when we arrived. The Indians at Darlington were glad when they found that we were back, and criers issued calls for relatives. Cloud Chief's mother (my father had two wives) had the crier call for my party, and when I found her I saw that I had twin half-brothers.

The next morning those who had returned received more rations and clothes and blankets. We remained. It was all right then. The whites no longer took the roll. Those who had been taken prisoners were gone; we didn't know where. But Black Horse was free.

When the Indians were enrolled at Darlington the old men and the married men were enrolled first, then the boys and unmarried men, then the married women. The girls feared that they would be sent to school like the boys. So before they were to be enrolled they sent for the boys

who were watching the horses near Hammon to come and marry them. All the marriageable girls got married except one. That one was Path, a daughter of Chief Heap-of-Birds. She was one of the "tribal queens." She said she was no coward and was able to go through the same thing her brothers did.

The Indians were given cattle to butcher, and this time we learned to eat the meat. The Indians who had been there all along were well off, but the fighting Cheyennes had lost everything and were poor. Still, they didn't want to leave to hunt buffalo because they were afraid something might happen and they didn't want to leave their families. When the leaves began to turn brown, however, the superintendent told them it would be all right to go hunting. So we left, and had plenty to eat.

When the leaves began to turn green all returned to Darlington. When we arrived we found some of the children were attending school. Some of my playmates came to meet me. One of them was Big Horse. They said they were going to school. I wished that I could go to school.

The next morning I went along to school with the other boys. However, John H. Seger⁵, who was in charge of the school, knew that I was a new boy. Seger asked me who I was. He said he couldn't accept me until he saw my parents.

The Cheyennes at that time usually refused to give up the children whom they loved most to let them go to school. Many of the children permitted to attend school were orphans or homeless children. So my father, who loved me dearly, refused to let me go to school.

I was nearly nine years old then.

The superintendent gave each of the Indians a tract of land and seeds and told them to make gardens.

Among those given a garden tract was my grandmother, who was a widow. When she planted corn and watermelons she would put a handful of seeds in each hole. She would first soak the seeds in a bowl of water sweetened with sugar. "The fruit will be sweeter then," she explained.

The corn and melons came up thick, but the corn did not make. The melons did, and they were sweet.

When the leaves turned brown again, the Indians returned to western Oklahoma to hunt.

When the leaves came out again I returned to Darlington with my party. More were going to school then. I wanted to go too, but my brother, Cloud Chief, objected. When they wouldn't let me go to school I became so angry that I ran away. I went swimming with some boys. I don't know how long I stayed in the water, but during this time Cloud Chief was hunting for me. Towards evening he found me.

"Brother, please come back home now," Cloud Chief told me. Cloud Chief had a fine horse, which had a black tail. He called it "Split Ear." He said he would give me Split Ear if I would return home. So I returned.

The widow of Chief Heap-of-Birds said she would send her boy to school in my place. As a result, Alfrich Heap-of-Birds went to school at Carlisle. (The two families were related, thus filling the family quota.)

When I was 18 years old the Government gave the Indians their first wagons. I was among the first to receive a wagon. With these wagons

⁵ Read "Early Days Among the Cheyenne and Arapaho Indians," by John H. Seger, edited by Stanley Vestal.

the Indians were to haul freight to Arkansas City, Kansas. Each of them was to haul a certain amount of freight—about six or seven loads—and then the wagon would be his.

There were about one hundred wagons, in which Cheyennes and Arapahoes hauled freight from western Oklahoma to Arkansas City. Most of us were single boys, and we would lie under the moon at night and sing love songs. We had a good time. On the seventh load, I earned my wagon.

Now that we had an easy mode of travel, we were very active in carrying on feasts and ceremonies, such as willow dances.

I was old enough to join a soldier society, and upon my father's advice to join young, so I might become promoted steadily, I did so. I chose the Bow String Soldiers. Later I was promoted at different times until I reached the top.

When I was nineteen years old trouble brewed again. The Government wanted to rent land from the Indians to graze cattle. The Government signed a contract for five years with the Indians, with the provision that if the cowboys bothered the Indians the contract would be terminated. Two years later some of the cowboys killed a Cheyenne boy, and later they killed a Cheyenne man. But Mr. Dyre (then with the agency) made reports about an impending uprising, and the government sent soldiers again. The Cheyennes said, "I guess we will have another fight with the soldiers."

While the white soldiers were there they made soldiers of the Cheyenne and Arapaho boys, enrolling 120 of these as scouts. The commander told the Cheyennes that this was being done so they could protect their land.

I didn't join the scouts because my father told me the boys who joined would look silly; would get their hair cut and would adopt white man's ways.

Among my relatives those who became scouts were Cloud Chief, Tall Sun, Alfrich Heap-of-Birds, Homer Heap-of-Birds and Howling Water.

The agency superintendent, whom the Cheyennes called Short Pompadour, from the way he combed his hair, or Big Head, called the chiefs together. My father was among those assembled. The superintendent told the chiefs that the government was buying land from Indians, and advised the Cheyennes and Arapahoes to pick their best land allotments to keep. He instructed them to select lands along one of three rivers, the Washita, the Canadian or the North Canadian.

On my father's suggestion, Seger took a group of boys to western Oklahoma to select allotments for those who had chosen the Washita. I was in the group, as were Big Medicine, Bad Teeth and Standing Bull. When we reached Colony we saw cowboy cabins there. The next morning we reached the Washita. At a place east of the present town of Arapaho we came to a Kiowa sun dance. Seger told us to let the Arapahoes select allotments below the sun dance place, and the Cheyennes would select sites north of it.

The leaves were just coming out when the delegates of families went to select their allotments. I remained with the surveyors all summer, to assist them, while other Indians came and went, mostly to pick their allotments.

When the leaves began to turn yellow I returned to Darlington. At Darlington the crier announced that all those moving to the Washita would leave soon. There, he said, they would always make their home.

So the Washita Cheyennes left for their new home, traveling in groups, with friends and relatives grouped together.

We stayed all night at Colony, where Seger unloaded food for us. He gave us rations, and cattle to butcher. When we reached the Washita, all the leaves already were yellow. The first stop was at Oliver Barber's place. We had a fine time, with lots of fat wild turkey to shoot.

When the leaves began to come out again all the Indians went to their allotments to prepare the ground for planting for the first time.

My two mothers and my father watched me dig post holes. I had posts, but no wire, so I left my job and went deer hunting on Bear Creek. There I chanced to run across rolls of wire, apparently left by cowboys. I told Mr. Seger about it. He told me to use what I wanted of it, then he gave the rest to other Indians. All the Indians wanted it.

Seger always called me Kias, which became my nickname. It comes from Ka-es, meaning Short Nose, the name of a Comanche chief who was my father's friend.

My real name is Bear Shakes Plants. I was given this name by Iron Crow, my father's father, who gave all his grandchildren "bear names," like Bear Louse, Bear Shield, Black Bear, etc.

Iron Crow had been taught songs by the bears. In winter he would have brush in his tepee and would sing bear songs. Then he would imitate the bear in shaking a plant, and growl like a bear. He would shake the plant with his left hand, since bears are "left-handed." I know these songs. I shall sing one.

But back to the Washita. The following spring Seger sent some men to the Cheyennes to teach us how to farm. I was twenty years old then, and it was my first year of farming. Oxen were used in tilling the soil.

The Cheyennes would put on their best clothes to plow. I remember seeing Yellow Bull plow while wearing his best beaded clothes and his best war bonnet. He wore fancy beaded leggings, and his best red and black blanket. He thought it was a special occasion and he should dress up for it. He looked beautiful when he went into the field, but you should have seen his clothes when he returned. They were a sight, all buried in dust!

Seger took some pigs to the Indians, giving each one a male and a female pig. Seger and I had become good friends, and I was always the first to get everything. I tried to follow Seger's instructions (and I wore work clothes to do my farming.)

After four years the superintendent whom we called "Big Head" came to look over the Indians. He saw that we had many hogs and cows, and told us that he was glad we were making progress that way. He told us not to waste our lands, but to keep them a lifetime.

"Don't sell all your allotments," he warned. "If you want to sell, the government will pay your own price."

Before long all the Indians received word to camp at Darlington, and that is when the trouble started. At a big meeting under cottonwood trees near Darlington, sale of the lands was discussed.

Most of the Arapahoes were willing to sell, but the Cheyennes, having been told of their rights by the superintendent, hesitated. Everybody seemed to be talking at once, and it sounded like a swarm of bees. Some wanted to sell, others didn't. Finally the Indians agreed to sell for \$1.25 an acre.

George Bent, who spoke good English, was asked to select seven men, whom the whites called "the seven chiefs." Later the Government men went to Wichita, and sent for the "seven chiefs."

In Wichita, George Bent, and my friend Tyler (Moe-ha-es, or Little Magpie) were the Cheyenne interpreters and Jesse Bent, a nephew of George, was the Arapaho interpreter. Tyler told me about it afterwards.

The Government men showed the "seven chiefs" some papers which already were drawn up. But first the Indians ought to have a treat, the Government men suggested. So they brought out some whiskey.

Cloud Chief (not my brother) was the only one of the "seven chiefs" who remained sober. He refused to take a drink. George Bent and Tyler "passed out," leaving the Cheyennes without an interpreter. Cloud Chief asked Jesse Bent, who spoke some Cheyenne, whether the papers said "\$1.25." Jesse Bent said, "yes." Cloud Chief asked him whether he was sure. Jesse Bent looked again and said, "yes."

Later it developed that Cloud Chief and the others had signed for 33½ cents an acre. When Cloud Chief told Jesse about it, Jesse replied, "I was too drunk. I just saw black marks, but I thought it was \$1.25." The Government men had said that it was \$1.25, "the very price you are asking."

That summer the men who had bought the land brought the money for it, carrying the money in bags. They paid the "seven chiefs" first, then the others. All were wealthy then.

I was twenty-four years old at that time. Seger promised me a house whenever I would marry. This two-room house still stands, on my present homesite.

In those days I practically lived on horseback. I herded horses and cattle on the site where the city of Clinton now stands. At that time there were no houses there—only wild prairies, the Washita River, and tepees here and there, which with their fires at night were a beautiful sight. There were wild turkey, quail and coyotes.

My friend Tyler asked me, "Don't you think you had better get married before you have to be married the white man's way?"

I agreed, so Tyler talked to my father, and they picked out a girl for me. It was Sage Woman. My parents went and bought the girl for me with gifts, according to the Cheyenne custom.

Sage Woman and I lived at my present place. The new house which Seger gave me was the first, except for log cabins, in Custer County. I also still have an old plow that was given me at that time.

We had a son, whom we named Roe, after a missionary. Later Roe died. When Roe was nine years old, our daughter, Birdie, was born. She and her husband, Ed Burns, now live with me.

In 1935 I was made a chief of the Cheyenne tribe. Earlier I had been elected a sub-chief. Forty-four years ago I was also elected an Arapaho chief, a post that I still hold.

My father had been a man, in the sense that Cheyennes use that word—he was a man who believed in honesty, right and good deeds. He brought up Cloud Chief and me in the way that he was brought up. He often talked to us, telling us how to live, and told us to remember his words when he was gone. "These words I tell you now will not come to you today or tomorrow, but some day you will remember what I tell you now," he would say.

And, sure enough, what he told me still comes to me now in my old age. My father gave me good advice. I often wonder if my father ever heard of the Bible. Many of his words sound like the words of the Bible. "Be friendly, love everybody, love young and old, treat your enemies well, do not treat those badly who treat you badly," he used to tell me.

I am now living a restful life. I have joined the church. I no longer have the worries that I used to have. I am getting old, and I have been through a whole lot. I have tried to lead a good, straight life, and have tried to be honest.

The attention of the readers of *The Chronicles of Oklahoma* is called to an excellent article entitled "Illinois and Her Indians" which appeared in *Papers in Illinois History and Transactions for the year 1939*. Dr. Grant Foreman, the eminent authority on Indian history delivered this address at the Illinois Day Meeting of the Illinois State Historical Society in Springfield, December 4, 1939.

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

JULY 25, 1940

The regular quarterly meeting of the Board of Directors of the Oklahoma Historical Society was held in the Historical building, Oklahoma City, Oklahoma, July 25, 1940, at 10:00 A.M., with Judge Robert L. Williams, President, presiding.

The Secretary called the roll, which showed the following members present:

Judge Robert L. Williams, Judge Thomas H. Doyle, General Charles F. Barrett, Judge Harry Campbell, Judge Thomas A. Edwards, Dr. Grant Foreman, Col. A. N. Leecraft, Hon. W. J. Peterson, Judge William P. Thompson, Mrs. John R. Williams and James W. Moffitt, the Secretary.

The Secretary presented reasons for absence from the following members:

Mr. Jasper Sipes, Mrs. Jessie E. Moore, Gen. William S. Key, Dr. Emma Estill-Harbour, Dr. E. E. Dale, Mr. George H. Evans, Judge Samuel W. Hayes, Judge Robert A. Hefner, Mrs. Frank Korn, Mrs. Roberta C. Lawson, Hon. John B. Meserve and Judge Baxter Taylor, and upon motion duly seconded same were accepted.

The Secretary presented the minutes of the Board meeting held January 25, 1940.

Judge Thomas A. Edwards moved that the reading of the minutes be dispensed with except as same may be called up for special consideration. Motion was seconded and carried.

The President reported the progress made in preparing quarters for the Colonial exhibits of the Daughters of the American Revolution.

Dr. Grant Foreman reported on the various WPA projects sponsored by the Oklahoma Historical Society. (Written report to be supplied and filed in the Archives.)

Dr. Grant Foreman read the following resolution:

WHEREAS, On March 3, 1925, by Act of Congress, authority was given to the department of state for the collection, editing, and arranging for publication of the territorial papers in the National Archives and an appropriation was made for the same. And afterwards, on February 23, 1929, an additional Act of Congress appropriated the sum of \$25,000 to take care of said work, also on June 28, 1937, the appropriation was increased to \$250,000, and,

WHEREAS, pursuant to said authority, the department of state inaugurated the work in 1926 and up to date there have been collected and published volumes of said territorial records as follows: Vol. 1, General Preliminary Printing; Vol. 2, Northwest Territory, 694 pages; Vol. 3, Northwest Territory, continued, 588 pages; Vol. 4, Territory South of the River Ohio, 517 pages; Vol. 5, Territory of Mississippi, 815 pages; Vol. 6, Territory of Mississippi, continued, 893 pages; Vol. 7, Territory of Indiana, 784 pages; Vol. 8, Territory of Indiana, 496 pages, and,

WHEREAS, it appears that it is not intended to publish any of the material relating to the country west of the Mississippi River embraced in what is now Oklahoma. And,

WHEREAS, the Directors of the Oklahoma Historical Society recognize the publication of the territorial papers of the United States as an important contribution and aid to the study of American History.

WHEREAS, in the National Archives and the archives of the various branches of Government in Washington are many unpublished manuscripts and papers that touch on the history of the area that is now comprised in Oklahoma from the date of the Louisiana Purchase running through subsequent years.

Therefore be it *Resolved* by this Board in regular meeting assembled, that it express the hope that the department of state will extend the publication of the territorial papers to include the papers touching the country west of the Mississippi River.

And be it further *Resolved* that the Secretary of this Society be directed to furnish copies of this resolution to Oklahoma representatives in Congress with the request they bring it to the attention of the department of state, and moved its adoption. Motion was seconded and carried.

Judge Harry Campbell moved that Dr. Grant Foreman be requested to file a brief on this resolution, a copy thereof be forwarded to the department of state and also to the members of Congress from Oklahoma. Motion was seconded and carried.

Dr. Grant Foreman read the following resolution:

WHEREAS, The Act of Congress of May 2, 1890, created the Territory of Oklahoma; George W. Steele was appointed governor on the 15th and a week later arrived in Guthrie to assume the duties of his office. An election was held on August 5, 1890, of the members of the legislature that assembled twenty-two days later for the enactment of laws essential to the setting up of a territorial government.

WHEREAS, it appears from these facts that half a century has passed since the establishment of a constitutional government by white residents within the area that is now Oklahoma.

Now, therefore, be it *Resolved*, by the Board of Directors of the Oklahoma Historical Society, that this Fiftieth Anniversary of the establishment of Oklahoma's first white man's government and the growth and achievements that have been made within that half century are worthy of appropriate observance and that in the absence of other celebration the occasion is hereby made a matter of record in the proceedings of this Society, and moved its adoption. Motion was seconded and carried.

The report of the committee to study the proposal to hold the annual meeting in 1941 at Lawton was called for and in the absence of the Chairman, Judge Thomas A. Edwards reported that the committee recommended that the annual meeting in 1941 be held at Lawton.

Dr. Grant Foreman moved that the report of the said committee be approved. Motion was seconded and unanimously carried.

Mrs. John R. Williams moved that Dr. Joseph B. Thoburn be elected an Honorary Life member of the Oklahoma Historical Society. Motion was seconded and carried.

Judge Robert L. Williams presented to the Society the framed portrait of Frank Colbert, and introduced his daughter, Mrs. Frances Baker, donor of the portrait.

Col. A. N. Leecraft moved that the portrait be accepted and that Mrs. Frances Baker be thanked for this donation to the Society. Motion was seconded and unanimously carried.

Mrs. Baker thanked the Board of Directors for accepting this portrait of her father and awarding it a place in the art gallery of the museum.

The accuracy of the statement made in the June *Chronicles*, page 196, lines 16 and 17 regarding President Cleveland's attitude toward the opening of Oklahoma to settlement was questioned.

Mrs. John R. Williams moved that this matter be referred to the editorial committee. Motion was seconded and carried.

Hon. W. J. Peterson reported that Judge Orlando Swain, Secretary of the Creek Indian Memorial Association at Okmulgee, requested photostat copies of Indian traders' licenses issued at Okmulgee, and moved that the Society be authorized to have copies made of the Parkinson Trader's License and others if possible for the Indian Museum in the Creek Council House at Okmulgee. Motion was seconded and carried.

Judge William P. Thompson read a letter inviting librarians to attend the Institute for Librarians in the graduate library school at the University of Chicago, July 29th to August 9th. Upon motion, duly seconded the librarian of the Oklahoma Historical Society was granted leave of absence to attend this library school as a representative of the Oklahoma Historical Society, but at her own expense.

The Secretary presented the following list of applicants for membership in the Historical Society:

W. I. Ayres, Shawnee; Winchel Fay Barber, Lawton; Mrs. Robert Bellatti, Blackwell; Mrs. E. A. Black, Lawton; J. S. Boyett, Lawton; Mrs. E. E. Brown, Duncan; Mrs. Charles R. Cady, Green Bay, Wisconsin; C. D. Campbell, Lawton; Clyde Cecil Carley, Tulsa; Mrs. Roy F. Champlin, Lawton; Judge Charles B. Cochran, Oklahoma City; Mrs. Tom Cooter, Lawton; Mrs. Sophia A. Culbertson, Kiowa; Dr. Angie Debo, Marshall; Luke Ralph Duff, Lawton; Mrs. W. F. Durham, Shawnee; Excell English, Lawton; Pauline English, Lawton; Mrs. Dave J. Faulkner, Claremore; Earle Flesher, Edmond; Daniel Emmett Foley, Fairfax; Laura Munson Foster, Bartlesville; Mrs. Harry Franklin, Oklahoma City; Peggy Elton Garrett, Bartlesville; Murray Francis Gibbons, Oklahoma City; Daisy Griffin, Oklahoma City; J. N. Heiskell, Little Rock, Ark.; Alfaretta Jennings, Oklahoma City; Charles L. Johnson, Lawton; Mrs. Pauline A. Joyner, Lawton; John A. Keathley, Lawton; Mrs. Eileen May Kibby, Tulsa; Mrs. Frank Kibby, Oklahoma City; Virginia B. Kidson, Lawton; Mrs. Armsby Dale Lawrence, Lawton; Edward C. Lawson, Tulsa; Gentry Lee, Tulsa; Atwood Lewis, Durant; M. Loewenstein, Oklahoma City; Elsie Long, Lawton; Mrs. Frank Hamilton Marshall, Enid; Floyd E. Maytubby, Oklahoma City; Mabel B. McClure, Enid; H. T. Miller, Lawton; Peter Clifton Monroe, Lawton; J. Randolph Montgomery, Lawton; Judge Toby Morris, Lawton; Dr. J. H. Mullin, Lawton; Jesse Larue Myers, Los Angeles, Calif.; Mrs. Mary B. Myers, Shawnee; Boss Neff, Hooker; Rev. Peter C. Nelson, Enid; E. E. Neptune, Lawton; Mrs. M. J. Ozmun, Lawton; Dr. W. M. Parkinson, Chesterton, Ind.; Leldas E. Phillips, Bartlesville; Charles Picek, Lawton; Charles John Picek, Lawton; Henry Picek, Lawton; Nettie Pippin, Lawton; Mary Pokorny, Lawton; Jesse Austin Presbury, Fairfax; Paul Pugh, Oklahoma City; W. T. Quinn, Beaver; Nellie Reed, Lawton; Mabel Reid, Lawton; Elizabeth Reifschneider, Lawton; Hugh F. Reinhardt, Oklahoma City; Guy Charles Robertson, Lawton; Mrs. L. F. Rooney, Muskogee; F. D. Ross, Lawton; Mrs. N. A. Ryerson, Alva; Mrs. J. B. Sanders, Lawton; Charles R. Schoupe, Oklahoma City; Charles A. Schrameck, Oklahoma City; Mrs. Louis Schuhmacher, Alva; Mrs. Harrette G. Sill, Tulsa; Mrs. Vivian A. Simpson, Fort Sill; Harry A. P. Smith, Shawnee; Mrs.

Frank S. Sneed, Lawton; Rutledge Jordan Snow, Lawton; Mrs. Wilson W. Starr, Alva; Mrs. W. A. Stephen, Lawton; Morris Swett, Lawton; Dan W. Swinney, Durant; R. Compton Tate, Kenton; Lem H. Tittle, Mangum; Minnie Tomlinson, Lawton; Frank Trosper, Oklahoma City; Mrs. Sara Jane Tucker, Chicago, Ill.; Buck Turner, Lawton; Jarrie A. Wade, Lawton; Carter Milton Waid, Lawton; Nellie Viola Waldby, Stillwater; Tessa B. Walker, Lawton; T. F. Weiss, Oklahoma City; Mrs. C. O. Whisnand, Lawton; Mavis Williams, Lawton; Mrs. C. A. Wolverton, Lawton; R. A. Yielding, Lawton and David E. Zorbis, Lawton.

Judge Thomas H. Doyle moved that the persons whose names appear in the list be accordingly so elected to membership in the Oklahoma Historical Society. Motion was seconded and carried.

Col. A. N. Leecraft requested that the Secretary make an official report of the Flag Day exercises held at Montgomery, Alabama, June 14, 1940, and that it be made a part of the archives of the Historical Society.

Judge Robert L. Williams presented to the Society the following articles:

To the Confederate Memorial Hall of the Oklahoma Historical Society, the sword of his grandfather, Robert Paul, Jr., Lt., Co. L., 15th Ala. Reg., C.S.A., to be preserved in a glass case.

- (1) To the library of the Oklahoma Historical Society, for its archives, *Wells' Illustrated National Campaign Hand-Book for 1860*. In two parts—one volume.
- (2) Letters dated May 1, 1926, to the state election board, written by him in the matter of M. E. Trapp's eligibility to succeed himself as Governor.
- (3) Letters and papers for the Jesse James Dunn collection.
- (4) Excerpts from the *Montgomery Alabama Journal*, of June 14, 1940, in regard to the presentation of Indian banners to the Alabama Department of Archives and History, and also from the same paper for June 15, 1940; and excerpts from the *Montgomery Advertiser* for June 14, 1940, and June 15, 1940.
- (5) A copy of a lecture delivered in the Tremont Temple, Boston, Massachusetts, on the 26th day of January, 1856, by Robert Toombs. "Slavery in the United States—its relation to the Federal Constitution, and its influence on the well-being of the Slave and Society."
- (6) Fiftieth Anniversary announcement by the First National Bank and Trust Company of Muskogee.
- (7) An invitation to the Second Annual Indian Convention and Exposition at Ponca City, May 18-24, 1925.
- (8) One large Bible which belonged to his grandfather, Robert Paul, Jr., March 6, 1852.

To the Oklahoma Historical Society, for its archives, the following photographs and pictures:

- (1) J. Woods Kirk and wife, with Quincy Herndon and wife and child, and Wm. Standley and wife and children.
- (2) J. Woods Kirk and his first wife, with Capt. Lewis Teel and his wife and child.
- (3) Six pictures of J. Woods Kirk and Capt. Lewis Teel. (Original and five copies.)
- (4) J. Woods Kirk and Arch Qualls.
- (5) J. Woods Kirk.

- (6) Five pictures of J. Woods Kirk and party of friends at his camp in McCurtain County.
- (7) J. Woods Kirk, right, and Steve Burlow, old timer—both on horses.
- (8) One picture each of J. Woods Kirk and Capt. Lewis Teel, at Kirk's camp in the hills.
- (9) J. Woods Kirk (on horse) with two friends. (Two pictures of the same.)
- (10) J. Woods Kirk on horse at his camp-house in the mountains of McCurtain County.
- (11) J. Woods Kirk and Peter Milton, negro, feeding dogs.
- (12) J. Woods Kirk and friends preparing to go hunting—Kirk's house in the rear.
- (13) J. Woods Kirk's second wife, with dishpan, and Old Aunt Lottie, negro servant, feeding dogs.
- (14) J. Woods Kirk on horse at back of his store.
- (15) Rock Store, one of the first stores in McCurtain County.
- (16) Old store building at Old Garvin, belonging to J. Woods Kirk.
- (17) J. Woods Kirk's residence at Old Garvin—J. Woods Kirk and second wife and friends on porch. (Two pictures of same.)
- (18) J. Woods Kirk's first residence near old Wheelock—Kirk and friends on porch.
- (19) J. Woods Kirk's negro, Peter and wife, and Emma.
- (20) Copy of a picture of J. Woods Kirk's first wife, daughter of Governor Garvin.
- (21) Meeting of Rough Rider Regiment, Huckleberry Island, New York, 1910.
- (22) Spanish American War Veteran's meeting at San Antonio, Texas, in 1903 or 1904.
- (23) Tuskahoma Female Institute, 1898.
- (24) Old picture of Spanish American War Veterans (torn in two—mended).
- (25) Picture of Armstrong Academy with students out in front.
- (26) Another view of Armstrong Academy with students.
- (27) Tandy Folsom.
- (28) Capt. S. C. Carrico (of Alva), with daughter, granddaughter and great granddaughter.
- (29) Picture of Oklahoma Historical Society Building under construction.
- (30) Kodak picture of F. M. Byrd's old mill near Ada, Oklahoma.
- (31) Photo of Tom Kite, Jr., when a child.
- (32) Photo of Judge C. B. Ames and Judge R. L. Williams.
- (33) Two pictures of Maj. Gordon Lillie and party of friends after buffalo hunt.
- (34) Ten pictures showing views of the Oklahoma State Penitentiary, taken in 1916.
- (35) Three pictures showing cattle and hogs on a McCurtain County farm, near Broken Bow.
- (36) Scene of McCurtain County farmers at the freight yards in Broken Bow, with loads of farm products.
- (37) Walter Ferguson, Roy Stafford and Judge Jesse James Dunn with a group of Indian friends near Broken Bow.
- (38) Package of kodak pictures of scenes in McCurtain County and Walter Ferguson, Roy Stafford, Judge Jesse James Dunn and others at camp.

- (39) Two small pictures of R. L. Williams and Kleomba, a Choctaw Indian ninety years old.
- (40) Large picture of Okmulgee Creek Church—Methodist Episcopal, South.
- (41) Robert L. Williams and a group of friends at Medicine Park.
- (42) Picture of Mr. and Mrs. R. B. Dale's Bible Study Class, Dougherty, Oklahoma, taken in 1912.
- (43) Picture of the final session of the Choctaw Council, November 1905.
- (44) Picture of the members of the last Chickasaw Legislature, 1907.
- (45) Picture of the building in which the United States Court first assembled and organized in the Indian Territory at Muskogee.
- (46) Four small pictures of Gov. Basil LeFlore.
- (47) Small picture of Gov. Basil LeFlore's house built about 1837.
- (48) Small picture of W. J. Bryan and R. L. Williams at Lincoln, Nebraska, in 1908.
- (49) Kodak picture of F. M. Byrd's old mill—R. L. Williams and Clark Wasson.
- (50) Picture of Clinton's (Okla.) Rexall Band. (Played for Judge R. L. Williams when he was a candidate for Governor.)
- (51) Four kodak pictures of the Governor Garland burying ground.
- (52) Three pictures of Push-ma-ta-ha, famous chief of the Choctaws.
- (53) Old Tintype of Governors Coleman Cole, Brazil Leflore and W. L. Byrd.
- (54) Two reprints taken from the above picture of Coleman Cole.
- (55) Two pictures of Gov. Jack McCurtain.
- (56) Picture of Gov. Green McCurtain and wife and two daughters.
- (57) Picture of Green McCurtain, Wilson N. Jones, and Tom Griggs.
- (58) Picture of the County Court House, Eagletown, erected by Jefferson Gardner, 1885.
- (59) Two pictures of Peter P. Pitchlynn.
- (60) Copy of picture of Gov. Allen Wright, Choctaw, taken prior to 1877.
- (61) Pictures of Gov. William Bryant (copies) with the negative.
- (62) One small picture of Governor Bryant in a case.
- (63) Copy of a picture of Alfred Wade, Principal Chief of Choctaw Nation, 1858.
- (64) Picture of Chief Gilbert Dukes of Choctaw Nation and his secretary.
- (65) Picture of Armstrong Academy.
- (66) Copy of picture of Chickasaw Legislature, September, 1893.
- (67) Copy of a picture of the Choctaw Patent to land west of the Mississippi, signed by John Tyler, President.
- (68) Old Tintype and three copies of picture of Isaac L. Garvin, Governor of Choctaw Nation from October 1878 until February 22, 1880.
- (69) Picture of R. L. Marony, Coweta, I. T.
- (70) Copy of a picture of the Choctaw Council House at Tuskahoma.

Hon. W. J. Peterson moved that they be accepted and that Judge Williams be thanked for this important contribution to the archives and photographic collection of the Society. Motion was seconded and carried.

Hon. W. J. Peterson moved that three copies of the Timmie Jack picture be made and paid for out of the private funds of the Society. Motion was seconded and carried.

Col. A. N. Leecraft moved that the Board extend its sympathy to Mrs. Jessie E. Moore in her recent accidental injury. Motion was seconded and carried.

Upon motion duly seconded, the meeting stood adjourned subject to call.

Robert L. Williams, President.

James W. Moffitt, Secretary.



ARTHUR LEASON SEVERANCE

NECROLOGY

ARTHUR LEASON SEVERANCE

1860-1935

Arthur Leason Severance, son of Byron Severance and Charlotte (Arthur) Severance, and grandson of Elisha and Phoebe B. (Tracy) Morgan Severance, and great-grandson of Samuel and Auzba Severance, and great²-grandson of Martin and Patience Fairfield Severance, and great³-grandson of Joseph and Anna (Kellogge) Severance, was born at Troy Mills, Ohio, in the "Western Reserve" district on July 14, 1860, and died in his seventy-fifth year at Durant, Oklahoma, on May 10, 1935. One of his family line took part in the battle of Lexington and Concord and another, to-wit, John Severance, Boston, 1635, was named commissioner to construct the highway leading to the new settlements along the Charles River, and was later a lieutenant of militia to guard the settlements.¹

Arthur Leason Severance was a member of the Sons of the American Revolution, his number in the national organization being 31609 and that of the state of Oklahoma, 109. His membership in said organization was through his ancestor, Samuel Severance, (Private, Capt. Green's Co. and Col. Varnum's Regiment, Mass. Militia),² born in Shelburn, Mass., June 12, 1761 and died in Springfield, Mass. on August 28, 1833.

Arthur Leason Severance attended the common schools of his native county and enrolled as a first year student in the preparatory department of Oberlin College, Oberlin, Ohio, for the year 1882-1883. The regular work taken by him as such student included courses in Latin, English, American History, with reviews of arithmetic and geography.

After he left Oberlin he resided at Wakeman, Ohio for five years.

On January 7, 1885, he was united in marriage with Mary E. West of North Fairfield, Ohio. They celebrated their fiftieth anniversary at their home in Durant in January, 1935.

In 1888 he removed from Ohio to Hope, Arkansas, where for twelve years he was not only actively engaged as a lumber dealer, but also interested in its manufacture. He was Secretary of the Hope Lumber Company and manager of the Saginaw-Arkansas Lumber Mill, and a director of the Hempstead County Bank of Hope, Arkansas, and the senior member of the firm of Severance and McRae Hardware Company of Hope, Arkansas.

After the beginning of the construction of the Hope (Ark.)-Ardmore (Indian Territory) branch of the Frisco (then the Arkansas & Choctaw), he removed to Durant, then in Indian Territory, and having acquired the business of the Malone Hardware Company, which had succeeded the Hale Hardware or Implement Company, organized the A. L. Severance Hardware Company, which he conducted until his retirement on account of the infirmities of age.

For years he was a director in the Durant National Bank and a member of the board of directors of the Durant Building and Loan Association, of which he was one of the original organizers. Prior to the erection of the State of Oklahoma when public schools were established in Durant, he was elected a member of the first Public School Board, becoming chairman thereof. This membership and activity continued until some time

¹ Records of Oberlin College.

² Archives of National Society of the Sons of the American Revolution, Office of the Secretary-Registrar General, 1227-16th Street, N. W., Washington, D. C.

after the erection of the state. Until the election of a state superintendent and the organization of the state board of education and creation of state normal schools which supplied such function, he acted as examiner for the local school board. He took an important part in securing the location and the building of the Presbyterian School for Boys and Girls at Durant, which after statehood was merged into the Oklahoma Presbyterian College for Girls.

He was interested in the movement which brought Southeastern State College to said city and a friend of the churches and fraternal orders, for years being an active member of the Woodmen of the World. He was a leader in these early pioneer and territorial days in the promotion of the construction of public improvements, including school buildings, churches, streets, sidewalks, and paving.

The Convention that framed the Constitution for the State of Oklahoma under provisions of the Enabling Act of June 16, 1906, in providing for the holding of an election as to the ratification of the proposed Constitution and selection of state and county officers in its unorganized territory created preliminary county commissioners for such purpose, and he was appointed in the ordinance for such election³ as one of such commissioners for Bryan County.

His grandfather, in 1802, as preliminary to the admission of the State of Ohio into the Union performed a similar service in holding an election at which delegates to the Ohio Constitutional Convention were elected.⁴

As a member and president of the board of freeholders of the city of Durant, elected May 15, 1912, he aided in preparing a special charter for the government of said city which was submitted to the electors thereof on August 12, 1912.

He is survived by his widow, Mrs. Mary E. (West) Severance, and a daughter, Miss Marion Severance, a member of the faculty of the Southeastern State College at Durant. Three other daughters, Alma, Beulah, and Mary, died in young girlhood and are buried at Hope, Arkansas. He was also survived by a brother, E. E. Severance, of Willard, Ohio, a niece, Mrs. S. E. Newcomb of Antlers, Oklahoma, and a nephew, H. L. Severance, of Akron, Ohio.

Funeral services were conducted at his home on Third Avenue in Durant, Dr. E. Hotchkin, a former president of the Oklahoma Presbyterian College for Girls, and Dr. R. C. Miller, pastor of the First Baptist Church being in charge. Interment took place on Sunday afternoon at 4 o'clock, May 12, 1935 at Hope, Arkansas.⁵

A cultured, progressive, and outstanding citizen and a considerate and devoted husband and father and friend has passed from these earthly surroundings.

—R. L. Williams

Durant, Oklahoma

³ Ordinance providing for election as to ratification of Oklahoma Constitution.

⁴ Ohio Enabling Act, April 30, 1802.

⁵ Durant *Daily Democrat*, page 3, Section B, Columns 2-3, July 25, 1914.

Durant *Independent Farmer*, January 12, 1905, August 31, 1905, page 1, Columns 3-6.

Durant *Democrat*, 1907-1915.

Durant *Daily Democrat*, May 11, 1935.

(Archives, Oklahoma Historical Society)

The Chronicles of Oklahoma

Volume XVIII

December, 1940

Number 4

COLONEL WILLIAM WHISTLER

By

Carolyn Thomas Foreman

A distinguished name in the annals of the United States Army is Whistler and it is of particular interest in Oklahoma where Colonel William Whistler served as commandant of Fort Gibson at four different periods. His father, John Whistler, born in Ulster, Ireland about 1756; served in the British Army under Burgoyne and was made a prisoner with him at the Battle of Saratoga, October 17, 1777. Soon after Whistler's return to England he met and fell in love with Miss Ann Bishop, daughter of Sir Edward Bishop. After their marriage they removed to America, settled at Hagerstown, Maryland and shortly afterwards John became a lieutenant adjutant in the levies of 1791. He was wounded in an Indian campaign that year; in 1792 he became an ensign in the First Infantry and on July 1, 1797, he received his captaincy.

In the summer of 1803, Captain Whistler was ordered from Detroit with his company of the First Infantry to the head-waters of Lake Michigan where he built Fort Dearborn, finishing it before the end of the year. He was brevetted major July 10, 1812; honorably discharged June 15, 1815 after which he was appointed military storekeeper of ordnance at Newport, Kentucky in 1817 and later at Jefferson Barracks, Missouri, where he remained until his death September 3, 1829.¹

While John and Ann Bishop Whistler were living at Hagerstown, Maryland, their son William was born in 1780, and he was appointed a second lieutenant in the United States Army June 8, 1801; as a first lieutenant he participated in the battle of Maguaga, Michigan, August 9, 1812. Before the battle Lieut. Col. James Miller declared that any man who left the ranks or fell back, without orders, should be put to death instantly. The battle field was fourteen miles from Detroit, in the oak woods on the bank of the

¹ Appletons' *Cyclopaedia of American Biography*, New York, 1889, vol. VI, p. 463.

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Detroit; the American troops received a frightful volley from ambush by British and Indian soldiers under Major Muir and Tecumseh. When the battle went against them the British and Canadians fled leaving Tecumseh and his men to bear the brunt of the fight. They were routed and the Americans gained a complete victory.²

At Detroit, Michigan, on August 16, Lieutenant Whistler was taken prisoner;³ and the last day of 1812 he became a captain. He was stationed at Green Bay, Wisconsin from 1817 to 1819 and in 1820 he was temporarily in command. Whistler married Miss Julia Fearson of Detroit; she was of Scotch and French descent and is spoken of by a friend as a "very warm-hearted and indulgent mother, to the children of the household." Several of their children were born at Fort Howard.⁴

Captain Whistler then of the Third Infantry, wrote Colonel Boyer, Indian agent from Fort Howard, January 13, 1820, that while he was passing a village of the Winnebago Indians on August 9, 1819, his boat was fired upon at the entrance of Winnebago Lake by a party of the Indians assembled on the shore. Captain Whistler directed his interpreter to inquire the cause of this attack upon the American flag which was conspicuously displayed from a staff at the stern of his batteaux. The Indians gave the officer to understand that they commanded the passage, and required all boats to stop and report to them. Whistler was accompanied by four or five soldiers and three of his children but the shot passed through the awning of the boat without harm to them.⁵

² *Harper's Encyclopaedia of United States History*, New York, 1902, vol. VI, pp. 73, 74.

³ Francis B. Heitman, *Historical Register and Dictionary of the United States Army*, Washington, 1903, vol. II, p. 41.

⁴ One writer speaks of Whistler's large family of daughters and two sons. One son, Joseph Nelson Garland Whistler, was born at Green Bay, Wisconsin, October 19, 1822. He was graduated from the Military Academy at West Point in 1846 and participated in the War with Mexico and the Civil War. In both of those wars he was brevetted for gallant and meritorious conduct and in the latter he held the rank of brigadier general. He died April 20, 1898, aged 77 years. Caroline Whistler became Mrs. Bloodgood of Milwaukee and Gwendoline was Mrs. Robert Kinzie of Chicago (*Wisconsin Historical Collections*, vol. XX, p. 92; *ibid.*, vol. XIV, p. 35; vol. XV, pp. 218-19, 243; *ibid.*, vol. VIII, p. 303; Heitman, *op. cit.*, vol. I, p. 1026; *Appletons' Cyclopaedia of American Biography*, vol. VI, p. 436).

⁵ *Wisconsin Historical Collections*, vol. XX, pp. 139, 142-3; vol. VII, p. 279.

Whistler was brevetted major December 31, 1822, for ten years' faithful service in one grade. Two interesting items concerning Major Whistler are recounted in the *Wisconsin Historical Collection*: George Boyd, U. S. Indian agent, wrote Gov. Lewis Cass, August 22, 1824, that ". . . Major Whistler, has also been held to bail for suffering these Indians to be flogged at my request." Colonel Ebenezer Childs, of La Crosse, in his "Recollections of Wisconsin since 1820," related: "We were mustered into Colonel Whistler's detachment at Little Butte des Mort.⁶ I had enlisted a young woman as a washer-woman, but Colonel Whistler would not permit it, so I had to discharge my female warrior very much against my will."⁷

Major Whistler was again at Green Bay in 1826; he remained there for two years as commandant before being ordered to Fort Niagara whence he was sent to regarrison Fort Dearborn in 1832. At Mackinac, in July, 1834, Whistler received news of his promotion to a lieutenant colonelcy and his assignment to the Seventh Infantry.⁸

Red Bird, a Winnebago war chief,⁹ had been friendly with the settlers at Prairie du Chien, Wisconsin, until two Winnebago had been arrested for the murder of a family of maple-sugar makers; a report reached the chief that the Indians had been turned over to the Chippewa by military authorities at Fort Snelling and that they were clubbed to death while running the gauntlet. Not waiting to learn that this was untrue, Red Bird, with two companions, went to the home of Registre Gagnier and after being hospitably entertained by him the Indians shot him and his hired man. After the murder Red Bird and his Indians fled; Major Whistler, in command at Fort Howard (Green Bay), was ordered by General Atkinson to take all forces at his disposal and go up to the Fox River to the portage to await his arrival. A company of Oneida and Stockbridge Indians accompanied Whistler's force

⁶ Butte des Morts is in Winnebago County, Wisconsin, on the left bank of Fox River about seven miles Northwest of Oshkosh.

⁷ *Wisconsin Historical Collections*, vol. XX, p. 348; *ibid.*, vol. IV, p. 172.

⁸ *Ibid.*, vol. XIV, p. 409; *ibid.*, vol. XX, p. 92.

⁹ One authority states he received this name because he wore a red coat and claimed to be English, another historian related that it was because he wore on his shoulders, "to supply the place of an epaulette," preserved red birds.

and they encamped on the bluff opposite the portage where Fort Winnebago was subsequently built. When the troops prepared to attack the Winnebagoes, Red Bird and his men gave themselves up. The chief appeared on a mettlesome horse with a white flag in his hand; he wore his Yancton uniform of unsoiled skins. The Indian approached Major Whistler and facing him, said: "I am ready." "I do not wish to be put in irons." "Let me be free." The Indians were tried at Prairie du Chien, convicted but sentence was deferred. Red Bird was remanded to prison to await sentence but died February 16, 1828, and his accomplices were pardoned by President Adams.¹⁰

Whistler was made a lieutenant colonel of the Seventh Infantry, July 21, 1834. This regiment had been for years stationed at Fort Gibson, Indian Territory, and when he and his family arrived there the stockade was so crowded that quarters outside the garrison were assigned to him in a three-room log house east of the post.

The garrison was a gay place for young ladies as many officers recently graduated from West Point were assigned there and romances flourished between them and relatives of other officers and the attractive Cherokee girls who visited the post. Colonel Whistler had a young daughter named Mary Ann and her marriage to Lieut. Gabriel René Paul of her father's regiment, was an important social affair. The bridegroom, a native of Missouri, had been graduated from West Point the year before and ordered directly to Fort Gibson. A sister of Colonel Whistler, the wife of Capt. Daniel Curtis, met a tragic fate at Fort Mackinaw. She was sitting sewing near a window in their quarters during a storm and was struck by lightning; she left four little children, one of whom, her daughter Irene, became the second wife of Gen. Daniel H. Rucker and the mother-in-law of Gen. Philip Sheridan.¹¹

During the period from August 6, 1835 to September 10, Colonel Whistler was in command of Fort Gibson during the absence

¹⁰ *Handbook of American Indians*, Washington, 1912, vol. II, p. 358; *Wisconsin Historical Collections*, vol. XIV, pp. 100-01; *ibid.*, vol. XI, p. 367; *ibid.*, vol. V, p. 178.

¹¹ Grant Foreman, *Advancing the Frontier*, Norman, 1933, pp. 63, 67; *Wisconsin Historical Collections*, vol. VII, p. 229; vol. VIII, p. 303; vol. XV, p. 209.

of Colonel Mathew Arbuckle and was again commandant from April 20, 1836 to May 5, of the same year. While Colonel Arbuckle was away in the spring of 1836, orders were received on May 1, by express from General Edmund P. Gaines at Natchitoches, Louisiana, for six companies of the Seventh Infantry and the squadron of Dragoons from Fort Gibson as well as those at Fort Leavenworth to march south to the Texas border to protect the frontier. Colonel Whistler ordered the infantrymen to make ready for the campaign and on May 5 they departed under command of Brevet Major Birch; three days later the Dragoons left; both commands proceeded down the north side of the Arkansas River and crossed at Fort Coffee, whence they marched to Fort Towson. When Colonel Arbuckle returned to his post from Little Rock on May 6, he directed Colonel Whistler to go in pursuit of Major Birch and relieve him of his command as he was ill. Withdrawing troops from Fort Gibson at that time was inopportune, as the warlike Kiowa Indians were expected there for a council and it was of paramount importance to impress them with the power of the United States. It was unlikely they would believe that a large force had only recently left the fort and they would surmise that every preparation in the power of the white soldiers had been made to receive them.¹²

The little post at Towson was congested by the concentration of troops and as warm weather came on there was much illness. General Gaines ordered the remaining soldiers of the Seventh Infantry at Fort Gibson to march southward immediately and by the middle of July the six companies of the Seventh Infantry from Fort Gibson, the companies of the Third Infantry from Fort Towson and the Dragoons were marching from Towson to Fort Jesup to join the army under General Gaines. Under his orders troops continued to concentrate there until autumn.

General Gaines reported that the Mexicans were said to have sent twelve thousand soldiers into Texas and a large part of their army was made up of wild Indians and bandits bent on exter-

¹² Grant Foreman, *Advancing the Frontier*, Norman, 1933, p. 49; and *Pioneer Days in the Early Southwest*, Cleveland, 1926, p. 271; *Army and Navy Chronicle*, Washington, vol. II, No. 24, Thursday, June 16, 1836, p. 376.

minating the Texans. This was not the only time General Gaines became excited by false reports. The poor soldiers who had hoped for a chance to cross the border were doomed to disappointment and they had their weary march of 370 miles through extreme heat to Natchitoches for nothing. They had been obliged to build bridges, roads, causeways and ferries for the use of the wagons all of which added a terrible burden to the troops unaccustomed to long marches. The Dragoons reached Fort Towson December 26, 1836 and left the following day for Fort Gibson. It was several weeks later before the Infantry passed Towson, and they did not reach Fort Gibson until January, having been almost four weeks on the way from Fort Jesup.¹³

Six companies of the Seventh Infantry reached Fort Coffee on January 10, 1837, having marched from Nacogdoches, Texas, in twenty-one days. The roads were extremely bad and the men suffered greatly from fatigue and cold. Colonel Whistler was ill, and accompanied by the Adjutant, Lieutenant S. W. Moore, preceded the troops one day.¹⁴

Fort Gibson was the scene of an important Indian council in 1837, which resulted in a treaty by the Apache, Kiowa, and Tawakoni with the Osages and Creeks. Santa Fe traders and hunting parties were assured of safety by the terms of this treaty which was witnessed by Colonel Whistler, Capt. B. L. E. Bonneville, and Col. R. L. Dodge.¹⁵

Advices sent from Fort Gibson reported Colonel Whistler in bad health, but he was commandant of the garrison from May 11, 1837 to September 13 of that year. There was confusion and annoyance at Fort Gibson during the summer regarding the real situation on the prairies, information being difficult to obtain. In the opinion of Colonel Whistler, after years of experience, little reliance could be placed in tales of traders and Indian hunters returning from the western prairies, as they were misled by their fears when alarmed. The Choctaw Indians had been removed to

¹³ Foreman, *Pioneer Days in the Early Southwest*, p. 271, 73; and *Advancing the Frontier*, Norman, 1933, p. 49

¹⁴ *Army and Navy Chronicle*, vol. IV, No. 7, February 16, 1837, p. 126; *ibid.*, vol. IV, No. 10, Thursday, March 9, 1837, p. 146.

¹⁵ *Chronicles of Oklahoma*, "The Chouteaus" by Harriette Johnson Westbrook, vol. XI, No. 3, p. 955 .

their new home in the West but the boundary of their land had not been settled and they were making claims to hunting grounds belonging to wild Indians. Whistler feared hostilities might result from these conflicting claims. He advised that the False Washita would make a natural boundary for some distance and enough territory would be secured to the Choctaws by making that the line. The wild tribes were badly armed and they dreaded fighting in timber or forests and if they attempted hostilities it would have to be through the settlements of the Choctaws where they could have been easily repulsed. Colonel Whistler advised that it was important to retain the friendship of the recently emigrated Kickapoos and Delawares and any other Indians who would form a protection to the settlements of the white people from the Prairie Indians.¹⁶

The Army and Navy Chronicle reported October 5, 1837, that Colonel Whistler, Captain John Stuart and Dr. De Camp had been appointed commissioners to select a site for a new fort on the western frontier. They were instructed to find a location between Webber's Falls and the Arkansas line, and it was expected the post would be above Fort Coffee.¹⁷

Incorporated in the *American State Papers*, "Military Affairs," is a voluminous correspondence concerning the selection of a location for this fort. Under date of September 30, 1837, Colonel Whistler wrote Major General Macomb that the commissioners were "decidedly of the opinion that a large body of troops should be kept in the immediate vicinity of where Fort Gibson now stands, or even farther west . . . owing to the difficulty of the navigation above that place, . . . it would be impracticable to place a large body of troops any farther west than that point. There the troops would, if necessary, be able to keep in check the disaffected Creeks. They would be able to prevent war between the Creeks and Osages, or the Cherokees and Osages, which will most assuredly occur just as soon as the troops are removed from Fort Gibson. Again, the troops at that point would prevent collision arising between the

¹⁶ Office Indian Affairs, *Western Superintendency*, Whistler to Adjutant-general, July 15, 1837, W. 283.

¹⁷ Vol. V, No. 14, p. 217; *ibid.*, vol. V, No. 16, p. 253.

resident Cherokees and that portion of the nation yet to be removed, which is strongly to be apprehended.

"We would next place a considerable force at Fort Coffee. At that point the troops would, if necessary, give protection to the State of Arkansas. . ." Colonel Whistler wrote that if all troops on the Arkansas River were to be removed below Webber's Falls, the commissioners would recommend Pheasant Bluff, forty miles within the Indian country, for the site of a military establishment. The commissioners also described the highland at the mouth of Lee's Creek on the north side of the Arkansas River, about a mile and a half above Van Buren, as having ample room for a military establishment.¹⁸

Colonel Whistler again commanded Fort Gibson from January 29, 1839 to February 6, 1839. Having been on leave the veteran officer returned to Fort Gibson that month; as the Arkansas was too low for navigation by boat, he journeyed by land. When it was reported on January 29, 1839, that the Colonel was nearing the post the news spread like lightning through the barracks and the soldiers sped to the gates of the fort to greet their beloved officer. As his wagon approached, the troops gathered about it and cheered; every head was uncovered and the soldiers surrounded him, every one showing his happiness over his arrival. In the evening the troops assembled and marched to his quarters to serenade him with a band. The Colonel is reported to have shaken the hand of every man in the post. Colonel Whistler must have been gratified and touched by this demonstration and it reflected real merit to elicit it from enlisted men of the army. The regiment was then under orders to start for Florida in a few days. They were awaiting the arrival of the Fourth Infantry which had been engaged in removing the Cherokees from Georgia to the West.

A correspondent of the *Arkansas Gazette* who had visited the fort during the period it was garrisoned by the Seventh Infantry was "prepossessed in their favor;" he wrote of their "hospitality and courteous deportment" and said they would take up the line

¹⁸ Vol. VII, 978-79, 981.

of march cheerfully although they knew it meant fatiguing marches, hard fighting and "NO glory."¹⁹

The Seventh Infantry, after being stationed at Fort Gibson for almost twenty years, finally received orders to proceed to Fort Smith on March 7, 1839; there they were to await a rise of water to continue on their journey to Florida. The Seventh, commanded by Colonel Whistler, arrived at Little Rock aboard keel boats; one company had preceded the rest of the regiment a few weeks; nine companies were towed in keel boats from Little Rock by the steamboat *Little Rock*, enroute to Tampa Bay to take part in the wretched campaign to drive out the few remaining Seminoles. Other officers accompanying the expedition were Major McIntosh, captains Seawell, Raines, Hawkins, Moore and Holmes; Lieutenant Whiting and three assistant surgeons—Suter, Moore, and Mills. The enlisted personnel appeared in good health and they were "cleanly and comfortably dressed, although some of them had permitted their moustaches to grow, which had a filthy appearance."²⁰

The New Orleans *Picayune* of March 9 reported the Seventh regiment in that city and commented on the long service it had experienced on the frontier of Arkansas. A member of the regiment informed a correspondent of the newspaper that some of the officers had never left that wild region since arriving there; they had never seen a railroad or a canal. This organization had served with General Jackson when he quelled the former Seminole war and hopes were entertained their experience would be helpful in the present campaign. Lieutenant G. R. Paul, Colonel Whistler's son-in-law, was acting assistant quartermaster and commissary of the regiment.²¹

An account from Garey's Ferry, East Florida, May 1, 1839, stated the Seventh Infantry was to remain on guard at a cordon of posts of observation along a line previously reported as the probable boundary. The writer expressed sympathy for the regiment, stating its history had been one of apparent persecution. "From the wilds of the Flint River, in Georgia, where it endured

¹⁹ *Army and Navy Chronicle*, vol. VIII, No. 9, Thursday, February 28, 1839; *Advancing the Frontier*, p. 69.

²⁰ *Army and Navy Chronicle*, Thursday, March 14, 1839, p. 174.

²¹ *Ibid.*, March 28, 1839, p. 205.

intense suffering for many years, it was transplanted six hundred miles up the Arkansas, in 1821, in the midst of the most ruthless savages . . . they were driven still further off, and located upon the unhealthy cane-bottoms of the Neosho." Death followed them, and many young men did not long survive after arriving at Fort Gibson from West Point.²²

The Daily National Intelligencer, June 19, 1839, printed a letter from an officer of the Seventh Infantry in which he declared that if the regiment was held in Florida it would be tantamount to its disbandment as the old and experienced officers could not with any self-respect retain their commissions. In an answer to this letter the *Army and Navy Chronicle* excoriated the writer saying he could not have spoken for the other officers and that they would be disgraced if they resigned while in the field. The writer conceded there had been incompetence, carelessness, mismanagement at general headquarters, proven by the treatment which the Seventh had received.²³

General Taylor, commanding, reported the Seventh Infantry present for duty on November 30, 1839, with eighteen officers and 373 men. On the second day of the new year a general court martial was reported to have convened at Pilatka, December 20, 1839, with Lieutenant Colonel Whistler and Major Loomis among the members. This court concluded its duties on January 19, 1840. The headquarters of the Seventh Infantry were at Fort Micanopy in April, 1840, with Lieutenant Colonel Whistler in command of three companies.²⁴

Whistler, as commander of a sub-division, at Fort Micanopy sent a report to Gen. Z. Taylor, commanding the army of the South at Fort Fanning, East Florida, May 1, 1840, stating that Captain Rains had been too badly wounded on the 28th of April to make a report of his fight with the enemy. Lieutenant R. C. Gatlin, adjutant of the Seventh Infantry, on returning to camp, furnished Colonel Whistler with the details incorporated in the report. On

²² *Ibid.*, May 23, 1839, p. 329.

²³ *Ibid.*, June 27, 1839, p. 409.

²⁴ John T. Sprague, *The Origin, Progress, and Conclusion of the Florida War*, New York, 1848, p. 105; *Army and Navy Chronicle*, January 2, 1840, p. 15; *ibid.*, February 13, 1840, p. 112; *ibid.*, April 30, 1840, p. 287.

the morning of the 28th of April, Captain Rains, with a party of sixteen men, was attacked in a small hammock by a force of the enemy, two miles south of Fort King. The soldiers were entirely surrounded by the Seminoles and the first notice they had was a rifle volley. The soldiers charged to some piney woods but the enemy was in force there, and the trees were too small to give any shelter to the infantrymen so the hammock was charged and a strong line of the Indians on the north side, was forced to retire. The ground was contested foot by foot, until the leader of the Seminoles being killed, the Indians ceased fighting. One sergeant and one enlisted man of the Seventh were killed; Captain Rains and two privates dangerously wounded. The enemy was estimated as seventy by the wounded captain, but Private Kyle, who had been concealed in the hammock until the enemy left, counted ninety-three warriors, fifteen squaws bearing off the dead, and four Negroes.

Colonel Whistler commended Captain Raines for his skill and courage in extricating his party from the difficult situation and the enlisted men received their mead of praise from their colonel who reported they fought with courage against an overwhelming force, and prolonged the fight until their wounded companions could be removed.²⁵ In July, 1840, Colonel Whistler was again a member of a court martial in session at Pilatka where a group of mutinous soldiers were tried for a recent outbreak at the post.²⁶

In Order No. 37, dated Fort Micanopy, September 9, 1840, Colonel Whistler reported, with great satisfaction to his regiment, that an action had been fought three days before, near Wacahoota, between a detachment of thirty-five men of "B" and "H" companies, Seventh Infantry, commanded by Lieutenant [Wrightman Key] Hanson, and a body of Indians estimated at from eighty to one hundred warriors. This force, so superior in numbers, was beaten, although they had attacked from an ambushade, by the coolness and bravery of officers and men and Colonel Whistler was greatly pleased at the courage and skill of Lieutenant Hanson and the fine conduct of the officers.²⁷

²⁵ *Army and Navy Chronicle*, May 28, 1840, p. 348.

²⁶ *Ibid.*, July 30, 1840, p. 74.

²⁷ *Ibid.*, October 1, 1840, p. 224.

Colonel Whistler arrived in Washington November 7, 1840, where he was installed at Fuller's Hotel.²⁸ During the summer of 1841, Colonel Whistler moved his regiment in detachments, from Fort Micanopy. In November of that year there were fourteen officers and 588 enlisted men present for duty with the Seventh Infantry. The whole force of the army was 4,941 men. The men of the Seventh were indignant because of the killing of Lieut. Walter Sherwood of the regiment and the brutal murder of Mrs. Montgomery, the wife of Lieut. Alexander Montgomery of the Seventh. Their deaths aroused a spirit of retaliation all over the country and alarmed the army and civilians.²⁹

Whistler moved with his detachment from Micanopy, Watkashoota, and Wacassassa early in 1842, for the purpose of cutting off the retreat of the Creeks (Seminoles?) to the Wahoo Swamp.³⁰ As a result of movements of five regiments of infantry, including the Seventh, and five companies of the Second Dragoons, east of the Suwannee, it was thought the Indians had found refuge in Cook's hammock and the scrub on the river towards Tallahassee. Col. I. H. Vose marched one hundred men into that part of the country and Lieutenant Colonel Whistler, with the same number of soldiers, cooperated from the Suwannee. The United States soldiers besieging their hiding places could not see the Indians but they could hear them. After the capture of Halleck-Tustenuggee, the Seventh Infantry, in small detachments, was combing middle Florida in all directions. Colonel Whistler in command of 250 men was posted on the Esteen-Hatchee River whence he dispatched detachments operating after the manner of the Creeks in the effort to capture the Indians. Colonel Whistler and his force was retained in the field for two months, and he reported that zeal, intelligence and forbearance, characterized his officers and men.

On July 20, 1842, Colonel Whistler with his regiment embarked at Cedar Key to take post at Forts Brooke, Pike, Wood, Pickens and New Orleans Barracks after serving in Florida since May,

²⁸ *Ibid.*, November 12, 1840, p. 313.

²⁹ Sprague, *op. cit.*, pp. 106, 247, 298; *Army and Navy Chronicle*, November 30, 1841, p. 106.

³⁰ Sprague, *op. cit.*, p. 435.

1839. During the campaign in Florida against the Seminoles, two officers of the Seventh Infantry were killed in battle and two died of disease; twenty-eight of the rank and file were killed by Indians and 116 died from disease incident to the climate and service. During the war the regiment sustained its previous reputation for valor.³¹

Colonel Whistler had a brother who became celebrated in another line of work. He was born May 19, 1800, while his father, Major John Whistler, was commandant at Fort Wayne, Indiana, and he was given the name of George Washington Whistler. He received an appointment to West Point and after graduation served as an artillerist until he resigned in 1833. He was employed in railroad construction for a number of years being in charge of building the Baltimore and Ohio and four or five other important lines in the eastern states.

Czar Nicholas of Russia, learning of Whistler's success in this country in overcoming almost insuperable difficulties in engineering, invited him to Russia as consulting engineer for a projected railway from St. Petersburg to Moscow. Whistler went to Russia in 1842 and was amazed to have the Czar arbitrarily lay out the route by means of a straight line on a map, drawn with a ruler, from one city to the other. The American engineer began construction of a narrow gage line 420 miles in length in 1844. It was double track and cost \$40,000,000. Whistler was also employed in superintending construction of docks at Cronstadt, an iron bridge across the Neva and some fortifications. He suffered an attack of Asiatic cholera and died at St. Petersburg April 7, 1849. Whistler's work in Russia was completed by his son George William Whistler who was engaged on it until his death at Brighton, England, December 24, 1869.³²

George Washington Whistler was twice married and by his second wife, Anna Mathilda McNeill, whom he married November

³¹ Sprague, *op. cit.*, pp. 439, 440, 470, 483-84.

³² *Dictionary of American Biography* (New York, 1936), vol. XX, p. 72; Appletons' *Cyclopaedia of American Biography* (New York, 1889), vol. VI, p. 463; Heitman, *op. cit.*, vol. I, p. 1026; *Harper's Encyclopaedia of United States History* (New York, 1902), vol. X, p. 338; *Universal Pronouncing Dictionary of Biography*, Joseph Thomas, M. D., LL. D., Philadelphia, 1888; Alfred Rambaud, *Russia* (New York, 1898), vol. II, p. 226; Albert Parry, *Whistler's Father*, Indianapolis, 1939, p. 72.

3, 1831, he had a son whom he named James Abbott McNeill Whistler. He was born at Lowell, Massachusetts in 1834. Like his father, he attended West Point but resigned after three years to devote himself to etching and painting. After studying in Paris he removed to London where he made his home for the remainder of his life. Having been trained as a fighter he maintained that attitude, being often engaged in verbal controversies with his friends and enemies.³³

William Whistler received his full colonelcy July 15, 1845, and thereafter commanded the Fourth Infantry. The Seventh was again engaged in war in September 1845. A critical officer of the United States Army wrote at Corpus Christi, September 2: ". . . what a pretty figure we cut here! We have the 3rd, 4th and 7th regiments of infantry, the 2nd regiment of dragoons, a company of regular artillery, and, among the senior officers, neither General Taylor nor Colonel Whistler commanding the brigade could form them into line! Even Colonel Twiggs could put the troops into line only 'after a fashion' of his own. . ." ³⁴

Since the War of 1812 there had been dissatisfaction in the army over the question of brevet and staff rank and this subject was revived in Mexico where officers sent a memorial to the Senate in answer to a recently published circular issued by General Scott to the army. This circular, dated December 12, 1845, was characterized by an officer as "an impertinent interposition between General Taylor and the President," and now that Scott was a major-general he availed himself "on all occasions to give precedence to brevet rank. . . ." One hundred and thirty names were appended to the memorial from General Twiggs and Colonel Whistler to second lieutenants.³⁵

On March 28, 1846, it was reported the United States army was to march to the east bank of the Rio del Norte, opposite Matamoras and Colonel Ethan Allen Hitchcock ". . . agreed that we

³³ John Denison Champlin, Jr. (ed.), *Cyclopaedia of Painters and Paintings* (New York, 1887), vol. IV, p. 427; *Dictionary of American Biography* (New York, 1936), vol. XX, p. 72.

³⁴ W. A. Croffut (ed.), *Fifty Years in Camp and Field Diary of Major-General Ethan Allen Hitchcock*, U. S. A. (New York and London, 1909), p. 198.

³⁵ Croffut, *op. cit.*, p. 204.

must manoeuvre our regiments independently of Colonel Whistler. . . ." A deserter, while trying to swim the river, was shot and killed on April 4, 1846, according to Colonel Whistler.³⁶

The report of the secretary of war for 1846 stated Col. William Whistler, Fourth Infantry, was "in arrest; under trial."³⁷ The general court-martial that tried Colonel Whistler, on charges of "disobedience of orders," "drunkenness on duty," and "conduct to the prejudice of good order and military discipline," was held at Matamoros, Mexico, in July, 1846. He was found guilty on all charges and sentenced to be cashiered. The court was constituted of Brevet Brig-Gen. W. J. Worth, Bvt. Lieut. Col. J. Childs, Bvt. Lieut. Col. W. G. Belknap, Lieut. Col. H. Wilson, Major W. W. Lear, Bvt. Major W. M. Graham, Bvt. Major G. W. Allen, Bvt. Major J. J. Abercrombie, and Captain C. F. Smith who was Judge Advocate. Captain O. N. Ogden of the staff of the Louisiana Brigade of Volunteers acted as counsel for Colonel Whistler. It is gratifying to know that this veteran officer who had served his country for forty-five years was saved from disgrace by President James K. Polk who disapproved the sentence and on October 6, 1846, ordered Colonel Whistler on duty.³⁸

From the close of the War with Mexico to his retirement October 9, 1861, Colonel Whistler was stationed at Detroit, Michigan, and Madison Barracks, New York.³⁹ He died December 4, 1863.

³⁶ Croffut, *op. cit.*, pp. 215, 221.

³⁷ *Report*, Secretary of War for 1846, p. 73.

³⁸ *War Department*, Office of the Judge Advocate General, August 1, 1940, Joseph L. Lyons, Chief Clerk.

³⁹ *War Department*, The Adjutant General's Office, July 24, 1940.

THE MISSIONARY WORK OF THE REFORMED (DUTCH) CHURCH IN AMERICA, IN OKLAHOMA

By Richard H. Harper

PART II

COMANCHES AND APACHES

From the north the Comanches came, supposedly "a comparatively recent offshoot from the Shoshoni of Wyoming."¹ In the same vicinity in southern Wyoming the two tribes lived, until driven out by stronger Indian groups. The Comanches came southward. In the early part of the eighteenth century they were living in what is now western Kansas. They continued southward into Texas, where they had some good farms and homes, and desirable hunting lands.

After the United States purchased Texas from Mexico the rights of the Indians were disregarded and their lands were taken from them by the whites. The tribe was still smarting under these losses, and feeling keenly the injustice done them, when they were placed in Indian territory and were given Agency headquarters near Fort Sill. In their new home they sank to lower depths of living than ever before. Soon they began to kidnap adults and children of the "pale-faces." The Government became greatly perturbed over these outrages. To save the captives from suffering or possible death, ransoms were offered and paid by Washington for the return in safety of the persons stolen. This had two effects: the captives were brought in by the Indians, who received their pay. But, unexpectedly to the whites, a new thought seized the Indian mind,—that kidnaping could be made a profitable business, and this kind of stealing was carried on, not for revenge, but as a source of income.

For some time this continued, until the commandant at Fort Sill and the Friends' Agent of the Indians decided on a united move for the safety of the white inhabitants of that part of the southwest which was traversed by the wily Comanches. The Indian leaders were brought in, were ordered to return all the captives then held by them, and were told that no more ransom money would be paid. This proved a death blow to the kidnaping.

¹ F. W. Hodge, ed., *Handbook of American Indians* (Washington, 1910), II, 327.



REVEREND FRANK HALL WRIGHT

The Comanches had proved themselves skilful warriors, wanting neither in courage nor strategy. The writer believes that they were not as cruel as some other tribes.

In the year 1895 the Women's Executive Committee of the Reformed Church in America (now the Women's Board of Domestic Missions of this denomination) sent into the field the Reverend Frank Hall Wright, a member of the Choctaw tribe, whose name has already been mentioned in the first article of this series. It was thought that there were both a need and an opportunity for more Christian work among the Comanche people.

With all his heart and soul Dr. Wright entered this field. A mile north of the townsite of Lawton, Oklahoma, a piece of land containing one hundred and twenty acres was obtained from the Government, by Act of Congress, for missionary uses. Here a church and parsonage were erected later.

A few miles north from this mission site is Fort Sill, an old and well known United States army post.² On this large military reservation, at this time, was an interesting group of Indian prisoners of war, the Chiricahua Apaches, who, with their leader Geronimo, had surrendered to General Nelson A. Miles, in 1886; and who, after being sent as prisoners to Florida and Alabama, had, in 1894, been brought to Fort Sill, Oklahoma Territory. No Christian work was being done for them. The heart of Dr. Wright burned with zeal to reach these discouraged people with the hope-filled message of the Gospel of Christ. But his way was blocked by the military authorities who, for some time, refused the missionary entrance to the prisoners of war. A man not easily discouraged, he tried again and again to accomplish his purpose. In the providence of God his efforts were rewarded. The army officers then in charge of the prisoners of war encouraged the work, and did much to cheer the missionary in his undertaking. So Frank Hall Wright, with his genial personality, his gift of song, his winsome smile, his earnest preaching, was faced with two great opportunities,—one with the Comanches, the other with the Apaches.

² See W. S. Nye, *Carbine and Lance: the Story of Old Fort Sill* (Norman, 1937).

Soon the work took on an air of increased activity, with the coming of additional workers to the field.

In 1906 the Reverend Leonard L. Legters, assistant to Dr. Walter C. Roe, at Colony, Oklahoma, was transferred to the Comanche Mission, near Lawton, as its first pastor. He was given charge also of the Fort Sill Apache group.

The Comanche church building was erected in 1905 and dedicated May 6, 1906. The parsonage was completed in the autumn of 1906. The Comanche Church was organized May 1, 1907, in the morning. The Committee appointed by the Classis of New York (of which body the Reformed Church Indian missionaries then were members, regardless of the location of their mission stations) for the organization was composed of Dr. Walter C. Roe, and Reverend R. H. Harper. Dr. Frank Hall Wright, Reverend Edgar Tilton, Jr., D. D., a New York City pastor, and the missionary Reverend L. L. Legters were also present. There were sixty-three charter members. In the afternoon of the same day the Fort Sill Apache Church was organized by the same persons, with fifty-five charter members.

At the Fort Sill Mission, buildings had been erected by the Reformed Church,—an orphanage, a school, a teachers' home. Miss Maud Adkisson was the first superintendent of the Apache school and orphanage. She had come before the buildings were there, and lived with the Indians, in an Indian home. By training and experience she was admirably fitted for her task, and achieved notable success in the performance of it.

When the Reverend L. L. Legters became the pastor of the Comanche and Apache Mission, Miss Adkisson became his wife, and presided over the Comanche manse, as soon as it was built, in the autumn of the same year. The vacancy caused in the superintendency of the Apache Mission School by the marriage of Miss Adkisson was filled by the appointment of Miss Moore to the position. She came Oct. 1, 1906, and left September 1, 1907.

In September 1907, Miss Hendrina Hospers, of Orange City, Iowa, became the superintendent, and continued in this office until the removal of the Chiricahuas to Mescalero, New Mexico, in April, 1913, when she and Miss Martha Prince, another of the mission

workers, took up their abode with the former prisoners of war in their new mountain home.

The Fort Sill Mission had as its personnel, a superintendent, two school teachers, two matrons, a laundress, a mess cook, and one man-of-all work. The pastor and overseer of all these activities was the missionary stationed at the Comanche Mission, who ministered to both tribes. An active Christian Endeavor Society, organized in 1899, supplemented the work of the Sunday School. The day school included a few Comanches in its enrolment. Some of the children lived at home, and were day pupils, while others lived in the mission orphanage.³

There were about a dozen Apache villages on the Fort Sill reservation, each having four or five two-room houses. In these the prisoners of war lived, and not in actual confinement as the term might be thought to imply. Each village was in charge of one of the army scouts, members of the Apache band. The men were detailed for work, some being allotted to tasks by the week, others by the month. Some looked after the Apache cattle,—a fine herd of well-bred animals, belonging to the group. In the work with the cattle the Apaches were superintended by George Wrattan, a white man, who knew them thoroughly,—one who had lived among them since his boyhood days, who understood their psychology and spoke their language. His wife was an Apache, and their daughter Amy was one of our dependable interpreters in religious work.

There was, for a time, much liquor drinking and gambling by both men and women. The latter were worse gamblers than their husbands, while the former were more faithful in attendance at religious services. The coming of Major Goode to take charge of the Apaches brought a great change for the better in their behaviour. Discipline became more strict. The Indians were not as free to go to Lawton as before. For a year the prisoners thought their new officer too severe. By the end of the first twelve months of his service for them the more thoughtful among his charges changed their opinion and praised him for his constructive policies.

³ The teachers who served during the fourteen years of the Mission's existence were Misses Hattie Hospers, Jennie Pikaart, Mary L. Ewing, and Clover Mahan.

He remained with them until their liberation, when he accompanied the group who went to Mescalero on their train, and up to the reservation in the mountains after they detrained. He remained with them there a few days and then bade them farewell.

The demoralizing influence of the United States soldiers constituted one of the serious mission problems on the Fort Sill reservation. The behavior of some of them was a dishonor to the uniform which they wore.

The Apaches were always welcomed at the mission, when they came for help or advice. In addition, Miss Mary McMillan in the earlier years, and Miss Hendrina Hospers after her arrival, did invaluable service in visiting the Indian homes, and in listening to the outpouring of women's hearts as they asked for information on child-care, or confessed sins, and in pleas for help in their many difficult and trying experiences. Almost every morning found Miss Hospers on her pony or in her buggy going from one village to another to uplift and to cheer. The Indians were always happy to see her riding over the hill toward their villages, or along the roads which led to their abodes. Miss McMillan was now doing field work among the Comanches.

Be it said to the credit of the Apaches that generally they lived peaceably among themselves, and were friendly with the neighboring Comanches.

Almost the entire band of Chiricahuas became professing Christians, while living on the Fort Sill reservation, under the ceaseless ministrations of Reformed Church missionary workers. There were many discouragements and heart aches during the long, weary years of labor for them. As their capture was a test to army ingenuity and persistence when in their wild days, so now they were difficult for the "soldiers of Christ" to apprehend. But the task was not impossible and a wonderful change took place in the lives of these Apaches.

In July, 1910, Reverend L. L. Legters left the Comanche Apache field, to take up work with the Indians of California. He was succeeded by Reverend Henry Sluyter, who began his labors at the close of the year 1910 and served the field three years,—leaving at the close of 1913.

It was difficult for the Comanches to transfer their love and loyalty to the new missionary. For a year they were cool toward him, and refrained from accepting his friendly advances. They were, Reverend Sluyter says, weighing him in the balances. The scales tipped in the right direction, and Howard Whitewolf, the mission interpreter, came to him as a representative of this Comanche group, telling him that he had won their confidence. He assured the missionary that this was the usual method of these Indians with a new worker,—just to watch, and to wait for their appraisal of him. From this time on the barriers were down, and his parishioners came to him freely with their problems. He had to be arbitrator of differences, to attend innumerable conferences both general and private, to write many kinds of letters for them; and, in it all, to interpret to them what it meant to be a Christian.

In 1912 the Comanche “lodge,” or parish house, was erected, near the church building. The first five hundred dollars toward the building was given by Miss Elizabeth B. Vermilye, a member of the Women’s Board of Domestic Missions of the Reformed Church. The Comanche church building was already named in honor of the Reverend Mr. and Mrs. Vermilye, parents of the giver. Other donations of money were added to the initial gift. Indians helped with labor. Mr. C. P. Barrington was the architect, and Mr. George McDonald was the builder. The new two-story edifice was completed on October the third, 1912, and was dedicated to the use of those for whom built,—the dedication attended by a feast of good things to eat for the crowd of Indians attending.

It would be difficult to overestimate the value of this building to the work of the mission. Equipped with sewing machines for the use of Indian women, with a range, utensils, and dishes; a large room for social gatherings, and presided over by Miss Jennie Lewis, a competent matron and field worker,—all in all the lodge was the most important addition to the material things since the erection of the church building and parsonage.⁴

⁴ The Comanche Mission has sometimes been called, locally, “The Helen Gould Mission.” Mrs. Finley J. Shepard (nee Helen Gould) was a member of the Women’s Board of Domestic Missions for many years, and helped generously in the support of Indian work, but was not such a giver to this particular mission as far as the records show, as to bring her name into prominence thereby. The official name is The Vermilye Memorial Reformed Church.

At the Comanche-Apache Camp Meeting held this year, 1912, at Four Mile Crossing on the Fort Sill Military Reservation, twenty-five Apaches and twelve Comanches were received into the two churches, and twenty-two children were baptized.

On June 23, 1912, the Apaches lost by death their great white friend, George Wrattan, who had grown up with them and had shared their successes and failures, their joys and sorrows and privations.

The year 1912 is notable for the release of the Apache prisoners of war by Act of Congress. Those who decided to remain in Oklahoma were given tracts of farm land near the town of Apache. In April, 1913, that part of the band, numbering 187, who elected to go to Mescalero, New Mexico, were taken by train from Fort Sill to Tularosa, New Mexico. Here they detrained for the Mescalero Indian Reservation, nineteen miles distant. With them for their protection and comfort, came Major Goode, in charge of the train, Dr. Farenbaugh, United States Army Surgeon; Special Federal Officer Tom Brentz; Miss Deering, United States nurse; Reverend Henry Sluyter, missionary, Miss Hendrina Hospers and Miss Martha Prince, mission workers; and three or four soldiers from Fort Sill.

As an indication of the thorough work done with the Apaches by the Reformed Church Missionaries, and of the Indian response, of the one hundred eighty seven (including children and infants) who went to Mescalero, eighty-nine persons united by letter with the Reformed Church there on April 6, 1913, two days after reaching their new home. All of these were Indians, except two,—Misses Hospers and Prince.

About ninety Apaches chose to remain in Oklahoma, preferring to live on farms in this state rather than to go to the mountains and forests of Mescalero.⁵

⁵ These Chiricahua (or "Fort Sill") Apaches were prisoners of war for more than twenty-five years, during which time a generation was born and reared who had never taken up arms against the United States. Yet they were born prisoners. Beside those born thus there were many who were but children when the band was captured and who never fought against the United States; but they were held as prisoners, just as though they had been guilty of rebellion.



DR. AND MRS. WALTER C. ROE

The friends of these Indians were distressed that, year after year, the Government continued to hold them in custody. Dr. Walter C. Roe, the superintendent of Indian work being done by the Reformed Church, determined, if possible, to get the group free, regardless of cost to himself. Others were willing to give whatever aid was in their power. Articles were written and published, and public opinion was aroused. Dr. Roe was a man of keen, strong mind, but of weak body. With true Christian heroism he carried on his work, often with great physical pain. Against the advice of his physician he went to Washington and spent the winter, watching, waiting, rendering all aid in his power to see that the bill for the release of the Apache prisoners would be passed by Congress. He and his co-laborers were successful, and the people were freed, but Dr. Roe gave his life as a result of that winter's work.⁶

The Fort Sill Mission for the Chiricahua prisoners of war was begun in 1899 and closed in 1913, after a period of fourteen years of service and a cost to the Reformed Church of seventy-five thousand dollars.

The Women's Board of Domestic Missions of the Reformed Church appointed Reverend G. A. Watermulder, for a long period the missionary at Winnebago, Nebraska, as their Special Representative for Indian work. He has continued to do the work of his own field, and to visit and help to plan the policies of the other Indian missions of the Reformed Church.

After the departure of Reverend Henry Sluyter from the field, Reverend James Dykema took charge of the work until a permanent missionary could be appointed. This earnest and able young minister had served, for a few months at a time, at Winnebago and Mescalero, and was able to adapt himself to new people and conditions. He served the Comanche Mission during the year

⁶ His frail constitution could not resist the severe winter climate of the east, and rapidly he grew weaker. Everything that loving friends could do was done to prolong his life, but his work was done. On March 12, 1913, while the Apache prisoners were preparing for removal to Mescalero,—a journey to be taken within a month,—his spirit took its flight to God from Nassau, Bahama Islands, to which place he had gone in a last attempt to regain health.

1914, and faced bravely and helpfully the problems of the group. The Comanches of today are fond of him.⁷

The Reverend Richard H. Harper, missionary at Mescalero, New Mexico, was now transferred to the Comanche-Apache work, and arrived on the field January 15, 1915. The Reverend James Dykema had been asked to go to Mescalero, until a permanent missionary could be obtained.

The new minister at the Comanche Mission was not a stranger, having visited the churches and Indians there on previous occasions. He found, as had the Reverend James Dykema, that there was need of enforcement of earnest measures for the moral safety of the Indian families who camped at the mission as they had need. On one side was Lawton, a mile away; on the other Fort Sill, with its soldiers. The camp lay between, and was a prey to unscrupulous Indians, soldiers, whites, negroes, and Mexicans. Only unceasing vigilance could keep the mission camp free from intruders by day and by night. A set of rules was printed, and each Indian who was allotted a camping place was compelled to sign or thumb-mark his name to the rules. These provided for good behavior, for abstinence from the use of liquor and peyote, for cooperation in keeping the Indian part of the mission compound clean,—in short, for doing the things which every good Indian should desire to do. When some of the Indian men objected to the rules the missionary replied that he intended to have the camp a safe place for their wives and daughters, and that he was sure it would then be a safe place for the men.

Early in his ministry here, the missionary contacted county and city police officers, in Lawton, and asked for their cooperation in protecting the Indians from lawless people of all the races. This was gladly given; and the writer wishes to praise highly the sheriff and deputies, and the Lawton chief of police and his patrolmen. When a drunk Indian appeared at the mission, either day or night, the missionary called the sheriff's office by telephone, and in a

⁷ During his ministry the Women's Board attempted to have the Apaches absorbed by the Cache Creek Mission of the Reformed Presbyterian Church, situated a few miles north of Fort Sill. The plan failed, largely because this mission used a different musical program in its religious services, and the Apaches could not adapt themselves to the change.

few minutes an officer was on the ground and the offender was taken to the county jail in Lawton. In most such cases we did not lodge a formal complaint against the trouble maker; but the officers would try to discover where the liquor was obtained, that the bootlegger might be arrested and punished.

The plan of our Indian missionary work was to help make of the Indians intelligent, able-bodied, self-supporting, patriotic, christian citizens of the United States. This included work of schools, health, industry, citizenship, and religion. We believe this to be a program which would prove helpful with Indians everywhere. To carry it out means cooperation with government plans and activities as far as possible, with the educational forces, the physicians and hospitals, the field workers, and with law enforcement officers,—federal, state, county, and city.

The work of the mission was many fold,—preaching, Sunday School, lodge, government boarding school, hospital, camp, and camp meetings. Though the last-named could be included in either preaching or camp work, the camp meetings are important enough to be mentioned in a special class. Beside all these there were annual visits to the American Indian Institute at Wichita, Kansas, to Chilocco Government Indian School in Oklahoma, and to Haskell Indian Institute, in Lawrence, Kansas. In all these schools the mission had either Apache or Comanche students.

An outstation was established at Fletcher, some thirty miles northeast of the Comanche Mission; another preaching point in the Little Washita district, east of Fletcher; and a third point on Beaver Creek, about twenty-five miles southeast of the central mission.

Since the plan to have the Apaches who chose to remain in Oklahoma, after obtaining their freedom, attend the Reformed Presbyterian Mission services, failed, it was decided that regular Sunday gatherings for them should be held in or near Apache. The First Presbyterian Church of Apache kindly gave the use of their house of worship on certain Sunday afternoons for this purpose. After a time the Apaches desired a chapel of their own, and this was built. The business men of the town of Apache gave money for a lot, about a fourth of a mile south of the town; and

the Women's Board of Domestic Missions together with the Indians provided the money for a building. In this was an auditorium and a small room,—the latter for the use of the missionary when compelled to spend the night in that part of his large field.

A Sunday School was organized, which the Apaches manned. The Church organization was a continuation of that which had existed at Fort Sill. In this and the Comanche Church the elders and deacons were Indians, who accepted their offices and carried their responsibilities with seriousness and dignity.

With both the Comanche and Apache churches to care for; with superintending the Sunday School and preaching, at the Government Indian school, and at the mission; with Y. M. and Y. W. C. A. work; with outside Comanche preaching points; with never-ending pastoral calling, both the missionary and his wife, and Miss Lewis, the lodge and field matron, were kept very busy. During our first years on this field the mission owned two teams of horses, a hack, and a buggy; and even thus the workers were taxed to the utmost to keep up with the needs. Later a Ford automobile was provided, which made possible the doing of more work, over more miles, and with less time and energy. In some of the mission activities that part of the family of the missionary, still living at home, two grown daughters and two sons,—rendered valuable help.

Each summer the Women's Board sent us a theological student from one of the Reformed Church seminaries, to help in the work. These young men were of great value to the fields, and the experiences which they had were very helpful to them.

One thing showing the earnestness of the Indians in Christian affairs is that some of them drove many miles to the mission by team—as far as twenty-five. One reason for this was the Government School near by, where were some of their children.

Two rooms were added to the lodge, and an office provided for the missionary, close to the parsonage, where he could receive and consult with the Indians. Many of them still came to the manse, to visit, and to talk with Mrs. Harper.

Indians are nothing, if not social. This side of their nature sometimes makes them a prey to designing evil people. To meet

this need a social was held in the lodge every Friday evening in the year, unless prevented by inclement weather, illness, or some other important hindrance. Through the snow of a winter night a grandmother would trudge with a large grandson or granddaughter on her back. Fathers, mothers, youths, children, even babies came, and all spent a happy evening. Simple games were provided. The older people delighted to play crokinole, and apparently never tired of the game. One or more of the missionary workers always attended the socials, and the gatherings always closed with singing of a gospel hymn and prayer.

The Sunday morning and afternoon services were held in the church, the evening gatherings in the lodge. Elders and deacons rotated in leading the afternoon meetings,—first an elder, then a deacon, one at a time. This was *their* service, and it would have been considered an intrusion had the missionary tried to conduct it. Beside, there was no good reason for his so doing, for the Indians were competent leaders. On many of the Sunday afternoons the pastor was preaching elsewhere. Sometimes this was true on Sunday morning. In such a case Mrs. Harper brought the morning message, and the Indians enjoyed greatly to hear her preach. She was, of course, not ordained, since the Reformed Church does not believe in the ordination of women. When the pastor was absent, on certain Sunday nights, for preaching at the Indian School, then also elders and deacons conducted the service.

In the second year of their ministry here the Board sent the missionary and his wife to Illinois, Wisconsin, and Michigan, to speak in the Reformed churches, to ask for money for the Comanche Mission Extension,—a reaching out to other parts of the field with an enlarged program. Their trip resulted in obtaining enough gifts to erect an outstation in the town of Fletcher. A home for Miss Lewis, with one room large enough for gatherings, was provided, and she was transferred to the Fletcher field. Her place at the central mission was taken later by Miss Jennie Dubink, who had served at Mescalero, New Mexico. An additional worker was called to help,—Miss Nella Rylaarsdam of Grand Rapids, Michigan. These two at the central mission did very fine work, ministering to needs of both souls and bodies.

Most of the Sunday services were held in the Indian homes near Fletcher, since this cottage-meeting plan was best for the field under conditions then existing.⁸

In the first article of this series a description of a camp meeting was given. This need not be repeated here. The camp meetings held among the Comanches and Apaches were of the same general tenor as those among the Cheyennes and Arapahoes. A few statements, though, need to be added. As long as the Apaches were living on the Fort Sill Military Reservation many of the Reformed Church camp meetings for the two tribes were held there, where room for tents and grass for ponies was abundant. The army officers gave all needed cooperation to maintain order. Especially on the last night of the meetings hundreds of white visitors came from Lawton and other places. The climax was reached on the Sunday night, and Monday saw the dispersion of the Indians to their homes.

Since the release of the Apaches the camp meetings have often been held on the land of the central mission, a mile north of Lawton.

The Comanches were more willing to help get ready for the great meetings than were some other Indians. Nine committees were appointed each time, some of men, others of women. The men had learned how to put up the large tent, a task demanding both strength and skill. Other men attended to the purchase and issue of beef, which took place once, sometimes twice during the meetings. Indian women took great interest in arranging chairs in the tent after each service, and in smoothing out the white tent cloths which were used to cover the grass. Formerly, all in the congregation sat on the grass. Later, the Indians asked that chairs be provided; and this was done.

One of the committees of men was to watch the camp and to help preserve order. This committee alone was not enough for the purpose. Two federal special liquor officers were allowed us for

⁸ Miss Lewis' health failed, after almost twenty years of faithful sacrificial service with Comanches, and she was compelled to retire from the field. Misses Dubbink and Rylaarsdam succeeded her at Fletcher, where they did heroic work until the closing of this outstation and the sale of the property, in 1923. In June of this year they returned to the central mission.

the camp meeting period, and one or two sheriff's deputies assisted. The camp was policed by day and on into the night. These stringent measures were necessary for the protection of the Indians and their interests in these large camps during many of those years.

The Comanches and Apaches were under the jurisdiction of the Government Indian Agency at Anadarko, about forty miles north of Lawton. The Superintendent and his assistants gave untiring support to the missionary in many ways. Superintendent C. V. Stinchecum of Anadarko and the district farmers at Lawton, Apache, and Walters rendered great assistance in matters within their province. In turn, the missionary was able to give some help in government matters.

Many Comanches were addicted to the use of the cactus fruit peyote. It had come to them in comparatively recent years, from Mexico, where it had been used since prehistoric times. The early Catholic priests in that country were acquainted with its use and evil effects, and called it "Devil's Root."

While this drug addiction is rare among Apaches, yet Comanches, Kiowas, Cheyennes, Arapahoes, and many other tribes are greatly addicted to its use. The dark brown, cup-shaped fruit, sometimes called "peyote buttons" and "peyote beans," grows on a cactus plant whose habitat is northern Mexico and southern Texas.⁹

⁹ Botanically it is known as "*Lophophora williamsii*." It contains as shown by analysis, a number of alkaloids, which are poisons. It is habit-forming. It injures throat, heart, stomach, brain; and sometimes produces temporary insanity. It excites physical passions, and drives away sleep for several hours. In some ways its effects are worse than those produced by whiskey. In October 1918, the State of Oklahoma granted a charter for the setting up of "A Native American Church," in which peyote would be used as a sacrament, like the bread and wine in our Lord's Supper. This charter was amended later.

Peyote meetings are held at night,—from sunset to sunrise. A ritual service is presided over by a peyote priest. Songs are sung. Sometimes the Bible is used. The eating of the peyote produces a feeling of ecstasy, in which benevolence toward rather than dislike of one's opponents controls the mind. After the effects of the drug disappear so does the feeling of kindness toward all people, and the former dislikes are again on the mental throne.

While claiming to be Christians the users of peyote are often very bitter against missionaries and other Christians, because these do not, cannot, endorse the teachings and practices of the Peyote cult.

These statements concerning this false religion are being made after nearly twenty years of residence and labor among tribes which are affected by peyote, and with love for peyote-users though with thorough disbelief in and abhorrence of their beliefs and practices.

The year 1917 saw the United States plunged into the World War. The activities at Fort Sill, Camp Doniphan and Post Field were before the eyes of the Indians. Forty thousand men were stationed, for part of the time, in the Fort Sill area. Some Indians volunteered for service. With them Richard Whitman, elder son of the missionary, joined the army. Others were taken by the draft. Many Indians purchased war bonds with money being held for them in the Kiowa Agency Office at Anadarko. Generally, they entered heartily into every suggested activity, even to the saving of peach stones whose product was valuable in gas masks.

When a group of Comanches were ready to leave for Camp Bowie, a notable farewell service was held for them in the Comanche church. Addresses were delivered by the Honorable Champ Clark, Speaker of the House of Representatives, and the Honorable Scott Ferris, Congressman from Lawton. Followed by the prayers of parents and friends in both races the Comanche soldiers left, and were a part of the eight thousand red men in the army and navy during the World War. Not one Comanche soldier lost his life in the conflict.

A company of older Christian Indians gathered at the Rock Island railway station in Lawton to see one troop train, bearing Comanches leave. As they stood on the platform with hearts sad, yet rejoicing, as their sons or grandsons or friends started to war, their voices were raised in a Christian hymn, sung in their own smoothly-flowing Comanche tongue.

The Young Men's Christian Association called the Comanche missionary to service for Indians in the army. By permission of the Women's Board he responded to the call. His plan of work was to visit army camps containing Indian soldiers. After each such visit he returned to the Comanche Mission and labored, until time for the next trip. Under this plan he visited Camp Bowie, near Fort Worth, Texas, Camp Travis, at Fort Sam Houston, San Antonio, Texas, and the camp at Houston, Texas. In each camp the Indians welcomed him, as he sought to put them in touch with the Y. M. C. A. recreation halls and with religious services. For, the very shyness of the Indian nature made it necessary to give more encouragement to them than to the white

young men, along these lines. By thus going to the army camps, the missionary was able to follow up Indians from his own Oklahoma district as well as to meet many others.

At Camp Doniphan were other Reformed Church people rendering help to the men in uniform. Mr. R. Kincaide, manager of the Mohonk (Indian Arts) Lodge, and superintendent of the Cheyenne and Arapaho Sunday School at Colony, spent many months in Y. M. C. A. work. Reverend Edwin Ralston, pastor of a Reformed Church in New York state, also served under the "Y". Mrs. Ralston, wife of the New York pastor, and a member of our Women's Board of Domestic Missions was hostess in one of the Y. W. C. A. recreation houses.

During the difficult war days, when adjustments as to the kinds of food to be eaten had to be made, and when certain foods were restricted as to amount, Mrs. Harper held cooking classes for the Comanche women, teaching them how to make the necessary adjustments. The Indians were much interested and responded loyally.

The regular work with the Comanches and Apaches had to be kept up, even though the pastor was often absent with the Indian soldiers. Help in these days was given by the presence of Rev. and Mrs. Paul M. Joy (the latter a daughter of the missionary), sent to us by our Women's Board for a year. Their previous experience with Indians here and elsewhere made them valuable helpers at a time when help was greatly needed. They remained with us during the period when the missionary was assisting in army Indian "Y" work.

In 1919 Reverend and Mrs. J. Denton Simms (the latter another daughter of the Harper family), of long experience with the Apaches at Mescalero, New Mexico, and with the Jicarilla Apaches, at Dulce, New Mexico, brought to the mission the help which their years of Indian contact made possible. Both the Joys and the Simms family added important elements by their energy and ability. During four months of 1919 the regular missionaries were given a sabbatical release, during which they visited missions, Indians, and Government non-reservation schools in the states of Washington, Oregon, California, and New Mexico.

Between 1919 and 1923 the work of the mission was carried on in routine, the last two years being made more difficult by the serious illness of Mrs. Harper. Fine help was given by summer students, whom the Women's Board allowed us for three months each summer, and by Misses Dubbink and Rylaarsdam at the Comanche lodge.¹⁰

The Comanches get great joy in the Watch-Night services, seeing the old year out and the new year in. As usual Indians and missionaries met at the lodge, and spent a social time together. Refreshments were served, the Indian women doing the greater part of the task as to food distribution. After eating, according to the training which they had received, everything must be cleared up, and the dish towels carefully and neatly hung up.

Before the women were quite through with their work the congregation would begin singing. By ten o'clock the service would be going fully. We had hymns, prayers, and a sermon.

The regular plan was for all to be kneeling in prayer when the bell struck twelve o'clock. Then, all would arise, each wishing others "A Happy New Year," and go home.

The missionary was called to the office of the Women's Board of Domestic Missions, New York City, as an assistant, in the autumn of 1923, and the vacancy at the Comanche-Apache Mission was filled by the transfer of the Rev. and Mrs. J. Leighton Read, from Colony, Oklahoma.¹¹

During the period from 1923-1931 Reverend and Mrs. Read pressed the work among the Indians of this field with great energy.

¹⁰ Two operations in Oklahoma City and two trips to the Mayo Clinic in Rochester, Minnesota failed to stop the malignant tumor which had grown as an enemy comes in the darkness, and the dearly beloved missionary wife and mother went home to God on July 23, 1923. At her request her body was laid away in the Comanche cemetery. She wished to lie by the side of those with whom she had spent the last years of her consecrated missionary life. Deeply they mourned her departure.

¹¹ Reverend Mr. Read is the son of a Presbyterian Indian missionary in Indian Territory. He grew up with Indians, and understood them. In addition to this, he and Mrs. Read had experience at the Colony Mission, sixty miles northwest, from 1917-1923. So they brought with them an accumulation of valuable knowledge of Indians and their way of life, along with deep religious fervor in the Master's service.

In 1924 Reverend Mr. Read received the honorary degree of Doctor of Divinity, from his alma mater, Austin College in Sherman, Texas.



SATURDAY AFTERNOON STREET MEETING, LAWTON

A part of the time they had as helpers Mr. and Mrs. Robert P. Chaat.

A prominent addition to the Christian forces early in this ministry were Mr. and Mrs. White Parker. Mr. Parker is a son of Chief Quanah Parker of the Comanches. Mrs. Parker is a daughter of Reverend Mr. Clark, a former white missionary to the Comanches, under the Methodist Episcopal Church. Mr. Parker felt called to do missionary service among his own Comanche people; and, with this in mind, studied at the Cook Bible School in Phoenix, Arizona. Returning to the Comanche country for work, because the Reformed Church had no opening for him at that time, he joined the Methodist Conference and occupied mission stations under their supervision.

A very important enterprise undertaken by Dr. Read was the holding of Saturday afternoon street meetings, in a part of Lawton frequented by Indians of several tribes who came to buy at the stores. Many attended the meetings. A baby organ supplied the music. Dr. and Mrs. Read, Miss Dubbink, Mr. Robert Chaat, and Mr. White Parker took part. Other Indians helped.

During all their years at this mission Dr. and Mrs. Read continued the work with the Apaches, at their chapel near the town named after them, and in their homes.¹²

Mr. and Mrs. Robert Chaat succeeded them at the Comanche Mission, and in the work for Apaches.¹³ His installation service, held in the Comanche church, took place on December 2, 1934, in the presence of many happy Comanche and some Apache church members, with Reverend G. A. Watermulder, Mrs. Walter C. Roe, and the writer present.

On a Giving Sunday service (the Sunday nearest Christmas) at the Comanche Mission about twenty-five years before this time, Chahtinneyackque, father of Robert Chaat, had gone to his wife

¹²In 1931 Dr. Read resigned the pastorate of the Comanche-Apache field, and moved to Norman, Oklahoma, for an independent missionary undertaking among Indian and other students of the Oklahoma University.

¹³Mr. Chaat is a graduate of the American Indian Institute, Wichita, Kansas, and of Cook Bible School, Phoenix, Arizona. After being in charge of the mission from 1931-1934 as an unordained missionary, he was given his ordination by the Classis of New York, of the Reformed Church, on November 20, 1934. He is the first Indian ever ordained by this denomination.

and had taken from her their children under twelve years of age, and had brought them to Reverend L. L. Legters, then the missionary, saying: "I give these children to God." The two brought were Robert and Sam. Since 1931 Robert has been carrying on, with no white missionary on the field. All the departments of the work have been well manned by the devoted native missionary, his wife, the Church officers, and other volunteer Indian helpers. There have been preaching, Sunday School, work at Indian School and hospital, visitation of homes, work with the Apache Church, daily vacation Bible school, camp meetings, and other activities.¹⁴

The 1939 camp meeting was in charge of Reverends Robert Chaat and James Ottipoby.¹⁵ Reverend James Dykema, the Comanche missionary in 1914, now a pastor in New Jersey, preached by invitation. About four hundred and fifty were in attendance. The camp meeting was preceded by an Indian Youth Conference, held for four days, conducted by the Reverend Dr. Raymond Drukker, head of Youth Work in the Reformed Church.

The faithful Bible teaching of former missionaries is continued by their able native pastor. Reverend Mr. Legters, their first pastor, taught them tithing, and some of them adopted this method of sharing their incomes with their Lord. In 1939 there were six or eight tithers in the Comanche Church.

One of the aims in Indian missionary work is to get the congregations to the place where they have native leaders. When the

¹⁴ Reverend Mr. Chaat has been called by the Women's Board of Domestic Missions, on a number of occasions, to the middle west and the east, to address church and other groups in behalf of his Comanche-Apache field. The white people enjoy his addresses. He is in demand at Indian conferences also.

The Comanche Sunday School, conducted by the pastor, and taught by Indians, has ten classes. Both Reverend Mr. and Mrs. Chaat are musicians, and Indian young people follow their leadership in special singing for the services. He gives great help also in the Sunday School at the Ft. Sill Government School.

The Comanche Church pays one hundred dollars a year toward the pastor's salary. The Women's Board of Domestic Missions supplies the rest. As to incidental expenses, for fuel, lighting, and all other things,—both the Comanche and the Apache churches are self-supporting. The Comanche Church membership, in 1939, was one hundred and thirty-five and the Apache Church thirty-eight.

¹⁵ Reverend James Ottipoby is a son of Elder Ottipoby, for many years an efficient officer of the Comanche Church. James was trained in Reformed Church institutions,—is a graduate of Hope College, Holland, Michigan, and studied theology in Western Seminary, in the same city. He received ordination from the Classis of New York, in New York City, on November 15, 1938. He also is used by his denomination in service, in the east and middle west.

writer was the pastor of the Comanche—Apache Mission he used to say to the Indians that a better day would come for them, in their Christian work, when one of their own tribesmen would be their missionary. In Reverend Robert Chaat this has been achieved.

The ordained missionaries who have served the Comanche-Apache Mission are: Frank Hall Wright, founder; Leonard L. Legters, 1906-10; Henry Sluyter, 1910-13; James Dykema, 1914; Richard H. Harper, 1915-23; (Paul M. Joy, as assistant, 1917-18, and again, for six months, in 1920; J. Denton Simms, as assistant, in 1919); J. Leighton Read, 1923-31; Robert P. Chaat, 1934 to the present. In addition to these years of service, Mr. Chaat was an unordained worker, in charge, from 1931-34,—thus making a total of nine years during which he has been at the head of the mission.

One of the very noticeable changes brought about by the ministry of the present pastor is in the large number of Indian Young people who are assisting him. This speaks well for the future of the Comanche Church.

Among the outstanding Comanche Church leaders have been Nahwats, Ottipoby, Chahtinneyackque, Perconnic, Howard Whitewolf, Karty (Buffalo), Chatasy, Tahmaka, Fred and Leslie Ticeahkie. Many women have done outstanding work in the church. As interpreters Walter Komah, Howard Whitewolf, Fred Ticeahkie, and Maude Chaat have been prominent.

In the Apache Church Naiche, Noche, Chatto, Jason Betzinez, Benedict Jozhe, James Kawaykla, Sam Hoazoas, Quineh, Carlos Keanie, and John Loco have been prominent. Much of the interpreting has been done by James Kawaykla and Mrs. Amy Imach (daughter of George Wrattan). Many women could be named as earnest Church workers.

All honor to the Comanches and Apaches in the great progress they have made, in many directions! Few tribes in the United States have gone forward more rapidly than these. And this progress is not alone in material, but also in spiritual matters.¹⁶

¹⁶ The writer acknowledges his indebtedness for valuable information and illustrations to Mrs. Walter C. Roe, Mrs. A. R. Page, Miss Muriel H. Wright, Miss Hendrina Hospers, Rev. L. L. Legters (since deceased), Rev. Henry Sluyter, Dr. J. L. Read, Rev. Robert P. Chaat, and Mr. R. Kincaide.

GOVERNOR DAUGHERTY (WINCHESTER) COLBERT

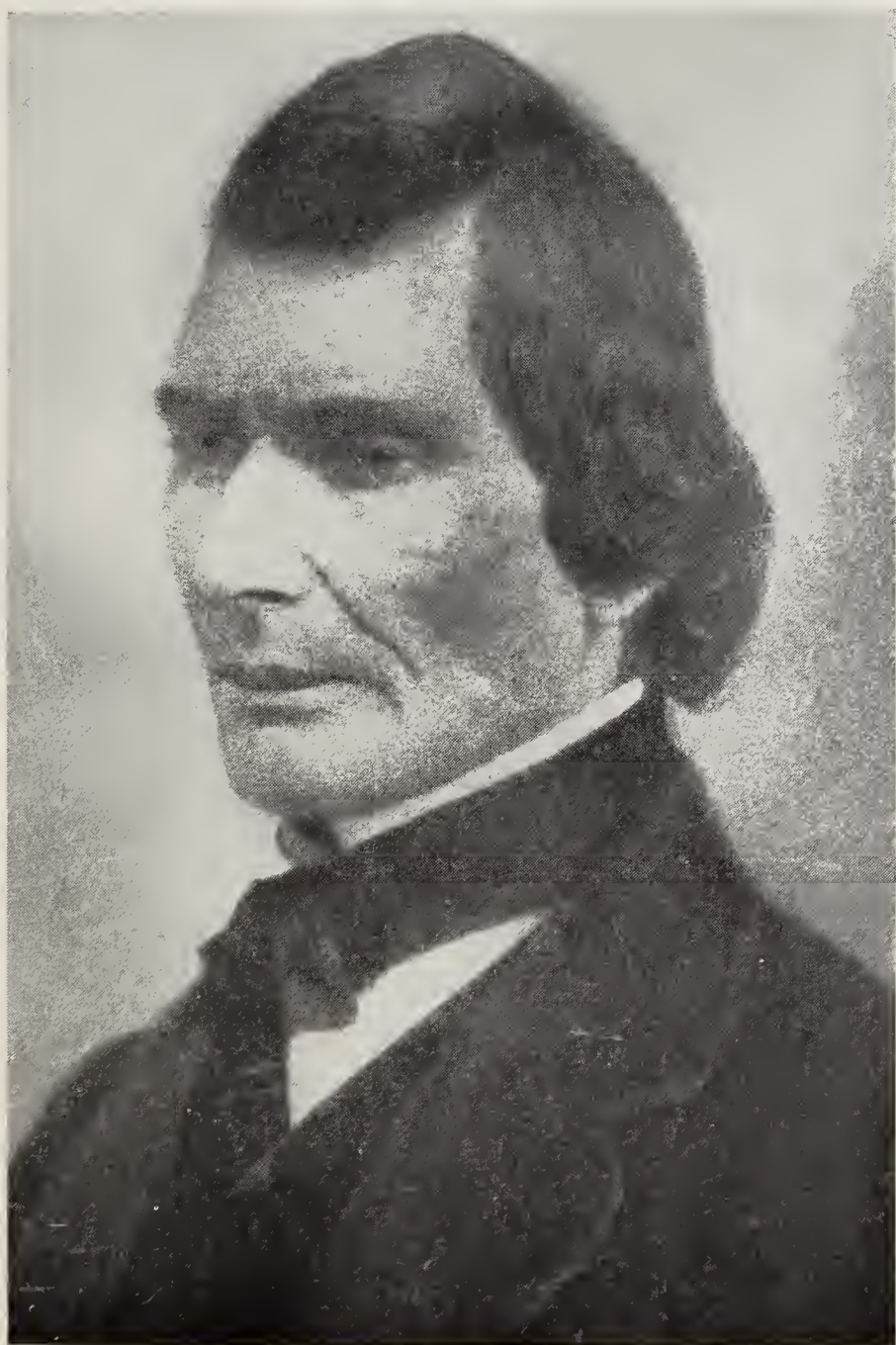
By

John Bartlett Meserve.

Few periods in history are so well revealed by their leading actors as is the early life, with its struggles, of the Five Civilized Tribes in the West. Facts contemporaneous with that period are difficult to obtain because it was a sparsely documented era in their lives and many details are still fugitive. It is a story of tribal and intertribal politics, of wars, harvests and famines and is difficult to revive. The efforts of the Christian missionaries won the hearts of these stricken folk and they were rapidly approaching the standards of Christian civilization. During those silent decades the teachings of the missionaries were absorbed into the culture and political life of the Indians and quite naturally the administration of their political system was influenced by the passionate, religious fervor to which they had responded. In the decade preceding the Civil War the Chickasaws had recovered in a startling measure from the sorrow and wreckage of the removal days. Education at higher institutions of learning in the East was developing an understanding leadership and upon their separation from the Choctaws in 1855, a republic in miniature was formed. It was a replica of the States. The capable Cyrus Harris inaugurated the new government as its first governor to be succeeded in the fall of 1858 by Daugherty (Winchester) Colbert.

Daugherty (Winchester) Colbert although listed as a son in the large family of Levi Colbert which consisted of twelve sons and eight daughters and although he was reared as a member of that family, a verification impels the conclusion that he was not, in fact, a son of Levi Colbert. He is reputed to have been the natural son of an itinerant, adventurous white man by the name of Darity.¹ His mother was a Chickasaw Indian woman and he was born in the Tombigbee River country near Cotton Gin Port, Monroe County, Mississippi in 1810. In his early years, this child of romance was received by adoption into the family of Levi Colbert

¹ Personal interviews with Mrs. Minor Mead, a granddaughter and with Charles Colbert, a great grandson of Levi Colbert, of Durant, Oklahoma and with Dr. T. P. Howell of Davis, Oklahoma.



GOVERNOR DAUGHERTY (WINCHESTER) COLBERT

and was reared and educated by that distinguished Chickasaw leader. Chickasaw law offered no defined procedure relating to such adoptions but the practice was not unusual among the Indians. The communistic impulses of these simple folk inclined their hearts to extend shelter, care and protection to the homeless of their race irrespective of circumstances. He was invested with the family name of Colbert his own father's name being employed as his first name, but Darrity Colbert soon became Daugherty Colbert occasioned not only by a similarity in the names but also probably influenced by the fact that a near relative of Levi Colbert bore the name of Daugherty Colbert. The name Winchester Colbert was adopted by the young man some years later and so through life he sometimes was recognized as Daugherty Colbert and at other times as Winchester Colbert.

The scholastic training of young Daugherty Colbert began with his attendance at Charity Hall,² a Cumberland Presbyterian Mission School near Cotton Gin Port. The years 1826-7 were spent by him in Washington in the home of Thomas L. McKenney³ the famous Indian Commissioner and compiler of Indian history, where he received some preliminary training in land surveying. It was a unique but valuable experience for the Indian lad. The interest of McKenney continued after his return home and on March 17, 1828 the Commissioner writes to Levi Colbert, "I hereby write to request that Daugherty may leave home in time to reach the Choctaw Academy by the first of June." In this letter mention also is made of his taking up a course in land surveying. Daugherty Colbert enrolled as a student in the Choctaw Academy⁴ in Kentucky, in 1828, his education being more or less directed by Thomas L. McKenney.

Upon his return from school young Colbert engaged in farming and in 1837 came with one of the first Chickasaw removal caravans to the old Indian Territory. He lingered for a brief period in the vicinity of Doaksville and subsequently established himself

² Carolyn Thomas Foreman, "Charity Hall," *Chronicles of Oklahoma*, Vol. XI, pp. 912 *et seq.*

³ Thomas L. McKenney, *Memoirs, Official and Personal* (1846), pp. 158-9 and 163-6.

⁴ Carolyn Thomas Foreman, "Choctaw Academy," *Chronicles of Oklahoma*, Vol. VI, pp. 453 *et seq.*; *ibid* Vol. IX, pp. 382 *et seq.* and *ibid* Vol. X, pp. 77 *et seq.*

upon lands in the North Fork country. He later effected a permanent settlement at Oil Springs about twenty miles northwest of Tishomingo and about nine miles east of the present town of Berwyn and in what is today Johnston County, Oklahoma.

The political affairs of the Chickasaws were closely interwoven with the Choctaws during those early formative days in the West. The treaty of January 17, 1837⁵ at Doaksville created the Chickasaw District in the Choctaw Nation. This district under the provisions of the treaty of June 22, 1855⁶ became the Chickasaw Nation and the separate political status of the Chickasaws was accomplished. Winchester Colbert was a directing hand in framing this treaty and had served as a member of the Choctaw council from the Chickasaw District but early became a strong advocate of the political separation of his people from the Choctaws. He was a prominent member of the constitutional convention which framed the constitution for the newly created Chickasaw Nation, in August, 1856 and served as a member of the first Chickasaw legislature.

In August, 1858, Winchester Colbert became the second governor of the Chickasaw Nation when he defeated Gov. Cyrus Harris who was running for reelection. Harris postponed a second consecutive term for Governor Colbert when he returned to the governorship in the fall of 1860, but Colbert again defeated Harris in August, 1862, and was reelected in the autumn of 1864. The two concluding terms of Governor Colbert covered the fateful years of the Civil War, from the fall of 1862 to the fall of 1866. Winchester Colbert was a signer of the treaty which, as a Chickasaw delegate he had aided in negotiating with Gen. Albert Pike the representative of the Confederate States at North Fork, Creek Nation, on July 12, 1861. His sentiments, as were those of the Chickasaws in general, were very distinctly with the South. All forms of endeavor among the Chickasaws approached a stalemate during the war. The governor becoming apprehensive of his personal safety, upon the defeat of the Confederates at Camp Kansas in February, 1864, departed hurriedly for Texas where he remained for several months as a refugee. Other Confederate sympathizers fled with him.

⁵ Kappler, Vol. II, pp. 486 *et seq.*

⁶ Kappler, Vol. II, pp. 706 *et seq.*

Horace Pratt, the President of the tribal senate functioned as governor during his absence. The governor returned from Texas in the fall of 1864 and with the collapse of hostilities in the succeeding year, formally surrendered on July 14, 1865, the Chickasaws being the last of the Five Tribes to surrender. The Chickasaws entered the war as an independent ally of the Confederacy and upon its conclusion, made an independent surrender and likewise concluded their terms of peace. Governor Colbert became active as a participant in the peace negotiations with the Government held at Ft. Smith, Arkansas, in September, 1865 and the Civil War with its unhappy conditions for the Chickasaws was concluded.

When the Chickasaws entered the Civil War their interest in other activities was suspended but in so doing they ran orthodox to time-honored customs of the race derived from high ancestral practice. The potency and security of government in the Chickasaw Nation were postponed during hostilities. There was a complete break down in law enforcement. The tribal courts were closed; no session of the legislature was convened during the war and for a brief period the governor became a fugitive in Texas. The consequent lawless conditions which ensued were not improved by the presence of Creek and Cherokee refugee Indians camped around Stonewall and at points further south along the Red River. The years of the Civil War were drab years for the Chickasaws. On September 27, 1865, Governor Colbert in his initial communication to officials of the Federal Government reported that "robberies and horse stealing are common occurrences in the southern part of the Nation" and requested that "a company or two of cavalry be sent under a capable officer to afford protection." In the same letter the governor also requested the removal of the refugee Indians of other tribes from the Chickasaw Nation. The depredations of which he complained may have been committed in some instances by the refugee Indians driven to necessity, but the arch offenders probably were negroes and renegade white men.

The first session of the Chickasaw legislature to convene after the beginning of the Civil War met at Tishomingo between the second and seventh of October, 1865. Governor Colbert addressed

that body in measured terms which challenge comparison with the most erudite Indian leaders of that period;

“The annual meeting of the Legislature of the Chickasaw Nation under the providence of God being again permitted, it becomes us as a Nation to acknowledge our dependence on His Will and lift our heads in thankfulness for the preservation of our people amid the dangers and vicissitudes through which our country has passed.

“Since my last message to the Legislature we have experienced the effect of war in its worst form. So rapid has been the change by the late revolution which has terminated in the submission of all the States of the United States to the authority of the General Government and so stupendous its results, present and prospective, that the mind becomes bewildered in contemplating them.

“It is consolatory however to reflect that under all the trying circumstances under which the Chickasaws have labored, they have been true to themselves and their plighted national faith. Their course is a matter of history and we refer to the record, confidently relying upon a favorable verdict, not only from an impartial world but from the government of the United States itself, which is too powerful and magnanimous to take advantage of a weak people who were compelled by force of circumstances and the current of events, in order to preserve their existence, to assume a hostile attitude towards that Government to whom previously our people had always looked for parental protection and guidance.

“It becomes my duty to inform your honorable body that by special request of the authorities of the United States, the commissioners on the part of the Choctaw and Chickasaw Nations together with those of other nations embraced in the Indian Confederation, with their respective executives and commissioners met commissioners on the part of the United States in council at Ft. Smith on the 15th of September last. The result of which was a general treaty of peace and friendship between the United States and all the Indian nations represented at said council and the submission of a *project* or outline of a treaty, which the Gov’t of the United States wishes to make with the various Indian Nations, for which purpose and to arrange and settle all matters with the government of the United States growing out of their connection with the so-called Confederate States, which tend to interrupt or interfere with the resumption of their former relations with the Government of the United States, it is proposed that commissioners be sent to Washington City by the several Indian Nations. * * *.

“Among the subjects presented by the Gov’t of the United States for your consideration the slave question stands prominently forth. It is plain that emancipation is inevitable and it is a part of wisdom to meet the question fairly and that means be devised to

bring about the manumission of slaves at the earliest practicable period, and in the meantime, to secure the peace and quiet of that unfortunate class of persons and render them by suitable provisions and arrangements, useful to the community.

“There is at present great diversity of opinion among the people as to the status of the negro among us. In my opinion the good of the community requires that the Legislature shall lay down a uniform rule of action for all in reference to slaves, so that there be no confusion growing out of the subject among the people or among the slaves themselves. Their emancipation is now a mere question of time and the sooner, in accordance with the constitution, the better for all parties. * * *.⁷

Upon receipt of the governor's message the legislature passed a resolution empowering the governor to issue a proclamation calling upon the people to effect some sort of independent agreement with the slaves. According to the Federal Census of 1860, the Chickasaws held 917 negro slaves. On October 11, 1865 Governor Colbert issued his proclamation in accordance therewith;—

Whereas the Legislature of the Chickasaw Nation at its last session, in view of the unsettled state of affairs within said Nation and more especially in reference to the slaves, did by resolution direct that the governor issue his proclamation informing the people of the present position of the Nation in relation to the United States Government and authorizing all slaveholders to make suitable arrangements with their negroes, such as may be most conducive to the interest and welfare of both owners and slaves.

Now, Therefore, I, Winchester Colbert, Governor of the Chickasaw Nation, do issue this my proclamation informing the people of said Nation that a treaty of peace and friendship, repudiating all treaties with any foreign nation or power, was concluded between the Commissioners on the part of the United States and the Commissioners on the part of the Chickasaw Nation, at Ft. Smith, Ark. on the 18th of September, A. D. 1865 and I do hereby require all persons subject to the jurisdiction of the Chickasaw Nation to observe and conform to the same until other treaties securing the rights and interests of the Chickasaw people can be negotiated by the commissioners appointed by the Legislature to visit Washington City for that purpose.

In view of the fact that under the treaty of peace concluded at Fort Smith, the United States reserved jurisdiction over the question of slavery within Indian Territory and in conformity with the authority given me by the Legislature, I hereby advise all slaveholders within the Chickasaw Nation to make suitable arrangements

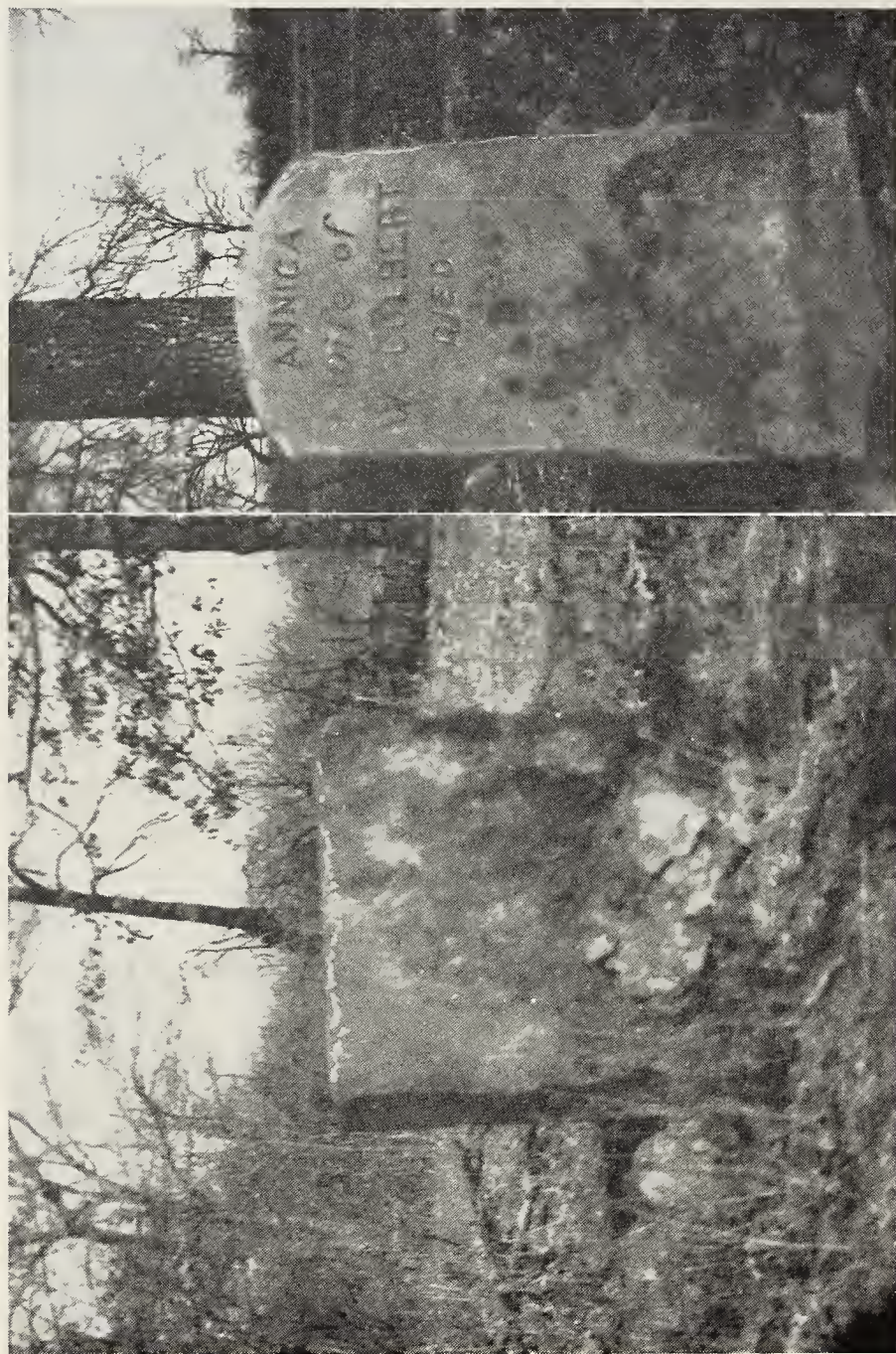
⁷ Annie Heloise Abel, *American Indian under Reconstruction*, pp. 285 et seq.

with the negroes—such as will be most conducive to the interests and welfare of both owners and slaves. * * *.

The Ft. Smith engagement of September 18, 1865 was practically an armistice agreement, but the drastic "*Project* or outline of a Treaty" which was submitted at the time, furnished a basis for future negotiations. Governor Colbert headed the Chickasaw delegation which went to Washington in December, 1865 and on April 28, 1866 concluded and signed a final treaty with the Government.⁸ This treaty which was entered into jointly with the Choctaws and which definitely disposed of the slavery question, also contained optional provisions relating to the allotment of the tribal domains of these tribes, in severalty. Upon his return from Washington in the summer of 1866, Governor Colbert strongly counselled allotment and on November 9, 1866, the Chickasaw legislature passed an act in accordance with the provisions of Article Eleven of the Act of 1866, consenting to and authorizing the allotment in severalty of the Chickasaw domain. This effort of the Chickasaws was postponed because of the refusal of the Choctaws to join in the venture. Later and in 1872, the Chickasaw legislature requested the Government to proceed with allotment but Secretary of the Interior Delano ruled that it could not be done in the absence of consent by the Choctaws. It is worthy of comment that the Chickasaws were the first of the Five Tribes to consent to allotment although this consent was subsequently withdrawn. The vision of Governor Colbert was far in advance of the period in which he lived although it is most probable that the allotment of the tribal domain at that early date would have been very premature.

The tenure of Governor Colbert drew to a close in the fall of 1866 and the ever popular Cyrus Harris again resumed the executive chair. The retiring governor had rendered a conscientious service and had led the Chickasaws through two years of war and a trying period of negotiations for reconciliation. He brought no dishonor to the Colbert name. Upon his retirement he resumed his residence upon his farm at Oil Springs and never again sought to reenter the political arena, although he did serve thereafter as a member of the tribal senate and did make numerous trips to Washington

⁸ Kappler, Vol. II, pp. 918 *et seq.*



MARKERS AT THE GRAVES OF GOVERNOR AND MRS. COLBERT

as a representative of his tribe. He disposed of his Oil Springs home to Thomas Boyd⁹ in the spring of 1877 and the place became known thereafter as Boyd's Oil Springs. A suggestion of conditions which may have provoked the old governor to make this sale is contained in the issue of the *Star Vindicator* of McAlester, I. T., of May 5, 1877, which states, "Gov. Winchester Colbert, we learn, has moved to Atoka County, Choctaw Nation, because of so much stealing and disturbance in the Chickasaw Nation." The disordered situation must have cleared up because the governor and his wife Annica later returned to the Chickasaw Nation and thereafter made their home with their son Humphrey Colbert upon his farm¹⁰ some two and one-half miles west of the present town of Frisco, Johnston County, Oklahoma where the governor passed away in the fall of 1880 and where he rests in a family burying ground, his grave being rather crudely marked. After the death of the governor, Annica Kemp his widow went to live in the home of Thomas Boyd at the old Oil Springs home where she was cared for and where she passed away. She lies buried in the family graveyard at Boyd's Oil Springs where her grave is marked, "Annica, wife of W. Colbert, died May 25, 1884."¹¹

Governor Colbert was reared a member of the Cumberland Presbyterian Church but later joined the Methodist Church, South. Thanks to the interest of Thomas L. McKenney, he had enjoyed educational advantages far beyond the average of his people at that time. He understood, spoke and wrote both the English and Chickasaw languages. The atmosphere of the Civil War with its resultant lawless conditions provoked a headache for the mild tempered

⁹ Thomas Boyd was a grandfather of Mrs. Marie (Charles) Garland of Oklahoma City. The writer is indebted to Mrs. Garland for much valuable information. She is the genealogist of the Love Family.

¹⁰ Upon the advent of the allotment period, this farm was selected by and became the Indian allotment of Humphrey Colbert, a son of Governor Colbert. Humphrey Colbert was duly enrolled as a member of the Chickasaw tribe opposite roll number 13 on the approved rolls of the Chickasaw tribe as a three-quarters blood Indian as shown by census card No. 4. He made the selection of this farm as his allotment because of the burial of his father thereon. Humphrey Colbert passed away some years ago and is buried by the side of his father. Salina Colbert, widow of Humphrey Colbert, is still (1940) living.

¹¹ After the death of the governor, his daughter Lucy arranged with Thomas Boyd that Annica, her mother be permitted to return to the old Oil Springs home and abide as a member of his family. She was tenderly cared for by the members of the Boyd family until she passed away.

governor. When the hostilities were concluded, he hastened to the peace front but with no hatred nor hostility in his heart. He was glad the war was over and with a cool philosophy accepted the altered status provoked by the war and omitted no effort to adjust his people to the requirements of the Government. Governor Colbert was in no sense of a militant disposition.

An 88 year old nephew by marriage of the old governor offers this personal description of Governor Colbert. He was a one-half blood Chickasaw Indian, of dark complexion, brown eyes, wore his hair at shoulder length and was very erect in carriage. He was of medium height weighing around 160 pounds. In disposition, he was friendly, sympathetic and easy of approach. Although he spoke English, he preferred the Chickasaw language.

Through the years preceding the Civil War, he had accumulated a modest fortune of which the numerous slaves which he held constituted the major portion. The war with its consequent freedom of the slaves, practically depleted the old governor's holdings. He passed peacefully on and into the twilight of life leaving an untarnished public record. Then came the "Callboy of the Soul."¹²

¹² The writer is indebted to Mr. Rosebud Bryce of Tishomingo for his research and for the reproduction of tombstone pictures which he has made available.

OFFICIAL SEALS OF THE FIVE CIVILIZED TRIBES

By Muriel H. Wright

Members of the Five Civilized Tribes were honored this year by an unusual invitation from the Alabama Department of Archives and History through its Director, Mrs. Marie Bankhead Owen. Planning the dedication of the Hall of Flags in its handsome new historical building at Montgomery, the Alabama Department of Archives and History arranged a special Flag Day program for June 14th. At this time, different patriotic organizations in the State would present their State Department of History with the flags of all the nations that had at any period held dominion over the country within the boundaries of Alabama.

Before the first cession of lands in what is now Oklahoma to the Eastern Indians, beginning one hundred and twenty years ago, the Choctaw, Chickasaw, Creek, Seminole, and Cherokee nations claimed portions of Alabama as a part of their ancient homelands. In the history of Oklahoma, these Indian nations are often referred to as the "Five Civilized Tribes." It was to honor the ancestors and to memorialize the achievements of the Indian people that the Alabama Department of Archives and History invited the members of the Five Civilized Tribes to present the flags of their governments during the dedication exercises.

The invitation immediately brought up a question since none of the Indian nations ever officially adopted a separate flag of its own. The American flag—"Old Glory"—always floated over the Government buildings and, on stated occasions, over the Indian capitols in the Indian Territory. An exception to this was during the War between the States, the five Indian nations having made treaties of alliance with the Confederate States. For four years, as the fortunes of war shifted with fighting and conquest, the Confederate flag marked the military camps and forts garrisoned by Confederate troops and their Indian allies in this part of the west.¹

¹ There is a tradition that during the War between the States, a company of Choctaw Confederate soldiers carried their own flag, its design based upon that of the Great Seal of the Choctaw Nation. To date, this has not been verified as a matter of authentic history. A flag reported to have been the same as that carried by the Choctaw soldiers during the War was seen in a Confederate reunion in Oklahoma some years ago. This flag now is on exhibit in the museum of the Oklahoma Historical Society.

Upon receipt of Mrs. Owen's invitation sent through the auspices of the Oklahoma Historical Society, Secretary James W. Moffitt telephoned the writer of this article for suggestions in replying to the letter. In the hope that this invitation so signally honoring the Indian people might be accepted and knowing that no special flags had ever been officially adopted by the Indian governments, the writer suggested that, in place of flags, banners be presented the Alabama Department. All five of the banners should be uniform in size and general design, having white fields surmounted at center with the respective seals of the nations, done in colors. The Great Seal of each nation symbolized its ancient traditions and its history. The white field would represent peace and union with the Indian people; it would represent the new country ceded them over a century ago in what is now Oklahoma, where the Indian "Ships of State" charted a new course in their governments.

Plans for the banners were forwarded through the co-operation of Mrs. Owen, Alabama's Director, and Judge Robert L. Williams, President of the Oklahoma Historical Society, as well as Secretary Moffitt. Special committees representing each of the Indian nations were immediately appointed and gave their enthusiastic support. Active committee members were: Chickasaw Committee, Mrs. Jessie E. Moore and the Chickasaw Governor, Floyd Maytubby; Creek, John Davis; Cherokee, J. B. Milam; Seminole, Mrs. Wm. S. Key; Choctaw, Principal Chief Wm. A. Durant and Muriel H. Wright.

The writer supplied descriptions of the Indian seals, besides her time and efforts for the special research. The laws providing these seals in the Chickasaw, Choctaw, and Cherokee nations were located in the Oklahoma Historical Society. Through the co-operation of the office of A. M. Landman, Superintendent of the Five Civilized Tribes Agency, original impressions of the seals were made on gold leaf with the old dies located in the Indian records at Muskogee.

From the original impressions of the seals, copies of the Indian laws, and other data, Mr. Guy C. Reid, of Oklahoma City, donated

paintings of each of the seals from his drawings enlarged to scale and hand done in water color.

Following the suggestions made by the writer, approved by the Indian committees and those co-operating in the plans, an Oklahoma manufacturing company by special request from the Indian committees produced beautiful banners, copying the paintings of the seals for the central designs. These banners were of white satin, trimmed with gold braid and fringe, having replicas of the seals embroidered in colors. The banner of each nation had its name in large letters at the top, the seal in the center, and below this the words "In Oklahoma," followed by the date of the first land cession to the nation in the Indian Territory.

On Flag Day, June 14, 1940, these Indian banners were presented to Alabama's Hall of Flags. The dedication ceremonies were impressive, attended by a large gathering of Alabama citizens, representatives of the patriotic organizations mentioned above, and Indian delegations from Oklahoma.

Leaving Oklahoma City by automobile early Wednesday morning, June 12th, the journey to Montgomery was made in twenty-four hours of travel. Recalling the stories of how their ancestors had come west during the Indian Removal to the Indian Territory (1830-40), the delegates noted with interest hills and dales, glimpses of moss hung forests and of dense swamp lands, the mighty Mississippi River, and many noted landmarks as they sped past along modern highways. These same scenes bound in primitive and forbidding solitude had been viewed by their ancestors as they traveled on foot and on horseback to the West, blazing the pioneer trails for some of these same roads through the wilderness of that time. How different was their journey requiring many weeks along these routes more than a hundred years ago, compared with the journey to-day!

The visit in Alabama reflected honor and respect for the people of the Five Civilized Tribes of Oklahoma, at the same time afforded much pleasure for the Indian delegates. Every courtesy and gracious attention were extended by Mrs. Owen, members of the staff of the Alabama Department of History, State officials, and the citizens of Montgomery. Special mention should be made of

the interesting tour of historic sites in this capital city, conducted through the kindness of Mr. Peter A. Brannon, archeologist and member of the staff of the Alabama Department of Archives and History. For most of the delegates, this was the first visit to the historic South and the ancient homelands of their Indian nations. There is so much of human interest alike for the people of Oklahoma and Alabama in their history, present associations, and hopes for the future.

History of the Great Seals of The Five Civilized Tribes

Tradition and history are found in the great seals of the Five Civilized Tribes. All five of the seals have a prominent place in the Great Seal of the State, and are described in Article VI, Section 35, of the Oklahoma Constitution.²

Oklahoma being the 46th star in the American flag, the device of the State Seal centers in a large five-pointed star, outside and between the rays of which are five groups of nine stars each,

²Gabe E. Parker, a Choctaw, graduate of Spencer Academy (Choctaw Nation) and of Henry Kendall College, was a member of the committee appointed to design a Great Seal for the new State of Oklahoma, during the Constitutional Convention at Guthrie, in 1906. It was due to his special interest and efforts that the design of Great Seal of the State was made and adopted. Mr. Parker wrote asking for suggestions from Dr. A. Grant Evans, President of Henry Kendall College. In his reply, Dr. Evans called attention to his own design for a great seal made at the request of the convention for the proposed State of Sequoyah, meeting at Muskogee in 1905. As a result of Dr. Evans' letter, Mr. Parker adapted the Sequoyah Seal, making some minor changes and combining it with the Seal of the Territory of Oklahoma. The drafting of the Oklahoma Seal was done by Japp E. Peddicord, a reporter on the staff of the *Daily Oklahoman*. Article VI, Section 35, of the Oklahoma Constitution describes the Seal of the State: "In the center shall be a five-pointed star, with one ray directed upward. The center of the star shall contain the central device of the seal of the Territory of Oklahoma, including the words 'Labor Omnia Vincit.' The upper lefthand ray shall contain the symbol of the ancient seal of the Cherokee Nation, namely: A seven-pointed star partially surrounded by a wreath of oak leaves. The ray directed upward shall contain the symbol of the ancient Chickasaw Nation, namely: An Indian warrior standing upright with a bow and shield. The lower lefthand ray shall contain the symbol of the ancient seal of the Creek Nation, namely: A sheaf of wheat and a plow. The upper right hand ray shall contain the symbol of the ancient seal of the Choctaw Nation, namely: A tomahawk, bow, and three crossed arrows. The lower right hand ray shall contain the symbol of the ancient seal of the Seminole Nation, namely: A village with houses and a factory beside a lake upon which an Indian is paddling a canoe. Surrounding the central star and grouped between its rays shall be forty-five stars, divided into five clusters of nine stars each, representing the forty-five states in the Union, to which the forty-sixth is now added. In a circular band surrounding the whole device shall be inscribed, 'GREAT SEAL OF THE STATE OF OKLAHOMA 1907.'"



THE GREAT SEAL OF THE CHICKASAW NATION

representing the other forty-five stars in the national emblem. In the center of the large star is the official seal of the Territory of Oklahoma and in the five rays, the Indian seals.³ In the upward ray is the Great Seal of the Chickasaw Nation. Within the other rays, reading in order from left to right, are those of the Cherokee, Creek, Seminole, and Choctaw nations.

When relating the story of their seals, the term "tribe" is a misnomer in referring to these five Indian governments. For seventy-five years, beginning in 1830 west of the Mississippi, they were spoken of as "nations," since they owned large areas of the country and were organized as separate republics within the present boundaries of Oklahoma. Hence a great seal was needed by each nation for stamping its official papers.

The Great Seal of the Chickasaw Nation

The Great Seal of the Chickasaw Nation showed an Indian warrior standing in ancient regalia, carrying two arrows in his right hand, a long bow in his left, and a shield on his left shoulder.

The two arrows in the warrior's right hand represented his guard over the two ancient phratries or tribal divisions, in which all Chickasaw clan and house names originated. These two phratries were called respectively, "Koi" and "Ishpani" in the native language. In the ancient tribal organization, the hereditary ruler or chief of the Chickasaws was selected from the *Ishpani* division.

³ The Grand Seal of the Territory of Oklahoma was provided by the Second Session of the Territorial Legislative Assembly, convened at Guthrie in January, 1893, in an Act effective March 10, 1893, here quoted:

(5991) Sec. 1. The permanent official Grand Seal of the Territory of Oklahoma shall be as follows: Under the motto "Labor Omnia Vincit" shall be Columbia, as the central figure, representing Justice and Statehood. On her right is the American pioneer farmer, on her left is the aboriginal American Indian. These two representatives of the white and the red races are shaking hands beneath the scales of Justice, symbolizing equal justice between the white and red races of Oklahoma, and on the part of the Federal Government. Beneath the trio group is the cornucopia of plenty and the olive branch of peace, and behind is the sun of progress and civilization. Behind the Indian is a scene depicting the barbarous, nomadic life of the aborigines—tepees, emigrant train, grazing herds, etc., representing Oklahoma in her primeval wildness. Behind the white man is a scene depicting the arts of civilization—farmer plowing, rural home, railroad train, compress, mills, elevator, manufactories, churches, schools, capitol and city. The two scenes are symbolic of the advance of the star of empire westward. The peaceful conquests of the Anglo-Saxon and the decadence of the red race. Under all shall be the words, "Grand Seal Territory of Oklahoma."

Sec. 2. The said Grand Seal shall be engraved in a circle not to exceed three inches in diameter and shall conform to the design beneath attached.

It seems his assistant, the tribal war chief who was often more influential and powerful than his superior, was selected from the *Koi* division.

In historical records, the Chickasaws were referred to as a nation noted for intrepid warriors, unconquered in battle. According to old tribal lore, the bow and the shield in the Great Seal represented the insignia of the Chickasaw warrior, by right of his descent from the "House of Warriors." This organization was sometimes called the "Tiger Clan" (i. e., *Koi* Clan or Division), which counted its members from more than one Indian tribe long before the Europeans came to the shores of America.

The Great Seal of the Chickasaw Nation was provided in a constitution adopted in the nation, on August 30, 1856.⁴ Under the terms of the Treaty of 1855, sponsored by the United States, the Chickasaws had separated from the Choctaws and organized their own government as the "Chickasaw Nation." The constitution and the laws were sent to Louisiana to be printed. Strangely, the person with whom the documents were entrusted lost them en route and they were never found. This necessitated the re-adoption of the constitution and laws at a later date.

In 1856, the capital of the nation was called "Tishomingo City," honoring the name of Chief Tishomingo, the last assistant chief (i. e., war chief) of the old tribal regime in power before the Chickasaws purchased a home among the Choctaws in the West and moved from Mississippi to the new country.

At the age of ninety-six, Chief Tishomingo had been honored by his tribesmen, with a life pension from their national funds "as a token of their kind feelings for him, on account of his long and valuable services." This provision appeared in the Treaty of Pontotoc, in 1832, which set forth the plans for the sale of all Chickasaw lands east of the Mississippi River. The name of this venerable chief has been perpetuated in Oklahoma by that of the present city

⁴ The clause providing the Great Seal of the Chickasaw Nation stated: "Executive Department, Article V, * * Sec. 10.—There shall be a seal of this Nation, which shall be kept by the Governor and used by him officially; and shall be called 'The Great Seal of the Chickasaw Nation.' Approved in the Chickasaw Convention at Tishomingo City, August 30, 1856. —Constitution, Laws and Treaties of the Chickasaws.



SEAL OF THE CHEROKEE NATION

of Tishomingo, county seat of Johnston County and location of the old Chickasaw capitol.

With the adoption of the Great Seal of the Chickasaw Nation, the figure of the warrior in the device commemorated the courageous Chickasaw of olden times, represented in the person and character of Chief Tishomingo.⁵

Seal of the Cherokee Nation

In the center of the Seal of the Cherokee Nation was a large seven-pointed star surrounded by a wreath of oak leaves. The outside border of this device bore the words, "Seal of the Cherokee Nation." Two words for "Cherokee Nation" in the Cherokee language followed, printed in characters from the Sequoyah alphabet and pronounced "Tsa-la-gi-hi A-ye-li." At the lower edge of the seal was the date "Sept. 6, 1839," that of the adoption of the constitution of the Cherokee Nation West.⁶

⁵ Chief Tishomingo died on the way to the Indian Territory and was buried near Little Rock, Arkansas. He very likely died during the main emigration of the Chickasaws (1837-38), at the age of 104 years. Venerated by his own people, he was also held in high regard by early day citizens of Mississippi. He was well-to-do and the owner of a number of Negro slaves. His home where he lived for sixty-one years was located in the northwestern part of Lee County, Mississippi.

Contemporary with Chief Tishomingo was *Captain Tishomingo* of the Choctaw Nation, a younger man than the venerable Chickasaw chief. The name "Tishomingo" was an old one among both the Chickasaws and the Choctaws, in reality having been an official title in their ancient tribal organizations. The English form of the name—"Tishomingo"—was the spelling according to sound of the Choctaw and Chickasaw words *tishu* meaning "servant" (i.e., an assistant) and *miko* meaning "chief" (pronounced nearly *minko*). The Chickasaw language except for some dialectic differences was the same as the Choctaw language, both having the same written language established by the Christian missionaries.

Captain Tishomingo (or Tishu Miko), of the Choctaw Nation, lived ten miles from the Choctaw Agency, the location of which was in Oktibbeha County, Mississippi. He was one of the captains in Chief Mosholatubbee's district. Under the terms of the Treaty of Dancing Rabbit Creek (1830), Captain Tishomingo was granted a U. S. pension of \$25 a year, for having served as one of the twenty-five Choctaw warriors under the command of General Anthony Wayne. After immigrating to the Choctaw Nation West, Captain Tishomingo lived in the vicinity of Eagletown, in the Pitchlynn-Howell settlement, where he died in the spring of 1841.

⁶ The impression of the Cherokee Seal made with the old die in the Muskogee Indian Office (like the impression of the seals on the official Cherokee documents, many of which are on file in the Oklahoma Historical Society) shows two discrepancies in the lettering when compared with the description of the Cherokee Seal in the law. No doubt the metal die was made in the States by someone unfamiliar with the wording of the law. The impression of the Seal shows "Sep." instead of the abbreviation "Sept." in accordance with the law describing the device adopted by the National Council. Also, the fourth letter of the name *Cherokee* in the Sequoyah type, is the Sequoyah character for the syllable "yi" instead of the character for the syllable "hi," the latter in accordance with the

Interpretation of the device in the seal is found in Cherokee folklore and history. Ritual songs in certain ancient tribal ceremonies made reference to seven clans, the legendary beginnings of the Cherokee people. A sacred fire was kept perpetually burning in the "Town House" at a central point in the nation. The live oak, the principal hardwood timber in the old Cherokee country in the Carolinas, was used in keeping the sacred fire. Thus, in connection with this fire, the oak was a symbol of strength and everlasting life.

The seven-pointed star in the Cherokee Seal represented the seven ancient clans in tribal lore. Since the oak tree was associated with the mysteries of the sacred fire, the wreath of oak leaves was a symbol of the dauntless spirit of a courageous, virile people.

When first organized under a constitutional form of government east of the Mississippi, the Cherokee Nation planned to preserve its national history and found a museum. In 1859, the Baptist missionaries, Reverend Evan Jones and his son, John Jones, promoted the organization of a secret society, called the *Keetoowah*, among the fullblood Cherokees. Members sought the preservation of Cherokee history and the development of high ideals of individualism. During the War between the States, the Keetoowah sided with the Union.

The Seal of the Cherokee Nation was adopted by law of the National Council and approved by Lewis Downing, Principal Chief, on December 11, 1871. Lewis Downing had begun his work as a Baptist preacher among his people two years before the adoption of the Cherokee constitution, 1839. During the War between the States, he was commissioned lieutenant-colonel of the Third Indian Home Guard Brigade in the Union Army.

In 1867, Colonel Downing was first elected principal chief of the Cherokee Nation. In that year, when old factional and political strife threatened to disrupt the nation, Reverend Evan

law. Thus, in place of the Sequoyah characters for "Tsa-la-gi-hi," the impression of the seal on the National papers gave the characters for "Tsa-la-gi-yi." Dr. Emmet Starr used a drawing of the Cherokee Seal on the frontispiece of his "History of the Cherokee Indians," made in accordance with the description of the seal in the law. Likewise the drawing of the Cherokee Seal mentioned in this article was drawn according to the legal description.—Laws of the Cherokee Nation 1870, An Act to Preserve a National Seal, p. 83.

Jones and his son succeeded in furthering the organization of the Downing Party, an alliance between members of the former Ross Party (Union sympathizers) and the ex-Confederate Cherokees. From this time, until the close of the Cherokee Government just before Oklahoma became a State, the Downing Party elected all the principal chiefs in the nation, except one.

In 1869, Colonel Downing was re-elected for a second term as principal chief. The Seal of the Cherokee Nation adopted by the National Council in this year reflected his influence and his associations among his people. One of the darkest chapters in the history of the Cherokees; resulting from the War in the States, had recently closed. The mystic seven-pointed star and the wreath of oak leaves in the seal, surrounded by the name of the Cherokee Nation both in English and in Sequoyah characters, together with the date of the adoption of the constitution west, formed a symbol of great promise. It heralded a "Glorious Return" of the united Cherokees pledging their devotion to the highest ideals in their educational, industrial, and religious life as a Christian people.⁷

⁷ Church history undoubtedly had a place in suggesting a device for the Cherokee Seal. This seal was very much like a portion of the insignia designed to illustrate the story of the Waldenses of Central Europe. The history of the Waldenses also had a counterpart in the history of the Cherokees in America.

The name Waldenses was that of a religious sect first organized in the 12th century, the members of which under their leader, Waldo, later settled in the valleys of the Alps in Northern Italy. During the religious wars of the 17th century, the cruel treatment suffered by the Waldenses when driven from their peaceful valley homes aroused the people of Europe and Britain. Cromwell protested to the King of France the barbarous treatment heaped upon the Waldenses. The poet Milton wrote a poem on their sufferings. Christian groups in many countries sent the Waldenses aid and pled with national leaders to allow them to go back to their valleys in Italy. In 1689, the return of these martyred Christians to their homes, took place under the leadership of Henry Arnaud. Many years afterward, this event in their history was memorialized by a shield shaped banner bearing the device of a small star partially surrounded by an evergreen wreath enclosing the name of Arnaud and the date 1689. Above the banner appeared the words, "The Glorious Return." Christians especially in England kept up an active interest in the welfare of the Waldenses late in the 19th century. Some aid having been extended them in establishing their schools, colleges, and industrial life, these energetic people were flourishing in their valleys about the middle of the last century, the hope of Protestantism of that day in Northern Italy. It is interesting to note that by transposing the figures six and eight in the date of the "Glorious Return," 1689, one has the date 1869, the year of the adoption of the Seal of the Cherokee Nation. For the insignia symbolizing the history of the Waldenses, see Report of the Proceedings of the Second General Council of the Presbyterian Alliance, convened at Philadelphia, September, 1880, p. 120.

The Great Seal of the Muscogee Nation

The Great Seal of the Creeks or Muscogees, the latter name used in referring to themselves, showed a sheaf of wheat and a plow in the center of the device surrounded by the words, "Great Seal of the Muscogee Nation, I. T."

Adopted by their National Council after the War between the States, this seal was a modern symbolism of the industry of the Creeks as agriculturists, for which they were noted from earliest times. After coming to the Indian Territory, the successful growing of small grain, especially wheat and some oats and rice, besides large crops of corn in the rich lands bordering the Canadian and the Arkansas rivers and their tributaries, brought prosperity to the Creek people. Connected with ancient tribal customs, the "green corn dance" was celebrated in summer as a thanksgiving and rejoicing in the new crops and marked the beginning of the new year in the nation.

The sheaf of wheat and the plow in the center of the device had a broader significance reflecting Christian influence of the Creek chiefs and leaders. The Methodist and Presbyterian denominations were particularly strong in the nation. From the adoption of the written constitution of the Muscogee Nation in 1867, to the close of this government just before Oklahoma became a State, these two church organizations counted outstanding leaders and principal chiefs as members. Among them were such prominent chiefs as Samuel Checote, Joseph M. Perryman, Legus C. Perryman, and Pleasant Porter.⁸

A Biblical interpretation of the sheaf of wheat in the Muscogee Seal may be found in Joseph's dream (Genesis 37:7): "For, behold, we were binding sheaves in the field, and, lo, my sheaf arose, and also stood upright. . . ."

An interpretation for the plow may be found in the prophecy (Amos 9: 13): "Behold, the days come, saith the Lord, that the plowman shall overtake the reaper. . . ."

⁸ Members of the Perryman family in the Creek Nation were actively identified with the work of the Presbyterian Church. In about 1878, Joseph M. Perryman joined the Baptist Church and became a minister in that denomination. —John B. Meserve, "The Perrymans," in *Chronicles of Oklahoma*, Vol. XV, No. 2, June, 1937.



GREAT SEAL OF THE CREEK (MUSCOGEE) NATION

Seal of the Seminole Nation

The Seal of the Seminole Nation was adopted during a late period of Seminole history in the Indian Territory. The device showed a plumed tribesman paddling a canoe across a lake to a village, a factory (trading house) standing near the shore.

Originally a tribal division of the Creek Nation, the Seminoles separated from the Creeks and located in Florida about the middle of the 18th Century. From this time, the lakes and swamps of that region had a significant place in the life of the Seminoles.

Refusing to come west during the main removal of the Indians, it was in the swamps of the Everglades that the Seminole families found refuge while their warriors fought for seven years against the United States troops. Though most of the Seminoles were finally forced to move to the Indian Territory, some of them remained in Florida where their descendants have lived to this day, adapting themselves to life in the swamps. When a group of these people in their gayly colored native costumes is seen in the distance approaching through the forest, they appear as a flock of brilliantly plumed birds. Until recently the Florida Seminoles maintained that they were still at war with the United States. Now, however, they no longer hold to this idea. Under the Indian Reorganization Act of 1934, lands including some of their native swamps in Florida have been purchased for their use and their tribal communities established to promote the welfare of this interesting Indian group.

In the West, the Seminoles progressed along the lines of the other Indian nations, though their adoption of republican forms of government was retarded since the permanent location of their lands was not definitely settled until after the War between the States. By the Seminole Treaty of 1866, they purchased a tract of country, the boundaries of which corresponded with those of present Seminole County, Oklahoma. From that time, this region was known as the Seminole Nation and Wewoka was the capital, the National Council meeting annually in the council house erected at this place. Citizens living in fourteen communities throughout the country selected a principal chief of the nation and elected members to the National Council. A unique feature and the pride

of the Seminole government was the efficient body of lighthorsemen who kept strict law and order throughout the nation.

There was a tradition that the design of the official seal of the Seminole Nation was based on old tribal religious beliefs as well as real history. Medicinal herbs and roots were purchased for the manufacture of commercial tonics, by traders among the Indians living in easy access to the places where such plants grew near lakes and streams in Florida and the Indian Territory. In early days, this trade was brisk bringing in considerable revenue during certain seasons of the year.

The knowledge and use of some specially valuable herbs and roots were held sacred by the Creeks and Seminoles, in connection with their ancient tribal religious rites and ceremonials. These ideas governed the whole procedure of gathering and preserving the plants, as well as the journey in taking the dried products to the trading post. Thus, the procedure followed a definite pattern or set of rules and was associated with thoughts of happiness and well-being. In adopting an official seal for the nation west, the scene of the plumed tribesman paddling a canoe across a lake to a village and a trading post suggested for the old time Seminole, a design representing some of the early customs having to do with peace and plenty.

Following an old tribal law, the chief executive of the Seminole people was a hereditary chief or his kinsman selected to rule for life or, in later history, for successive terms during a long period of years. Since the Seminole was a small nation, its government was an example of one man rule. Significant of this, the outer border of the official seal was inscribed with the words "Executive Department of the Seminole Nation."

The Great Seal of the Choctaw Nation

Provisions for an official seal for the Choctaw Nation were made in a new constitution adopted by a convention of Choctaw citizens meeting at Skullyville, in January, 1857. Bitter opposition to the action of the convention almost resulted in a civil war. There were strong objections to the changes made in the executive department, the Skullyville constitution containing a provision for the election of one chief executive to be called "Governor," in-



SEAL OF THE SEMINOLE NATION

stead of three chiefs, one for each of the three districts into which the Choctaw country was divided for governmental purposes.

An overwhelming vote of the people in a called election brought about the adoption of another constitution in a convention of elected delegates meeting at Doaksville in January, 1860. This was thenceforth known as the "Doaksville Constitution," remaining in force and effect until the close of the Choctaw government as a separate republic just before Oklahoma became a State. Under this constitution, the executive department of the Choctaw Nation consisted of a "principal chief," with the three district chiefs continued in a subordinate and advisory capacity.

The first cession of lands in present Oklahoma by the United States to any of the Indian tribes living east of the Mississippi was made to the Choctaws, in the Treaty of 1820. The signers of this document in their behalf were three of their most noted chiefs in the history of this people,—Mosholatubbee, Apuckshenubbee, and Pushamataha. Under the early tribal government, the Choctaw country east, included three districts, each ruled by a chief, the three chiefs together forming the executive power in the tribe. After the organization of the nation west as a republic, the new country was again divided for the purpose of government, into three districts and named respectively, Mosholatubbee, Apuckshenubbee, and Pushamataha. From that time, the names of these great leaders were honored and perpetuated in the nation until the close of the Choctaw government just before Statehood.

In the regular annual session of the Choctaw General Council meeting at Doaksville, a special act of October 24, 1860, approved by George Hudson, Principal Chief, defined certain duties of his office. Section 4 of this Act stated in part.⁹

"The Principal Chief shall procure, at an early day, at the cost of the Nation, a great seal of the Nation, with the words 'The great Seal of the Choctaw Nation,' around the edge, and a design of an unstrung bow, with three arrows and a pipe-hatchet blended together, engraven in the centre, which shall be the proper seal of this Nation until altered by the General Council, with the concurrence of both Houses thereof."

⁹ Constitution and Laws of the Choctaw Nation (1869), p. 229.

Passing around and smoking the calumet or pipe in council when deliberating important matters for the tribe were parts of special ceremonial among the Indian peoples of America. This custom was particularly significant among the Choctaws who were noted in history for their diplomacy and discussion of tribal affairs in council. Therefore, the pipe-hatchet in their Great Seal represented these old national characteristics.

In ancient times, calumets were purely ceremonial, having carved pipe bowls of red or black stone and stems decorated with bird feathers and sometimes rare furs. Calumets for peace councils were decorated with white feathers and those for war, with red. Foreign traders introduced another kind of pipe manufactured specially for the Indian trade in war minded Europe. This pipe made like a hatchet with a blade, referred to as the "pipe-hatchet," in time took the place of their ancient ceremonial calumet in some Indian tribes.

Though a peaceable people, the Choctaws were noted for great strength in defending their homes and country, the nation having produced many great warriors in historic times. The unstrung bow in the Choctaw Seal represented peace yet instant preparedness for defense. Likewise, the three arrows were always ready: one for Mosholatubbee, one for Apuckshenubbee, and one for Pushamataha, the three great chiefs whose names had become symbols for a strong, united nation.¹⁰

¹⁰ This article is adapted from an address given by the author upon the occasion described, June 14, 1940.



SEAL OF THE CHOCTAW NATION

NOTES AND DOCUMENTS

PIONEER RECOLLECTIONS

Edited by Grant Foreman

A Creek Indian was sitting on the end of a log at the edge of Polecat Creek, fishing, when his attention was attracted by the antics of a squirrel a little way up stream. Apparently playing by itself, it would pick up a stick and drop it to pick up another. Finally he found one that seemed to suit, and waded out in the shallow water. He paddled around as if playing, gradually getting into deeper water until he had submerged all but his eyes and mouth, when he released the stick and darted for the shore and into the woods. The Indian was puzzled by the performance, but observing the stick floating down stream, when it came near him he reached out and secured it. The stick was covered with fleas that hopped all over the hand that rescued them from the water. Thus the Indian learned from the squirrel one way to get rid of fleas.

This is only one of the secrets of early lore included in the great mass of material recently acquired by the Oklahoma Historical Society and the University of Oklahoma. If one would know something of the experiences of the pioneer who laid the foundation for Oklahoma's civilization, he will find it there. The early settler of this state, in pursuit of a home and independence, paid a price that few people of today would consider. He suffered hardships and privations, and relied solely on his own resources and fortitude, with no expectation even of help in the form of present day relief. In this depository of historical material one may read the recollections of a venerable lady who came from the state of Texas into Western Oklahoma in what was then Greer County, Texas:

"We lived in a tent about six months, then moved in a little log house with a dirt floor; and we lived here about six years. I am the mother of eleven children. After moving out of the tent to our log house I took the tent and made my husband some clothes. I had no machine, so I sewed with my fingers and was glad to get something to sew. The first year we were here we burned buffalo bones and horns and gathered buffalo bones and ewe bones and

hauled them to Quanah, Texas, to buy bread with. We gathered mesquite grubs and I planted the first cotton in Greer County. We lived on the old Chisholm Trail and I cooked many pans of bread for the cowboys and was glad to have them come."

She wished now she had kept a diary of her experiences which she said would have made a volume big and interesting, but she modestly feels that what she has written will not interest us. And then, carried away by a flood of memories, she begins again and tells about the days before we had bridges, when she and her husband were crossing the Canadian River in a two-seated hack and were nearly drowned in the middle of the stream.

"The tug of one of the horses slipped off. My husband jumped out and unhitched the other, put one child on in front of him on the horse, one behind him, and carried them to land, then came back after me and the other two babies. By that time our things were floating down the river and I was trembling like a leaf in the breeze. Well, I managed to stay on the horse, but I don't know how I did so. When we were safe on land some men went in the river. They could see the seat of the hack, tied a rope to the tongue and with horses pulled it out."

In no other state in the Union does such a wealth of pioneer experience survive in the memories of living people as in Oklahoma. Within fifty years past, during the two decades before the turn of the century, hundreds of thousands of land-hungry people surged into the numerous Indian reservations opened to settlement from time to time in what was to be Oklahoma. Of the pioneers of those days there are living many thousands whose declining years are enriched with memories of rare experiences, of hardships and privations, of simple joys and poignant sorrows, and meager compensations that filled their lives when they were laying the foundations of a great state.

Sensing the possibility and importance of preserving the recollections of these people while there was yet time, the Oklahoma Historical Society and the University of Oklahoma sponsored a W P A project for that purpose. A hundred field workers were sent over the state to interview pioneers and record their recollections of early days. In the beginning of the work 20,000 questionnaires were mailed out. While the percentage of responses was not impressive, it resulted in an extraordinary amount of valuable and

interesting material. Those who replied most sympathetically indicated a sense of gratitude for the inquiry. They seemed eager to avail themselves of the novel facilities offered to record and preserve their memories of other days—days of hardship and pioneering, of vastly different surroundings, which they treasured these many years to contrast with the present state of comparative affluence in which they now live. With some exceptions the best stories did not come from educated people. Even old persons who could not spell correctly who had long since forgotten the rules of grammar if they had ever learned any, which most had not, wrote with trembling old hands the most thrilling stories of life's grim realities, perhaps the first time they had ever set them down.

These stories were typed in duplicate after some of them had been slightly edited to make them coherent and readable, but not so much as to edit the atmosphere and background out of them. One copy of this work was deposited with the University of Oklahoma, and the other with the Oklahoma Historical Society. The latter has bound its copy of the material in 120 volumes of nearly 600 pages each. Here more than 10,000 manuscripts, covering almost every conceivable phase of pioneer life, are available to the student of the American scene, the hopeful writer of the great American novel.

Pioneering in western Oklahoma is recalled by the following extracts: A company of emigrants came from Texas to Cordell, Washita County, in 1891; they came in covered wagons and were on the road fifteen days. An old woman who, as a girl, was a member of this party related:

"I walked most of the way and helped drive a herd of cattle. Had to live in our wagons until my brother and I could dig a dug-out and get it covered. We covered the dugout with cottonwood lumber. It warped and my land! how it did leak! we did not have any money and lots of times sold prairie chickens and quails. The first year when a cold spell came we could not get to town for several days and had to live on clabber cheese and butter. Some times we sure did go hungry.

"We went to school in an old sod house, covered with straw, dirt and branches of cottonwood poles. The mice and centipedes were so bad lots of times they would fall from the ceiling in our laps and scare us. Our teacher had a Sixth or Seventh Grade educa-

tion Big prairie fires would break out and we would have to get on a horse and drive the stock into a corral to keep them from burning to death. When we would go to herd the cattle we would carry a stick with us as rattlesnakes were so bad we would kill four or five every morning. The first year we used water collected in buffalo wallows. The next year we dug a well, but the water was so hard we could hardly use it. After working in the field all day I would go after the cows and coyotes would howl all around me and nearly scare me to death.

“In 1891 we worked oxen; all the harness we had was a wooden yoke and hitched them to a plow. We never used lines—just talked to the oxen. My father was dead and I had to work like a man; I would hitch the oxen to a wagon and drive to a store for supplies, and sometimes it come up a blizzard and I would almost freeze to death, the oxen were so slow.

“I walked five miles to church on Sunday so we could give the oxen a rest on that day. We would gather in the crowd and all walk together to church, take our dinner, stay all day and for church that night and then walk home again.

“In 1891, 1892 and 1893, years of droughts, we lived on corn bread, butter, eggs and milk. Lots of times our bread was made out of Kaffir corn; we would rub it out on the wash board, pour it out on a wagon sheet and let the wind blow the chaff out, then grind it through a coffee mill, then make bread out of it. Mother would parch Kaffir corn and make coffee out of it.

“I have been to many Indian dances; they would beat old drums, just a whang, whang all night long and give the war whoop. The Indians were our friends; the white man didn't treat them right; they would steal their wood and posts; several times my mother had traded one quilt for a load of wood. We did not steal from the Indians, but we loved them and always liked to be around them.”

Another tells us: “My mother died when I was thirteen years old, as I was the oldest girl I had to do the housework. An Indian woman neighbor helped me make dresses for myself and younger sisters. My father, who was a carpenter, taught me to make pants for my brother. He would take his rule and measure the cloth and show me how to cut them and they would fit well. We children had to work hard but we had good times. A number of us would get together and go plum or grape hunting, and in the fall we would gather walnuts, persimmons and pecans. We used to go to camp meetings and stay three or four days. After my mother got sick daddy would fix overjets in the wagon for mother's bed and she would go that way to camp meetings. She always taken me along to care for baby sister. The neighbors were more frindly in those days

than today. When one had something he couldn't do alone the neighbors would gather at his place and help him. If a woman put in a quilt all the neighbors would gather and help her. I have seen a string of Indians on horseback nearly a mile long passing our house. I have lived by Indians and white men married to Indians and I have never had better neighbors."

"For months before September 16, 1893, little else was talked of in our home in northern Missouri but the 'race' and we children could hardly wait until the next spring to come so we could move to our claim. Daddy was lucky enough to 'stake'. We ran imaginary races over and over before we finally came to our claim in March, 1894, and I don't suppose any of us have ever experienced a greater thrill than the sensation we felt when we first caught sight of our claim. And I do not believe even if it should be our lot some time to live in a mansion we would enjoy it as much as that ten by twelve shanty that was our home. But to a father with five motherless children the situation must have presented staggering problems. I wonder how we got along as well as we did.

"We finally built us a house which was the first good house in the community. As we had plenty of room our home was used as a Sunday School for awhile. During that summer daddy made a trip to Hunnewell, Kansas, and came home with a new hat each for Lucy and me. A new hat then was not an incident, it was an event, but with Sunday School in our own home how were we to let all the neighbors know about our new hats? But we planned a way. The next Sunday before Sunday School we went up stairs to dress and stayed until most of the crowd had gathered. We then put on our hats, slipped out a side door, went around to the front door and came in. Some of the older ones got a good laugh out of it, but we were satisfied. We got to show our new hats."

"After her husband had left and could not be found it gave her a widow's claim to her land. It was in this little log hut alone with seven children that she braved the hardships of pioneer life. Her closest railroad and trading point at this time was El Reno, a distance of some sixty miles. On these trips to secure provisions she left her oldest child, a girl of thirteen years of age, to care for the home and smaller children. While she and her next oldest son, a boy, would start on the journey after food and other needs for the family. Often caught by storm or flood, crossing the South Canadian River near Bridgeport without a bridge, spending the night at a farm house, and many times she camped on the lone prairie in making these trips, but her mind was always on her little children she had left at home, always wondering how they were faring at home. Many times their scanty supply of provisions would grow alarmingly small during severe snow-storms and

blizzards. Often times her oldest son, a lad of ten years, would ride horseback to some prairie home and borrow a little flour or meal from a kind neighbor."

"We dug a dugout, and put a flat top on it, covered it with poles, then made a mortar out of mud and chinked the cracks, then covered it with sod. Made one window and door in one end. The window was just a square hole with a board shutter. Made a fireplace in the other end, and on this I done my cooking in an old fashioned Dutch oven. We had no table or chairs, ate off a large box and set on smaller ones, and slept on the dirt floor without any springs. We made a tick nine feet long and filled it with straw, so this was a bed for the whole family. We used water out of Elk Creek, and hauled our wood twenty-five miles over on Sandstone Creek. When we couldn't get wood we burned corn. We raised lots of corn but done well if we got twenty-five cents per bushel for it. Our living consisted of sour dough corn bread and home made sorghum, and we ground the corn for our bread in a coffee mill, and it usually took me most of the morning to get enough ground for dinner. We bought our horses just before we came to the Territory and gave fifty dollars each, and after we got here we had to sell two of them to get money to live on, and got fifty dollars for the two.

"All the soap that I had to wash with for a long time was sand out of Elk Creek. We would dip the bucket deep to get sand and let it settle to the bottom of the bucket. I would rub this on clothes for soap, and when I would reence them, the sand would settle in the bottom of the tub; it was suprising how the sand would cut the dirt. Lots of the time I only owned one dress, and when I would go anyplace would borrow a dress from a neighbor. We kept a light at night for about three years, burned a coal oil lamp when we could get the oil. But it was so far we had to go to Mangum for most of our supplies. We burned a brush light out in front of the dugout most of the time. Our post office was Bush but we could buy a very few things there. . . . Our oldest boy which was nine years old took seriously ill. We sent for Doctor Davis, a old Pioneer Dr. that was living in a dugout down on Elk Creek. He came and said that it was appindectitis. But it was too late to operate. The child died and we took some of the lumber that was for our house and made him a coffin and covered it with black calico, and buried him in the Aeral Grave yard.

"The first school the little girls went to was a mile and a half from us in a flat top dugout known as Celon's dugout. The children had to go bare footed and their feet would get so cold they would sit down and rap their dresses around their feet until they would get them warmed up and then would go on. My, when I look back on them days it makes me shutter. I don't see how I

ever did go through the hardships and endure the many things I have endured. Fifteen years later I married Mr. Clark Havenhill, who was also a pioneer and had come here a earlier day than I and had endured the many hardships that only a pioneer knows. He passed away four years ago and is buried in the Fair Lawn Cemetery."

"We organized a Sunday School and church in the blacksmith shop in Arcadia. The Baptist preacher from Edmond came about once a month to preach a sermon; he used the anvil for a pulpit to lay his Bible on. There was no schools near for about twelve years after we came here. Our styles were quite different from those of today. It required ten yards of material to make a dress. We never thought of going out without three or four petticoats starched so stiff they rattled. The sleeves were mutton leg, and tight basque waist. Our schooling was in a sod house and in dugouts. We had to sit on benches, and we did not have any certain place to sit; no desk to right on; just a slate and pencil and laid our slates on our knees to right."

"When we emigrated to this country one of our wagons was equipped with an overjet or extension out over the wheels, and the bed was made crosswise on top of this, on which the children slept. I do not remember ever going hungry. We always raised Irish potatoes, sweet potatoes and other vegetables. We dried corn and dried and canned peaches.

"We used to trade chickens, eggs, butter and other stuff to the Indians for the clothes they got from the government. The Indians did not want the kind of clothing issued to them, but they would take it and later trade it off for something to eat."

"In two years we built a log house by standing the logs on end like posts, and dobbing this up with mud. This one room house was much better than the dugout, as we had more room and it was lighter. I papered the walls with newspapers and many times I have heard centepedes crawling behind the paper. It did not fit close to the logs and if I would look close I could see the centepede crawling, then I could sometimes kill it with the stove hook. One ran across my lip and part of my face one time while I was lying down. It did not poison me anymore than a misquito would have done."

"When a family moved out of a sod house or dugout the live stock profited by the change. Sod shelters and dugouts frequently housed the livestock of many Oklahomans. Shacks frequently were made of frame covered with tar paper. Often times the walls of

the houses were papered a little each week after the family finished reading the weekly newspaper received through the mail.

"The furniture was of the crudest—homemade chairs, tables, and cupboards. Often boxes served. Frequently a barn was made by setting a row of forked posts in the ground and rails were laid in the forks to make a ridge pole. From the ridge pole rails sloped to the ground, covered with prairie hay.

"No nurses were to be had in those days. When an accident or sickness visited a family the neighbors came in to 'sit up' with the sick. Many times people lay ill for weeks and the neighbors took turns 'sitting up'. Many homely remedies were used, ginger tea for chills, and doses of sulphur for blood tonic. Poke root covered with whisky for rheumatism, bread and milk poultice for boils. There were various snake bite remedies; one was to tear a live chicken apart and place part of it on the wound. Peddlers came through the country selling spectacles which people accepted without knowing whether they were good for them.

"Dancing was the prime amusement in the country. If a family erected a new house, regardless of how small it was, and even if it had only a dirt floor a dance was held. If on a dirt floor they would have to stop occasionally to sprinkle it to keep down the dust. The fiddler played such tunes as 'Arkansas Traveler', 'Golden Slippers', 'Leather Breeches' and 'Fishers Hornpipe'. People for miles around attended these dances, coming in wagons, buggies, horseback, and some young folks thought nothing of walking three miles to them. In some communities where dancing was frowned upon, play parties were held, where the young people went through movements similar to dancing but without dance music. In place of that they sang 'Skip to my Lou', and 'Miller Boy'.

"The greatest amusement for all young folks of the community was singing school. We would gather at different houses and sing of a night. About twice a month the neighbors would hold 'literaries', spelling bees and box socials."

"I was here during the trouble between the 'herd law' people and the 'free grass'. The only fruit that we knew anything about was wild plums. We would go over on the Washita River and the north fork of Red River to get them."

"Our dugout was dug five feet in the ground and then we built it up five feet above the ground. We had a bedstead but we did not have room for it. We put scantling up for a brace to the roof. Then we nailed another two by four to the top of the door and made our bed five feet from the floor. We had to get on a chair

to get into bed. We had springs up on the boards, a straw tick and then a feather bed on top of that.

“There was lots of room to put things away under the bed, trunks, boxes and things like that. When it was rainy the fleas would come in from the prairie dog holes and I have stood on a chair many a time to undress and then jump into bed to keep from getting so many fleas on me. When we would have a hard rain as we sometimes did, the water would run into the dugout and we would have to bale it out.”

“This afternoon I noticed a cloud rising in the Northwest. As it drew nearer it formed an angry shaped cloud, but even before I had my windows down a cloud of dust was circling about our little shack. Charlie was making an effort to get my chickens under cover. I now could hear the scattering drive of big rain-drops on our little tent roof, it had changed into a beating rain, whipped and lashed by the wind that shook our little shack like a paper sack, then I heard one thump on the roof over my head, then, after a moment pause in the rain the thumps were repeated, my husband said ‘hail, oh, our wheat crop,’ it now sounded like a thousand machine guns going off at once. It was hail, and it meant that we were being ‘hailed out’. These blocks of ice were about the size of hen eggs. At last, our tent being a little old began to give way to these large hail stones. Charlie quickly grabbed a mattress from the bed, placed it on top of the table and we got under this shelter. I can still remember how I sat under this table with my two babies in my arms. The noise was so loud that I had no remembrance when the window-panes on the north and west side of the house were broken, not until the wind and water flowing in through the broken sashes that I awakened to what happened. Charlie kept saying, this is ruining my wheat and thrashing down my half-ripened oats. The storm ended almost as quick as it had begun, my husband walked to the door and opened it and stood staring out, such a look came over his face. I knew, even before I got slowly up and followed him to the door, that our crop was gone, that we had lost everything. We stood in the little doorway staring out at what, only that morning, had been a golden crop, rich and beautiful, and now at one stroke, it was all wiped out. As far as our eyes could see, nothing but shredded ruin. Every acre of our crop was gone, my blind planning of the little new two room house, my foolish little hopes and dreams, all, beaten down into the mud. That afternoon I had the job of burning twelve dead chickens which had been battered to death by the hail.”

“If anyone thinks the story about borrowing meat to cook with beans, and then returning the meat to its owner is just a joke, he is wrong. That was actually done. We borrowed a meat rind

from a neighbor named Goodnight who lived more than a half mile from us. After greasing our bread pans with it, we returned it; and we were always glad to return the favor when circumstances were reversed.

"At times when we were out of both flour and meal, we would grind corn in the coffee mill, and make bread out of the course meal that it made. In fact, we wore out two coffee mills grinding corn. A neighbor, 'Old Daddy Patterson', punched holes in a tin can, nailed it to a board, and grated boiled corn on it. Game was plentiful. We could have squirrel, prairie chicken, quail, and wild turkey when we chose. I have seen as many as fifty turkeys in one drove. At first there were deer but these soon disappeared."

"We had a sod house twelve by fourteen feet. Except for the cookstove our furniture was homemade. We had blocks and nail kegs for chairs, homemade table. A bed was made in the corner by sticking two poles in the dirt wall held up at the other end by a short post; a bed tick of prairie hay and feather bed brought by us from the east. The cupboard was an open box in the corner by the stove.

"My husband worked for a neighbor and then borrowed his team and sod plow until we was able to buy one. At first we broke small patches of sod. Not very long after the railroad station platform and the prairie around were covered with bright new machinery. Farm papers advised readers not to borrow money to buy machinery which would be worn out before it was paid for. In spite of this many of them were induced to buy machinery and mortgage their homesteads which were lost as a result."

"I was very lonely, for Mr. Wimberley made trips to Texas to buy cattle and was often gone for thirty days at a time. One time when Mr. Wimberley was gone a sever snow storm came. We had by this time built a one room shack and I was thankful that I was not in a dugout. The snow drifted across fences until one could scarcely tell where a fence should be. The wind swept across the prairie with relentless fury.

"A large drove of cattle stampeded and headed for my house. They got on the south side where they were protected to some extent from the cold wind. But there were so many of them pushing and shoving that they threatened to wreck the house.

"I was panicky. There I was a long way from my nearest neighbor. My children were small and I was afraid to brave the blizzard for it had now become quite dark and then too there was the danger of being trampled to death by the cattle. On the other hand I saw that the house would soon be wrecked. I happened to notice a pan of boiling water on the stove. I raised a window and

began throwing this water on the cattle. They soon realized that things were getting too hot for them and left.

“However, my troubles were not over. The storm lasted until I finally found myself out of food. I had no idea when Mr. Wimberly would be able to return. I knew something must be done. So I wrapped up best as I could and struck out for my nearest neighbors house. I told my neighbors my story and soon the men folks were carrying groceries over to my house. They gave me flour, meal, milk, butter and dressed a young turkey. With these provisions I got along all right until the storm was over.”

“Our fuel we secured from the Indians in Kiowa Co. by trading them a little grub or tobacco. A favorite fuel was cow chips, that being my daily chore when I returned from school—gathering them in. Speaking of cow chips, I’ve seen my grandma—and she was very clean in her house—reach over and pick up a handful of cow chips, throw them in the stove—put her hands back in the dough without washing them—and they sure were good biscuits too.”

“Storms of various kinds added to the discomforts of pioneer life, electric storms which filled the air with sheets of lightning. Those caught in these storms never forgot the electrified air which caused balls of fire to jump off the horns of the steers or roll along the prairie. These storms were frequently accompanied by hail which beat down on the cowboys, who were many times obliged to crawl under the wagons or take their saddles from their horses to shelter their heads from injury. During the early days it was not at all uncommon during a blizzard for the family to bring the calf, pigs, chickens and other farm animals into the dugout or house to keep them from freezing.”

“We lived near a creek and there were the greatest number of long legged birds of the crane family which seemed to be attracted by us, as I suppose we were as uncommon sight to them as they were to us. Anyway, they came so close and in such numbers that mother was constantly cautioning us children that with their long neck and beak, they might peck out our eyes. There was also a great eagle that watched us all the time and of this mother cautioned us to take care as it might attack us and such was its size that a child would have little chance to protect itself.

“My first school I remember quite well. It was taught by a very old lady who was home-steading (‘Holding down a claim’). Her house was a very small sod one room with some kind of a tiny kitchen, lean-to; there were fifteen children in the community and Ann Divin, I do not remember whether Miss or Mrs., agreed to teach us at her home. There were no seats and some of our

parents cut down a big cotton-wood tree and sawed off blocks at the proper height and we used those to sit upon. I walked two miles with other children to her house. She was crippled and walked with a crutch. I do not think our parents paid her much for her teaching and I have in later years thought perhaps she was glad to have our company, as I was sure she was not a professional teacher from the fact that some words we could not pronounce in our lessons, she would say, 'Just skip it', and did not seem to mind.

"Later father was anxious that we should have a school so he put in much time and money for those days, as it was scarce and donated land on which a school house was built. We had a very good school. There was only one house in sight at that time, for everybody lived in dugouts.

"We had a very fine garden that year and meat was no object as there were Prairie chicken and Quail in droves everywhere. The crops of the settlers grew wonderfully well, but the range cattle destroyed field after field and their owners did not take any pains to keep them off, as the big cow-men who had used the Cheyenne and Arapaho country for grazing as they liked for so many years, were anxious that the settlers should become discouraged and leave the country, which not a few did.

"In our community as well as many others, for this was a fine farming district, the men formed themselves into groups and stood guard over their crops day and night, each man taking his turn. This was hard, as they had few tools and plowing and planting was mostly done by walking and by hand. Then to sit up nights and guard the cattle away added to their difficulties.

"It was six miles from our place to the post office and when father was away mother would go out and catch a horse, saddle it and ride the twelve miles, leaving us children alone and we were afraid. They went to Vernon, Texas, twice each year, where the six months supply of groceries and drygoods were purchased."

"Considerable bad feeling was aroused in the neighborhood over the exact location of this little school of learning. Five or six men had worked one-half day on a small log house when another citizen asked them to move it one-half mile farther west. They agreed to accommodate their neighbor and started working again in the new location. Another neighbor then requested them to move it one-half farther west as it would be close to his place. They moved to accommodate him. This process was continued until they had moved four times and were two miles from the original location. For this little school, each man furnished so many hewed logs of given length. Various settlers donated money for the necessary lumber and hardware. The children furnished their

own books and what a motley array of books for the cultivation of knowledge. The parents brought the old texts from their former homes and Mrs. Newman recalls often in a class would be three or four different kinds of readers or arithmetics. This little school was the only school Mrs. Newman ever attended."

The wife of an employe of the Indian school at Darlington:

"The Indians used to congregate down on the river bank close to Darlington. I have gone through their camps and seen them cooking puppies and dogs. One of the things that impressed me was the love of the Indians for their children. I recall that when the children were taken away on the train to Haskell Institute I have seen the parents run away after the train weeping."

"Another thing people had to fight against in them times that people don't know nothing about today was prairie fires. The grass was as high as a man's head when he was in a wagon in the spring seat with the sideboards on. When a fire would break out the first thing people would do was to back fire. Two men would take a rope and oil the ends of it and set the grass afire. Or they would kill a yearling, tie its feet together, and drag it down the trail over the grass and others would follow with wet sacks and anything they could fight fire with. When I look back on them days of low prices and many hardships I think of them as good old days when everybody loved one another."

"I have seen dust rise until it would look like a rain cloud but would be nothing but the dust from wild horses running. I have looked in the sand hills and saw something white. It would look like hundreds of geese but would be the white spots on the throats of antelopes."

"Bridges was Straw, Churches was in dug outs and under arbers . . . the weddings was where the fun come in; go 30 miles for the girl 40 for the preacher in a wagon then about 100 People gather to get a big dinner in a 2 room dugout but oh how happy we was! . . . I have seen 3 years that wasent a nuff rain to settle the dust it was in '92, '93, '94; and how we lived is a mystery but we lived just the same; 40 miles from a sack of flour and gathering Bones to get that . . . our school was 3 months a year in a dugout I went 4 miles I just had 9 months of schooling."

"Wiekey my best friend, her huband was Blaek Wolf. They lived near Cache in 1907 and 08. The drums beat for days until it rained. I believe it was 1906, '07, '08, '09 and 1910 the drums never did stop beating at nights or days. The Indians always believe in drum beats. They would beat drums in making medicine for some one that was siek, which was taken outside of the house

and placed in a teepee. I have had some sick Indians tell me that the beat of the drums would ease the pain and was good music to them."

"The room was plastered with a mixture of clay and ashes, while the roof was made by placing a forked post in each end of this room which furnished a support for the ridge pole. The rafters were made of poles and sheeting of brush over this. This was then covered with sods thinner than those used to cover the side walls, and laid with the grass side down; the cracks were filled with fine clay. From time to time this dirt filling had to be renewed as the rains carried it away. In the spring great growths of sunflowers and grass appeared on the roof."

"I was a young fellow then on the Chisholm Trail in the early 80's but my dream came true. Long I saved my slender pay of \$25 a month and 'rustling' to get my first real outfit. When I went to work as line-rider on the trail I was given my first outfit by my boss. It consisted of a Mexican saddle with a large horn, a bridle, quirt, pair of spurs, leggings, slicker, bedding and believe-it- or- not a Stetson hat with a brim as stiff as a board. I was given a Winchester 44 and a good rope—this was charged against my salary \$150. Years later, when I became boss over the cowboys, my outfit and cost of it ran something like this:

A good saddle	\$ 50.00
Bridle	7.50
Spurs	5.00
Quirt	3.00
Lariat Rope	3.00
Slicker	3.00
J. B. Stetson Hat (my crowning glory).....	10.00
Hat Band	2.00
Two pairs of good blankets.....	20.00
One suggin	2.00
Wagon sheet (served as tent).....	5.00
Pair of boots	12.00
.45 Colt Revolver	18.00
Cartridge belt	3.00
Scabbard for Winchester	2.50
Cow-pony	50.00

Total\$193.00

"This was just an average outfit. A stamped leather saddle with angora saddle-pockets cost about one hundred dollars. A silver-plated six-shooter with pearl handle cost fifty dollars. A fancy pair of boots cost twenty-five dollars, silver-plated spurs—ten dollars and a rawhide lariat, ten dollars.

“A camp outfit consisted of a tent, tables made of flat rocks, Dutch oven, skillet, coffee-pot, axe, lantern and grub. Grub was plain bacon, Arbuckle coffee, and currants. These currants were always sandy—maybe that is the reason they were healthy. Bread was made of sour dough. This was made of flour and water batter, let it sour, and then tone it up with Arm and Hammer soda. This was good with ‘larrup’ (molasses). This is the way the Dutch oven baked. It was a large iron skillet about eight inches high—supported by four inch legs. This was covered by a heavy lid. This oven was set over coals, the lid heated well. Bread or meat placed inside were well-baked. The beef was cut into small pieces and flour pounded into it with some salt and pepper for seasoning. This was dropped into hot melted tallow in the Dutch oven—when brown a batter of brown flour and water made a fine gravy. Add some black coffee and canned tomatoes—and you had a meal. Sometimes we had a variety of food but as a rule the meals ran as follows about three times a day: sour-dough biscuits, sowbelly, gravy, and black coffee. For variance we had fried brains, stewed or raw canned tomatoes, larrup, roast ribs, son-of-a-gun (kidney stew), boiled brisket and stewed dried apples.

“The chief objective of my boss Col. D. R. Fant in bidding low and getting the government contract (1885-90) to furnish beef to the Arapahos and Cheyennes was to get the ‘free range’ of the Cheyenne and Arapaho reservations. He could bring thousands of his cattle bought cheap in Texas up to the Cheyenne and Arapaho land, let them fatten there, using what we needed to supply our contract at the Darlington and Anadarko agencies and send the rest, nicely fattened, on to Hunnewell for market. Taking those herds from Texas to our free ‘Indian range’ was my job. I was foreman or boss. I will give you our general plan or set up.

“These herds usually ran from 2500 to 3000 cattle. I had about 12 men under me, each his respective duty to help keep the cattle on the trail and avoid any possible stampede. That was always our greatest fear—next to that were ‘strays’. If there were too many of them old Col. Fant would say ‘Get the H—— out of here, Bill—don’t come back until you find those Circle J’s or S’s’—whatever the road brand happened to be. We had two pointers who were to guide the head of the herd, six side-line riders who were to keep the cattle in as proper formation as possible, two tailers who were to get the tail-end strays, one horse wrangler to take care of the remuda or bunch of 100 horses (the cowboys used a fresh horse each day—sometimes if going was rough, more than that). The cook brought up the rear with the chuck-wagon and some one in training usually drove the calf-wagon. You can almost draw a plan of our method of handling those herds.

“We made slow progress sometimes only five miles a day, and again ten, letting the cattle graze. Nights were the problem. We

always stopped for the night. Two men were put on guard at a time—with instructions to watch for the least sign of a stampede. If any occurred we were all to be called and start circling the herd at once—circle them down. We usually chose a level place for the night—the cattle tired—dropped down for their rest. One guard was to ride one way, around the cattle, the other the opposite. We always rode 50 or more feet from them and always sang a song. This prevented any sudden noise from bothering them and also let them know what was coming. Some of our songs were 'Bonnie Black Bess', 'The Gal I left Behind Me', 'The Dying Cowboy, and 'Oh, Bury Me Out on the Lone Prairie'. The guards were on duty only two hours. They told time by the Dipper or the North Star."

Another old cow man told us: "Like most boys of those days, I began working with cattle just as soon as I was large enough to ride a horse, for the cow business, as it was called then, was just about the only way people thought of making a living in that country. In 1890 I came to Indian Territory with a trail herd for my first time.

"To a person who has never seen a herd of eleven hundred eighty steers as wild as that many antelope forced to cross a river the width of Red, and with water deep enough to swim them all the way and in many places ten to fifteen feet deep, it is impossible to visualize the experience.

"They had all been recently branded with the road brand, which was a long mark made with a branding-iron along the side called a stripe. This was placed on all trail herd cattle in order to distinguish them from the range cattle, of which there were thousands along the way.

"Our outfit, consisting of the regular trail hands who were to make the trip through, the trail boss who was in charge, the cook and chuck wagon that hauled the grub and bedding, and a number of other cow hands who came to help us cross the river, for cow men always assisted one another when needed.

"We began shoving the cattle down to the water in small bunches early in the morning. A man would ride at the head of the bunch and try to take the leader into the water. They would hit it fifty or a hundred in a bunch but would refuse to cross and we were lucky if we got ten or fifteen to cross to the opposite bank. They would turn down the river and the cow boy riding at the point was in a mighty dangerous place, for if his horse should ever turn over on his side, those steers would pile over him, for they were frightened and stubbornly determined to return to their old range. We continued to labor in this way with the frantic beasts all that day and succeeded in getting them to cross a few at a time

until all were on the Territory side of the river and it was night. But we had not drown a single animal.

“Both men and horses were exhausted from work and swimming in mud and water. The cattle were also tired and hungry and one would think that they would have lain down to rest, but that is not the nature of cattle. It takes a full, contented steer to lie down and chew his cud and listen to a cowboy sing to him on night guard.

“When we got them under herd and where they should have bedded down for the night they continued to run in every direction; they would not graze and as badly exhausted as we were, every man had to stay on guard all night long and those steers would only get quiet for a few minutes to break into a stampede again.

“Next morning early, we strung them out on the trail with hope that they would quiet down, but here we were again disappointed, for they would not line out as they should, but would take fright at a deer that would spring up or a flock of prairie chicken or quail would fly out of the grass which was waist high in many places and along the creek bottoms, reeds and grass as tall as a man on horseback.

“Droves of range cattle along the way also added to our misery and of my many trail experiences that was the hardest I ever made. For there was not a night on the whole trip when the outfit could lie down and sleep and take their guards by two or four hour turns as was the regular rule with a trail herd.”

“Freighting and bone hauling was the only occupation at that time if one was not a cow man or cowboy working for some of the big outfits, such as Dan Wagner, and Burnett and the Day Land and Cattle Company.

“In the spring of 1881 I made my first long freighting trip from Gainesville, Cook County, Texas, to where is now Clarendon in Donley County, more than 300 miles. My partner and I had a team of five yoke of oxen. We were loaded with shelled corn going out, and coming back picked up a load of buffalo bones, so paid for the trip both ways. We had three wagons trailing one behind the other. It took nearly the whole summer to make the trip, and there were other great trains of haulers doing the same,—hauling loads of provisions and other articles to the ranchers and settlements to the west, and returning with loads of bones and buffalo hides for the buyers who shipped them to the eastern market. A well dressed buffalo hide could be bought for a dollar or two. A hide dressed by the Tonkawa Indians was pliable and soft on the inside, while the hair was unharmed. They often painted pictures of persons, birds and animals on the inside with Indian paints and dyes of red, yellow and indigo.

"I hauled supplies to the ranches and line camps of the cow men over in the Territory, and in march of 1885, I helped two other men haul barbed wire on spools from Wichita Falls, Texas, to the Cheyenne and Arapahoe country to build a cattle drift fence for the J. D. cow outfit. They each had twelve oxen and I had ten. Each of us had three wagons coupled one behind the other.

"The drift fence would guide the cattle to some creek or river where they could get water and would be sheltered from the wind and cold. It was the duty of the cowboy line rider to ride along and break the ice in these places so the stock could get water. Otherwise they were likely to fall on the ice and freeze to death.

"It required two months for us to make the round trip with those heavy wagons and oxen. We did not pick up any bones on the way back as there were not so many in this district as were to be found farther west.

"In the summer of 1889 with four other men I secured the contract to string the barbed wire of the drift fence for the Burnett and Wagner outfit. The fence started seven miles south of the ranch of Emmett Cox, the son-in-law of Quannah Parker, and went west 72 miles to the north fork of Red River."

"I was working on a ranch during the severe winter of '85 and '86 when cattle died by the thousands. Along the fence lines in some places the carcasses lay so numerous and thick that one could walk on them for a distance and never set foot on the ground. Many cattle froze their feet off that winter. By spring we would find them hobbling around on the stub-like ends of their legs, the hoofs entirely gone. These of course were shot. There was a wonderful growth of cedar timber throughout the rough country north of Fort Supply and extending east nearly to Alva. In some localities the cedar forests were dense and many trees were two feet in diameter. The freighters to Fort Supply used to cut mammoth loads of these cedars and haul them back to Kansas. They also hauled great loads of bones of cattle from the Strip country back to Kansas markets on their return from Fort Supply for a year or more following the hard winter of the middle 80's when so many cattle froze to death.

"A few years after the opening I went to the land office at Alva to file. I stood in line for hours in a drenching rain with mud and water well up to my boot tops waiting for my turn to get into the land office."

"I have seen droves of cattle pass our place constantly weeks at a time. One herd would not get out of sight in the north until another appeared from the south. They passed that way day after day, weeks at a time."

“The cattle men were ordered out of old Oklahoma by President Cleveland in 1885. I came to know how Oklahoma settlers helped themselves to free wire in the Cherokee Strip. Wire to them was a necessity as they had to fence in their claims. So wire fences and even ranch houses disappeared from the Cherokee Strip. They knew that the leases of the Cherokee Live Stock Association were about to run out. They just took wire by the wagon load. Miles of fencing disappeared during the last few months of the Cherokee leases; this usually was done at night. Under the contract between the live stock association and the Indians all improvements were to go to the Indians when the leases expired. The cattle men used line riders to guard the fences, but when they had passed and night came many a qucer contraption on wheels wound up miles of fencing; wire was a thing that could not be identified.”

An old settler who established a claim near Lawton says of his neighbors: “The early day cattlemen, ranchmen and stock raisers had roundups, brought their cowboys, families and friends and stayed at the camp. Then there were many wonderful feats and feasts held during the roundups, singing, roping and riding together with a big dance in the evening to finish the day.”

“When they were getting ready to open this country to settlement President Cleveland ordered the cattle moved out of Oklahoma. So there was a big final roundup near Ponca City called the Lone Tree Roundup. Hundreds of hands were there to cut the cattle belonging to their individual ranches. I was not one of those employed, but I went there anyway just to see it. I sat on my horse on a little hill and as far as I could see there were cattle. Representatives were there from six or seven states. Herds were driven there from as far as Wyoming and Montana. The railroads were jammed with cattle as one big herd after another waited to be shipped to market. Of course the market was glutted for a while and the ranchers lost a lot of money.”

Farther east in the Indian Territory, where there was more timber, stories originated from which the following extracts were made: “Father built a log barn and didn’t use a nail. He cut and hewed his logs and at night made wooden pegs of hickory. These pegs were carefully whittled at night and rolled in wet flannel cloths and laid in hot ashes to season till morning. He didn’t lay a log until everything was in readiness. Then the neighbors came in for the day and the barn was built. The clapboards were put on the roof with pegs also.

“‘Haste letters’ were carried in relays. One day a man brought one to our house from Texas. It was to be delivered north

of Guthrie. Father carried it to Guthrie and another man took it to its destination.

“When a neighbor was in need of help he went into the yard and shot a gun three times in rapid succession. Another neighbor would answer with three shots. The first would shoot twice and the second would answer with two shots, then a third shot from each. Soon the neighbors gathered at the home of the one in trouble. If one were out of meat or food and let it be known his neighbors helped him out. Father and mother used to make coffins out of walnut. Whenever he found a straight walnut tree he cut it, had it sawed into lumber and kept it in the loft of his house ready for use when there was a death in the neighborhood. He never charged for these services.”

Recollections of a Confederate soldier: “In 1873 and ’74 we located at Tahlequah, coming from Texas. After traveling for many days driving two oxen to a tar pole wagon. The axles of this wagon were of wood greased with pine tar.

“My wife made lye soap and washed with a battling board. It was my task to pound the dirt from the white clothes with this. I made our shoes; the leather I had tanned with oak bark. The bark was put into boiling water and boiled until it made a thick ooze. This was poured over the hide, causing the hair to slip. Then the hair was carefully scraped off and the hide was pulled back and forth across a wooden pole until it was dry. Then it was ready to be cut into shoes. I had a last I made of a piece of wood. If I wanted the shoes black I dyed the leather with copperas and sweet milk. The uppers were sewed by hand with a large needle and strips of buckskin. Holes were punched with an awl to put the needle through. Eyelets were made with an awl and the shoes were laced with buckskin. The soles were tacked on with wooden pegs which were also homemade. Our horse collars were made of corn shucks plaited together and covered with rawhide. I also made wooden collars for my horses.”

About recreations: “Sometimes we would storm a family for a dance. By that I mean we would just go to a house without warning the family living there. Then we would go right in and have a dance. Very few people ever objected because we never stormed anyone but our friends. I remember once when we stormed an old fellow named Russell close to Enterprise. We took out all the furniture and danced till midnight.

“A ‘spinning’ was something nice, too. If some women in our settlement got behind with her work through sickness or bad luck we pitched in and helped her. Five or six of the neighboring women would take their spinning wheels and go to her house. Some of the women would get dinner while the others worked.”

An Old-timer in the Choctaw Nation: "His parents had a loom house and two old aunties (Negroes) made cloth for the whole plantation. They also made the dyes for them out of barks and herbs and berries. Red oak bark made almost black dye. Bois d'arc bark made yellow and with copperas it made what we call khaki now. Dried walnut hulls made jet black; green hulls made a reddish brown. Poke berries made red, and they would combine the barks and berries to make different colors. When my father went over to Paris, Texas, once a year to buy our clothes each child's feet were carefully measured for his or her shoes before father went. We never knew what it was to have a pair of shoes fitted and they were always got a little large. When he was a boy he did not have shoes until cold weather. Then they were home-made shoes. His father made his lasts, tanned the hides, made the shoes, sewed with tanned strings of squirrel skin or cow hide, pegged the soles with wooden pegs."

In the Chickasaw Nation: I have seen as many as fifteen head of deer in one bunch. Often times when we would hole up our sweet potatoes for the winter the wild deer would dig them out. I have seen many a deer with his head stuck in a sweet potato hill. One time my uncle caught a half-grown buck by the hind feet with his head stuck in one of the potato hills and he liked to have kicked all my uncle's clothes off of him.

"I once saw the *Ringling Brothers' Circus* come down the old Chisholm Trail in wagons. They lost one of their big elephants close to our house. He laid down in the tall grass and they went off and left him. He stayed around there four or five days until they came back hunting him."

In the Choctaw Nation a pioneer describes a fish fry: "A party of young braves swam out in the lake quite a distance, taking with them long wooden stakes. With a wooden mallet they drove them down in the mud in the bottom of the lake until the top just came to the surface of the water. Then they swam back and then returned to the stakes with handfuls of fresh snakeroot. This they pounded on top of these posts until the juice ran out into the water. The fish became drunk on the snakeroot and floated to the top of the water. They were then scooped up by the hundreds, for there were great quantities of fish in all the streams and lakes then. The Indians had brought many skilletts and dutch ovens along and the fish were cleaned and cooked as the white people cooked them and everybody had a good time."

"There is yet to be seen in the Choctaw country on Ten Mile Prairie on the old Crowder holdings a strip of timber which has the peculiar appearance of having all the limbs on the trees bend-

ing down to the earth. This was caused by the great swarms of pigeons which roosted on these trees when they were young. It is a known fact to my people and the Indians of that region that in 1878 and 1879 the pigeons came in such great numbers they darkened the earth from the sun and by roosting in this area broke many limbs off the trees and bent the young branches so much that they remain drooped to this time."

An emigrant who came along to the Chickasaw Nation in 1894 and settled in the timber country relates: "Our school building was what we called a split log school house. Even the seats and desks were made of split logs. Kids in these days would rather do without an education than to go to that kind of a school. Our books were Bluebacked Speller, slate and pencil. We sat two in a seat and it took all the chips and slab rocks in the country to keep our desks leveled up. Even the teacher's desk was made of four stakes driven between the logs into the ground and a board fastened across the top."

A half breed Choctaw woman related: "Our dishes were mostly of tin or wood. More wood than any—with gourds for dippers and receptacle for storing things. We stored all sugar, coffee, beans and anything dried in gourds. Also soap. Buckets were of wood.

"The bucket we milked in was hollowed out of a log and we called it a 'Pigen'. This was different from the buckets made of staves. We had a plenty of buckets and tubs made of ash or cedar with staves. They were held together with buckskin thongs at first, before we learned to have iron bands made at the blacksmith's. We did lots of weaving of baskets, too. All cotton was picked into baskets. Fruit, nuts, vegetables, everything was gathered in baskets.

"Cotton was picked into baskets and the seed was pulled out with our fingers; later we put wooden pegs in a board and pulled the cotton through the pegs and the seed would not come through. Every child had to seed so much cotton before they were allowed to go to bed; then it was carded and spun into thread, or quilted between layers of cloth for quilts or robes. Wheat was cut by hand and the heads put on a large wagon sheet or Tar-Polian (tarpaulin) it was called, and the oxen or cattle was driven over it to mash out the grain. This was taken to a mill that ground for a part of the wheat.

"We parched a good deal of corn too, and were very happy if we got holt of popcorn. I have helped care for and render the fat from bears that weighed 800 or 1000 pounds.

“The girls and women did most of the work except the hunting; the bucks always did that but we had to clean the game and cure the meat. I knew how to cure and tan most any hide and skin of birds. We made all our own clothes and shoes. I could card and spin but never learned much about weaving except carpets.

“We thought a floor without a skin or carpet of some kind of covering was a disgrace. You may think that a tent or teepee was cold, but we always had the floor of it covered with some kind of skins and we always had plenty of dressed skins for robes or blankets. I remember the first stove I ever saw; I thought the people would surely freeze for they could not see the fire. I thought the seeing of the fire was necessary to keeping warm. Every one shared in the hunt and in the cleaning and curing of the meat. All went nutting together. All picked berries for all; this was in the woods.

“We jumped the rope, played dare base, town ball, and had a merry-go-round, a sapling with a hole bored in it placed on a stump and fastened with a peg. We had the very most fun playing horse. We would bend down a sapling and get on it and ride up and down. Some time we would try and ride one that would take two or three to pull down and would we get thrown when the tree sprang upright if we were not heavy enough to hold it down. There were always plenty of grape vine swings.

“I know a lot of things to find and eat in the woods that white people do not know. Every Sunday morning we spent the morning in the woods gathering eggs.

“I haven't a doubt but that we have eaten snake eggs, for we gathered all that were found that looked fresh. The wild pigeons were very plentiful and they would have roosts where hundreds of them would come at night and there we always found lots of eggs, and if we needed meat we would get us a torch and go to a roost and with a stick kill a bag full in a stroke or two. Wild duck and goose eggs were considered fine. A pigeon pie or stew is about the nicest dish one can have.”

Before the Civil War roads in the Choctaw Nation were marked by notches on trees. Through roads were marked with four notches; roads leading into other roads were marked by three notches; roads leading to settlements were marked with two notches and roads leading to good fishing, hunting or camping places were marked by stones or by blazes on trees. By this system of marking trees, a traveler through the Choctaw Nation, if he understood the meaning of these marks could easily find his way.

A full-blood Choctaw woman relates: “We had little flour to eat as it was hard to get flour, sugar and coffee without money, which we did not have except when we dug snake root and sold it.

Mother would make meal out of corn by beating it in a mortar block. From this we made hominy and other things, and many times that was all my mother had to eat. My husband used to do his trading at Detroit, Texas. Twice a year he would go there or Paris and sell the snake root we had dug and buy flour and coffee and some sugar.

“Nearly all the full-blooded Indians in our community were poor. They had cattle and hogs but there was no market for them and the only way they could get money and groceries was by selling snake root. They had plenty of meat but no bread.

“My mother did not own a spinning wheel. She would borrow one from our neighbor and spin cotton and wool into thread, which she would knit into socks and mittens. Mother would pull the seed out of cotton by hand until she got enough to spin and make socks and mittens which were heavy and warm.”

BOOK REVIEWS

Beacon on the Plains: by Sister Mary Paul Fitzgerald, S. C. L., Ph. D. pp. 304 (Leavenworth, 1939.)

While the intriguing title of this book refers to the Osage Mission established in Neosho County Kansas in 1847, the contents have peculiar interest for the student of Oklahoma history. This Catholic mission exerted a deep influence for good on the Osage Indians and their neighbors who were to become citizens of this state. And after they removed here many of them continued to profit by sending their children to school at the Osage Mission.

This establishment was a compound of mission, farm, and manual labor school; an entrepot for supplies, a harbor for the ill and destitute, a haven in time of civic distress, not only for the Indians but also for the white settlers in that part of Kansas.

These pages are alive with incidents that tell of the dynamic missionary energy of the Jesuits and Sisters of Loretto and their labors, both among the Indians and the pioneer white settlers. The missionaries were not only engaged in saving souls but, as cultural and civilizing agents of the first rank, made their field of activity a better place in which to live and improved the future citizens of Oklahoma.

Sister Mary has done a prodigious amount of work in the preparation of this book and her scholarship is much in evidence. From the many sources consulted by her, she has compiled a priceless bibliography relating to her subject. There is also a map and a good index.

—Grant Foreman

Muskogee, Oklahoma

Springplace, Moravian Mission, and the Ward Family of the Cherokee Nation: by Muriel H. Wright (Guthrie, 1940.)

The mention of Spring Place brings to mind early Cherokee history and the labors of the Society of United Brethren commonly called Moravian Brethren, to interest the Cherokees in education and religion. The mission was located two miles east of the Connesauga River near the public road leading from Georgia to Tennessee. This, the first mission school started among the Cherokees, continued in operation for many years, and here boys and girls were taught reading, writing, arithmetic, and some of them grammar and geography. The girls were taught spinning, sewing and knitting, and the boys agricultural accomplishments, and even to make their own clothing.

Miss Wright's book contains a condensed history of the Moravian Church at Spring Place. She also includes a brief account

of the mission at New Spring Place, Indian Territory, where the Moravians renewed their labors for the Cherokee people near the present village of Oaks. Here, a half mile from the thriving Danish Lutheran school, one can see the remains of substantial stone structures that housed the springs from which the mission obtained its water supply. Near by is the Moravian cemetery where one can see the stone tablets flat on the ground, according to Moravian custom.

The author describes in her book the missionary work and the training received here by the youth of the Cherokee Nation. This publication, sponsored by Miss Clara A. Ward of the Cherokee Nation, as a memorial to her parents, is also a genealogical adventure into the celebrated family of Wards of the Cherokee Nation. It contains also brief biographies of Sequoyah and Chief George Lowrey. In the introduction of this book Miss Wright, whose knowledge of Indian history is sound and dependable, has made a real contribution to Oklahoma history. The book will be a necessary item on the shelf of collectors and librarians who pretend to cover Oklahoma history.

—Grant Foreman

Muskogee, Oklahoma

The Earth Speaks, by Princess Atalie; pp. 223 (New York, 1939.)

Readers of *The Chronicles of Oklahoma*, who are not aware that the author of this book is an Oklahoman, are advised the name "Princess Atalie" is that assumed for professional purposes by Miss Iva J. Rider, daughter of Thomas L. Rider, a former member of the Oklahoma legislature and one of a large and interesting Cherokee family.

Indian history and romance have invoked literary contributions in many forms. The author of this book, though not now a resident of Oklahoma, apparently cherishing her Cherokee blood and the traditions of her tribe, has undertaken to incorporate them in this volume under the intriguing title she has chosen. She does not present it as a historical contribution. Rather, it is a poetical treatment of tradition, story and fancy, with which she invests the people of her nation. Making full use of a poet's license, she has invoked the flow of fancy unrestricted by the limitations of historical exactions, and has produced a book that is entertaining and graceful.

The gifted author has not only written a charming book, but has adorned it with her own sketches and illustrations.

—Grant Foreman

Muskogee, Oklahoma

Border Captives: The Traffic in Prisoners by Southern Plains Indians, 1835-1875. By Carl Coke Rister. (Norman: University of Oklahoma Press, 1940. x × 220 pp. Bibliography, illustrations, maps, index, \$2.00.)

During the forty year period from 1835 to 1875 the southern plains area was the stage for a terrific struggle between the resident Indian tribes and white intruders.

This rivalry between red men and white was for the possession of a region of more than 300,000 square miles extending from the North Platte River to the Rio Grande and from the Cross Timbers west to the Rocky Mountains. In this far-flung territory four powerful nomadic tribes—the Comanches, Kiowas, Cheyennes and Arapahoes—had their homes and fought the intrusion of steady streams of border settlers. Cruelty, terrorism, theft, and plunder were the resulting evils of this sanguinary conflict, in which helpless men, women and children suffered and died. During this period the southern border settlers were subjected to countless harrowing attacks which resulted in the capture of hundreds of women and children. The seeds of Indian grievances lay in misdeeds of the whites, in the slaughter of the buffalo, and the settler-occupation of favorite hunting grounds. The readiness of relatives and friends to pay liberal rewards for the return of captives and the trade and tribal value of stolen horses and mules created an ever-present incentive for raids. In this traffic the *Comancheros* and Anglo-American traders often lent encouragement, and to some extent shared in it. The white outlaw, who had openly traded guns and ammunition for stolen horses and mules, did not neglect this lucrative opportunity. Other considerations existed. The warrior losses in protracted wars were so considerable that the capture of Mexican women and children, and their subsequent adoption, went far toward replenishing the tribes. The Indianizing of Anglo-American women and children, though far more difficult, nevertheless resulted in a considerable number of the offspring of border women who yet reside within the Indian country.

It was impossible, and not essential, to follow the fortunes of each of the hundreds of captives. Separate captive sketches, in the pattern of those narratives of Indian captivity of the seventeenth and eighteenth centuries in the region east of the Alleghanies, have been written in considerable numbers and were frequently used by the author. Here is the broad movement, interspersed at points by episode and incident with brief captive sketches as types and examples. The composite picture is a gripping—yet at times often appalling—story of pathos, of tragedy, and even humor. This is not a story of the southern plains Indians, nor of the border wars. Dependable studies in these fields have already been made available by Paul I. Wellman, R. N. Richardson, W. S. Nye, by the author of this study, and others. This, however, is a story of the captive traffic as a background of the broader view of Indian-settler re-

lations. Doctor Rister's careful researches in the preparation of this book have led him into the archives of the federal and state governments, and into many rare book collections.

This excellent piece of scholarship has been attractively printed and bound, and contains numerous maps and other appropriate illustrations. It will have a great appeal to the people of the southern plains.

—Gaston Litton

The National Archives

Captain Lee Hall of Texas—By Dora Neill Raymond. (Norman: University of Oklahoma Press, 1940. XIII+350 pp. \$2.75.)

One of the most refreshing things in the literary world to a reviewer is to find a popular biography that is not weighted down in the scholarly sense yet is at the same time artistic as a classic and warmly human and informal as the Texan's drawl of "Howdy Stranger." Such a book is *Captain Lee Hall of Texas* by Dora Neill Raymond.

This is the biography of a colorful Texas Ranger who was persuasive in voice, possessed with a trigger itching finger and a daring courage that fitted well in a period of Texas' history when law forces were meager and the demand great.

When a reader opens a book and begins a story in which the background is Texas, the imagination is given a sudden lift. Right away there is anticipation of romance, danger, courage and high faith in the pages just ahead. Each chapter in this book sweeps the reader forward in dramatic crescendo causing the fingers to keep turning the pages unconsciously. In Texas, traditions continue to build on in an unbroken stream about courageous men and women, each decade furnishing its quota.

To the reading world in general the term Texas Rangers symbolizes the west as it was in the great days of the old west, the years immediately following the Civil War and the exciting seventies.

Captain Lee Hall is a striking figure of the seventies when the Rangers were the one man army of the state trying to keep order while settlements were rapidly enlarging. The Texas Rangers guarded the border along the Rio Grande River from Mexicans who molested the cattle raisers and pushed back the Indians along the north border to their own reservations making effort to keep them away from the settlements.

Lee Hall was not a Texan. Frankly he was an adventurer who left North Carolina seeking adventure and excitement away from the quiet surroundings of his birth. He had heard of Texas.

He and the first Railroad to come into the state from the north got there about the same time. The railroad stopped at Denison for awhile and so did Lee Hall. There was plenty of excitement for the youthful Hall in Denison and he plunged into the thick of it. He was unknown to leaders of the wide open town and was in a fair way to remain unknown to the present generation if Dora Neill Raymond had not discovered his colorful life in the papers, documents and other evidence in possession of his daughter.

Until this book came from the press few Texans had heard of Lee Hall. Other rangers have appeared in song and story but this one along with many others less colorful seems to have been overlooked. There was a striking similarity in the experiences of Texas Rangers, circumstances once in a while gave some of them a little edge on the number of killers captured. Lee Hall was one jump ahead of most of them in the number of bad men captured.

From 1869 when he headed Texas way until the close of the Spanish-American War, Lee Hall touched most of the settled portions of Texas always searching out some bad men and trying to bring order and law enforcement to settlements widely scattered. Once he tried cow ranching but his itching traveling feet loosed him from this restraint. He preferred to hunt men rather than cattle.

It was during this period in his life when he came to know Sydney Porter, later O'Henry. O'Henry was a youngster from Lee's home state, a tenderfoot on the ranch with a lung infection which kept him from most of the more strenuous activities. His caustic criticism of the cowboys in general did not increase his popularity with the ranch hands. His utter lack of understanding of animals and men made his wisecracks sting like the prick of hate. Later years his seasoned pen showed a different understanding and his fine description of action and estimates of character pleased the most critical.

The many parts of the entire narrative of Captain Lee Hall of Texas are neatly bound together by high expectation of achievements which in their development leap at you from every chapter.

The source material cited is too numerous for counting. Practically a complete library on the Southwest has been quoted from, searched, consulted and compared. All classes of readers may not agree with some of the points taken by the author concerning the cow men versus the Indians. There are those yet living who remember the bitter experiences of going broke in the cattle business because of the haste in which the herds of cattle had to be moved from grass to pastures south of Red River that were bare from drouth. The cattle men were honest men too. They get scant sympathy in this story.

This is a splendid book, all through there is the bright flame of courage in the character of Lee Hall and the fumbling of the crook and felon. Captain Lee Hall was not a superman in abilities yet he had an abundance of courage and nowhere in the story does he show more of it than when dealing with the Indians when the agency was at Anadarko and he their agent.

After civilization had advanced somewhat beyond the stage of growing pains in Texas and life there began to show promise of orderly existence Lee Hall started looking for some place where excitement had not spent itself completely. He came to Indian Territory. Here he began to feel the old thrill of being on the alert for danger. His troubles as Indian agent were entirely of a different nature from those of the life of a Ranger.

The author, Dora Neill Raymond was born near El Paso, Texas, the daughter of Judge Henry Hart Neill, late of the San Antonio Criminal Court of Appeals.

Mrs. Raymond attended the University of Texas, taught in Smith College, is now head of the History and Government department in Sweet Briar College, Virginia. She has received numerous fellowships, is a member of the American Historical Association, Academy of Political Science, Texas Folk Lore Society and other learned societies.

Dora Neill Raymond brings to this biography of Captain Lee Hall the work of an artist that shows the substantial scholarship of a trained mind.

—Lona Shawver

Oklahoma Library Commission

They Carried the Torch. By Mrs. Tom B. Ferguson (Kansas City, Missouri: Burton Publishing Co., 1937. 132 pp. Illustrations. \$2.00.)

One of the striking angles of the settlement of the West is that which often discovers the earliest years of a community to be its richest in episode. I am impressed again with the fact in reading a book by Mrs. Tom B. Ferguson of Watonga, Oklahoma, a dear book, bearing the title *They Carried the Torch* published recently by the Burton Publishing Company of Kansas City. The book is written around the personalities of pioneer Oklahoma newspaper people, and is invaluable in recalling as in flesh-and-blood folks once so familiar, now gathered to their fathers. The book is dear because Mrs. Ferguson has succeeded in recapturing the atmosphere of early Oklahoma. It is masterful art to do that. And in doing it Mrs. Ferguson, who furnished Edna Ferber much of her source material for *Cimarron* and the model for the heroine of that novel and the play, here in her writing has added a wealth of little touches of life in a new country—the little touches which make a frontier picture come alive.

To me there is in such an intimate record more revelation of a past place and time than in the majestic swing of an epic or in the step from suspense to suspense in the breathless drama. For life in any pioneer time is largely made up of many little things, none the less important, because they are little. For in the aggregate, the whole of them looms large and essential to the true tone Mrs. Ferguson has here given her canvas.

Now what I believe to be peculiar to a new country is the occasional appearance among day-by-day intimacies of a major incident an episode, some local happening of an unusual nature, a happening which only a new community could produce, which an old community could not even contrive imaginatively to invent.

Mingled with Mrs. Ferguson's memories of her editor-husband, the late Governor Ferguson, and of her boys who grew to distinction in Oklahoma before their death, are charming recollections of her impressions of the new country when she entered it in her young womanhood. Here is a perfect picture of her arrival at her new home:

"A light wagon with bedding and camp equipment was driven by myself. I held a young baby on my lap and a small boy rode by my side. After nightfall we drove into the little new town of Watonga through a muddy street. The town was brilliantly lighted from the open doors of many saloons. Drunken revelry from these places made me shudder and I looked at the sleeping baby on my lap and at the small boy on the seat by my side, resolving that I would not rear my boys in such a wild place and that I would start back to Kansas the next morning. So much for resolutions. My family are all gone now and I am still here."

Looking back on the old times today Mrs. Ferguson finds that she loves it all. For she says: "I feel sorry for any one who has never known the fascination of pioneering and starting at the beginning of things. I feel sorry for any one who has never traveled in a covered wagon, stopping along the winding streams to make a camp in God's beautiful out-doors. I feel sorry for any one who has never made a campfire between two stones on which to fry bacon and boil coffee. I feel sorry for any one who has not had a part in helping build our grand state from the day of its birth." There can be no doubt of this. The pioneer past does pay rich dividends.

Victor Murdock

Wichita *Eagle*

NECROLOGY

WILLIAM CLAUDIUS McALISTER

1870-1934

William Claudius McAlister, son of Charles A. McAlister and his wife, Emily McAlister, nee Connor, was born on September 14, 1870 on a place, which for three-fourths of a century had been the family homestead, near Tatum Station in Marlboro District, South Carolina. He attended the local schools and completed his education both in arts and law at the University of North Carolina, where he matriculated in 1891 and graduated in June, 1895, with the degree of Bachelor of Arts and completed the two-year law course in 1896, after which he was admitted to the Bar of North Carolina and located at Trenton in that state and engaged in the practice of law for over a year.

He then became Superintendent of Schools in Monroe, North Carolina, continuing in this capacity from September, 1897 to June, 1899 when he removed to the state of Texas, and from September, 1899 to June, 1902, inclusive, he was principal of the highschool at Ennis, Texas, where he met and later married his wife, Jewel Hill, on May 27, 1906. From September, 1902 until June, 1905 he was Superintendent of the City Schools of Texarkana, Arkansas. From September, 1905 until December, 1907 he was connected with a brokerage firm in Texarkana.

After the admission of the state of Oklahoma on November 16, 1907 into the Union, in January of 1908 he removed to Hugo in Choctaw County, Oklahoma, where he was principal of the highschool until the close of the school term in 1908, after which he became claim agent for the St. Louis-San Francisco Railway Company with headquarters at Hugo, then a principal division point, serving in that capacity for about two years, when he resigned and engaged in the paving and bridge business as a contractor.

On July 31, 1911, having been elected, he qualified as a member of the School Board for the city of Hugo and continued in such capacity until May 3, 1915. He was elected to the State Senate from the 24th Senatorial District composed of Choctaw, McCurtain and Pushmataha counties at the general state election in November, 1912 and re-elected in November, 1916. He was appointed and took the oath of office as Secretary of the State Senate and ex-officio member of the State Election Board on May 24, 1918. On January 7, 1919, preliminary to serving as a member of the Senate at the session of the Legislature convening on said date, he resigned as Secretary of the State Election Board and C. C. Childers was appointed to succeed him, who having resigned at the close of that legislative session, as Secretary of the Election Board, McAlister was again appointed as Secretary of the Senate and ex-officio Secretary of the State Election Board, qualifying on March 29, 1919, thereafter serving continuously in such capacity until January 8, 1929.

As a member of the Senate he developed a quiet and effective leadership in promoting and preventing the passage of legislation. His leadership and promotion of efficient party organization incurred the enmity of the Republican legislative leaders who sought his retirement from the head of the State Election Board. He went to his grave believing that his displacement in January, 1929 as Secretary of the Senate and Ex-officio Secretary of the State Election Board was occasioned through negotiations carried on during the impeachment trial of Governor Johnston to secure Republican support of his impeachment.



WILLIAM CLAUDIUS McALISTER

At the time of his death he had been Chief Assistant in the office of the United States Internal Revenue Agent for the District of the State of Oklahoma beginning in July, 1933.

Courteous, diplomatic, avoiding unnecessary antagonisms, and wise, he became effective in party councils. He was described as "a mild-mannered school teacher who rose to eminence in Sooner (Oklahoma) politics, and then fell before a creation of his own machine, * * * unassuming and not profiting personally in any way * * *."

He worked quietly, stayed behind scenes, neither stooping to nefarious political tricks to achieve his ends nor was he ever charged with political corruption.¹

He died on August 28, 1934, survived by his wife and two sons, William Claudius, Jr., and Carl Hill, and one daughter, Emily (Mrs. Barney Stewart), and was buried in Rose Hill Cemetery in Oklahoma City on August 30, 1934.² He was a devoted and faithful husband and father and loyal to his friends.

His grandparents on both sides were of Scotch-Irish descent.

The McAlisters came from Scotland in the latter part of the 18th century after the close of the Revolutionary War to North Carolina. His father was enrolled on October 17, 1861, at Marlboro District, for 12 months, as a private, Capt. R. C. Emanuel's Co. Hatch's Battalion, Coast Rangers, South Carolina Volunteers, Confederate States of America. This organization subsequently became Co. G, 23rd South Carolina Infantry, Confederate States of America. The muster roll for November and December, 1861, last roll of that company on file, shows him absent on picket duty. The muster roll of Co. L, 20th South Carolina Infantry, Confederate States of America, 23rd South Carolina Volunteers, on May 1, 1862. About April 30, 1863, Co. L, 20th South Carolina Infantry, became unattached and was designated Capt. Spark's Co., South Carolina Cavalry, which subsequently became Co. E, 19th Battalion South Carolina Cavalry, Confederate States of America. The muster roll of the latter organization for November and December, 1864, last roll on file, shows him present.

William Claudius McAlister had two sisters, Katherine and Sarah. The former, two years his senior, married and raised a family of four boys and two girls, and passed away at the old home in South Carolina in 1934. The latter, his junior, was never married and passed away in 1929. He had two brothers, the Honorable Archibald G. McAlister, of Phoenix, Arizona, for a number of years a member of the Supreme Court of that state, three years his junior, and the other brother, Charles Augustus McAlister, eight years his junior, resides at Macon, Georgia.

A cultured and typical son of the old South has passed on.

—R. L. Williams

Durant, Oklahoma

¹ Muskogee *Daily Phoenix*, p. 3, column 3, August 29, 1934.

² *Daily Oklahoman*, p. 1, column 4, August 30, 1934.

LILLIAN GALLUP HASKELL

1862-1940

Lillian B. Gallup was born in Ottawa, Ohio, December 12, 1862, the daughter of Josiah and Naomi Jane Cox Gallup. The Gallup family is a distinguished one, having in its earlier history the names of many of the gentry of England. John Gallup sailed for the United States from Plymouth, on the 20th of March, 1630 and Christobel, his wife together with their three children followed him to the New World, three years later. The family settled first in Dorchester, Massachusetts but later moved to Boston where John Gallup became known as a man of substance and influence, possessing as he did, "a meadow on Long Island, a sheep pasture on Nix Mate and a house in Boston." After the settlement of Rhode Island and Connecticut, his ship furnished the sole means of communication between the colonies and, at one time, there was considerable anxiety in the settlement in Rhode Island because of his long absence and in a letter written to Governor Bradford of Massachusetts by Roger Williams, the opening sentence contained these words, "God be praised, John Gallup has arrived."

Lillian B. Gallup was of the ninth generation of the descendants of John Gallup; she was married to Charles N. Haskell, then of Lipsic, Ohio, on September 4, 1889. The marriage was solemnized in Ottawa, Ohio where Mr. Haskell was then practicing law; she was Mr. Haskell's second wife. For a short time after their marriage, Mr. and Mrs. Haskell continued to live in Ottawa, Ohio but in 1901, came to Muskogee, Indian Territory where Mr. Haskell rapidly rose to prominence and in 1907 was elected the first governor of the new state of Oklahoma; he served as governor from 1907 to 1911. Governor Haskell died July 5th, 1933 and the last visit of his widow to Muskogee was on the occasion of the dedication of a marble shaft to the memory of her deceased husband. This ceremony took place in Greenhill Cemetery on May 30th (Memorial Day), 1938. Mrs. Haskell was the mother of three children. The two daughters who survive her are: Mrs. F. D. Richardson (Naomi Jane) and Frances Haskell Edmonson, both of San Antonio, Texas; a son, Charles Josiah, died August 12th, 1931. She is also survived by two granddaughters, Mrs. Gustavus West (Betty Niblack) and Marguerite Sherry O'Brien, both daughters of Mrs. Edmonson by previous marriages.

While Mrs. Haskell, with her husband lived for many years in New York City and after his death made her home in San Antonio with her daughters, she never wavered in her devotion to Oklahoma and to old-time friends and neighbors. To an unusual degree, she was companion and help-mate to Governor Haskell, who, in many public speeches, referred to the help and inspiration which "Miss Lillie" never failed to give him. It was said that when he was installed as governor, his wife's sewing machine was also installed in the capitol building so that she might be near her husband and, when Governor Haskell's interest in building railroads took him through the new state, she always accompanied him on these expeditions, cheerfully sharing the inconveniences and hardships which they entailed.

Lillian Gallup Haskell died in San Antonio, Texas, July 13, 1940, at the age of seventy-seven years. She lived a full, colorful and varied life and her contribution to the early days of her adopted state is and will remain a valuable and appreciated one.

It is altogether fitting that her portrait should have a place in Oklahoma's Hall of Fame even as her memory is enshrined in the hearts of Oklahoma's people.

—Elizabeth Williams Cosgrove.

Muskogee, Oklahoma



LILLIAN GALLUP HASKELL



CHARLES ROBINSON HUME, M.D.

CHARLES ROBINSON HUME, M. D.
1847-1940

Dr. Charles Robinson Hume, a resident of Anadarko for nearly fifty years, died at the home of his son, C. Ross Hume, 503 West Central boulevard, 1:30 a.m. Friday, August 9, 1940. The pioneer had been bedfast for nearly a year. He was 92.

With the death of Doctor Hume, memories of service to the entire Kiowa Indian reservation are revived in the minds of aged Indians and whites alike. For the first five years of his practice in the five-county area the physican gave medical aid to the Indians, without any assistance.

Funeral services were held on Sunday in the First Presbyterian church here. Rev. Lewis R. Rogers, pastor, officiated, and burial was made in the Anadarko cemetery under the direction of the Smith Funeral chapel, here.

He was born in Riga, Monroe county, New York, October 21, 1847 and moved, with his parents, Roderick and Ruth Ann Hume, to Michigan in 1854. Twenty years later Charles Robinson Hume was awarded his degree in medicine from Michigan University.

His first practice was begun in Wood county, Ohio, and he was married to Annette Ross, December 27, 1876, in Perrysburg, Ohio. Following the Perrysburg medical practice the couple moved to Tontogany, Ohio, and it was here that two sons, C. Ross, and Raymond R., were born.

In January, 1881, the family moved to Caldwell, Kansas, where Doctor Hume remained until 1890. During their Caldwell residence two sons and a daughter were born and died in infancy.

Appointment as Kiowa Indian Agency doctor brought Doctor Hume into Caddo County on December 1, 1890, and his family followed a month later.

Mrs. Hume died in January, 1933 and Dr. Raymond R. Hume died in Minco in August, 1935.

A long list of honors and distinguished services may be added after the name of Dr. Charles Robinson Hume.

He was the oldest living member in continuous affiliation with the Presbyterian church here, establishing his membership in 1891. Until retiring from his position ten years ago, Doctor Hume served as either a trustee or elder of the church here from his time of membership.

A charter member of the Sons of the American Revolution in the state chapter at Oklahoma City, Doctor Hume was given honorary membership when he retired at the age of 80.

At the organization of Caddo County, he was appointed as first county health officer, holding the position until statehood. He was the first president of the Caddo County Medical society and for many years was secretary-treasurer of the organization. He was a member of the Territorial and State Medical societies for over twenty years and was Councilor for the third district for six years, and in 1914 was vice president of the organization. He also served as president of the organization in 1916.

Included in the survivors are his son, C. Ross Hume, Anadarko; three grand children, Ross G. Hume, Oklahoma City, Mrs. Dr. James H. Hammond, Tulsa, and Mrs. Dr. John R. Black, Los Angeles, Calif.; and two great grandchildren, Charles Robert Hume, Oklahoma City, and James H. Hammond II, Los Angeles.¹

¹ Anadarko *Daily News*, August 9, 1940.

SAMUEL EMMET SWINNEY

1877-1936

Samuel Emmet Swinney, born near Whiteside, Missouri, on June 16, 1877, and died on December 16, 1936, and buried at Highland Cemetery, Durant, Oklahoma, was son of John James Swinney who was born in Virginia and came to Missouri when twelve years old. His paternal grandfather, Nelson Swinney, was born and died in Virginia. His mother was Wilhelmina Lyle, born near Whiteside, Missouri, on March 23, 1855, and married to his father in the home in which she was born. His maternal grandfather, Lorenzo D. Lyle, born in Virginia on October 29, 1820, and maternal grandmother, Sarah R. Williams, born in Kentucky on September 5, 1822, were married in Missouri on April 30, 1848.

In 1879, John James Swinney, his father, moved to Texas from Missouri, settling on a farm near Long Branch in Fannin County, Texas, at which time Samuel Emmet Swinney was two years old, who later attended the schools at Long Branch and Savoy College nearby and the Normal School at Denton, Texas. Afterward, in 1891, he matriculated at the University of the South, Sewanee, Tennessee, registering in the School of Pharmacy of its medical school, and taking therein two courses.

After his attendance at Savoy College at Savoy, Texas, at intervals between then and his matriculating at the University of the South, he taught school beginning when he was 19 years old, and also acted as a Deputy County Clerk for Fannin County, at Bonham, Texas. After he returned from the University of the South he went to Madill, Chickasaw Nation, Indian Territory, where he was a pharmacist clerk in a drug store and then removed to Caddo, Indian Territory, and entered into the drug business with the late Ira Smith under the firm name of Smith & Swinney, Druggists. Later this business was sold to the late W. F. Dodd, Sam Swinney continuing with him for a while as pharmacist.

In 1907 he became a candidate on the Democratic ticket for County Clerk of Bryan County, Oklahoma, and was elected. He qualified as such at the erection of the state for the term expiring in January, 1911. In 1910 he was re-elected and served for a term expiring in January, 1913. Beginning in the early part of 1913 he became an Assistant State Examiner and Inspector and so continued until 1916 when he was appointed and confirmed as Postmaster at Durant, Oklahoma, and continued as such until 1920. Beginning in 1920 he was associated with his brother Dan Swinney and so continued until 1929 in the drug business at Durant under the firm name of Swinney Drug Company. In 1929 he took the lead in the promotion and organization and construction of the Hotel Bryan in Durant. In 1933 he was appointed and served as Inspector for the Home Owners' Loan Corporation until July 16, 1934, when he was appointed and confirmed as United States Marshal for the Eastern District of Oklahoma, holding such office until his death.

He was affiliated with the Democratic party and in its organization served as Congressional committeeman for the Third Congressional District and as chairman of the Bryan County committee.

On January 6, 1906 he was married to Miss Soulie Pate of Caddo, Oklahoma, who with a daughter, Francile, survive him, to both of whom he was faithfully devoted.

He had seven brothers and sisters, to-wit: Lee Swinney, who died in Dallas, Texas, in February, 1917; Daniel Webster Swinney, Durant, Oklahoma; Mrs. Charlie Price (Anna), Colville, Washington; Mrs. R. C.



SAMUEL EMMET SWINNEY

Bowman (Mittie), Detroit, Texas; John Swinney, with the Southern Pacific Railroad Company, Portland, Oregon; Albert Swinney, Vice-President, First National Bank, Ringling, Oklahoma; and Mrs. Mark Myers (Callie), Deer Park, Washington.

A member of the Christian Church, an exemplary citizen, loyal to every duty, private and public, and efficient in all of life's relationship, he has passed from this earthly home.

—R. L. Williams.

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

October 24, 1940

The regular quarterly meeting of the Board of Directors of the Oklahoma Historical Society was held in the Historical building, Oklahoma City, Oklahoma, October 24, 1940, with Judge Robert L. Williams, President, presiding.

The Secretary called the roll, which showed the following members present:

Judge Robert L. Williams, Judge Thomas H. Doyle, Dr. Emma Estill-Harbour, Gen. Charles F. Barrett, Dr. E. E. Dale, Judge Thomas A. Edwards, Mr. George H. Evans, Judge Robert A. Hefner, Mrs. Frank Korn, Mrs. Blanche Lucas, Judge Baxter Taylor, Judge William P. Thompson and James W. Moffitt, the Secretary.

The Secretary presented the minutes of the Board meeting held July 25, 1940, and upon motion of Judge Thomas H. Doyle the reading of the minutes was dispensed with except as same may be called up for special consideration. Motion was seconded and carried.

The vacancy in the Board of Directors, occasioned by the death of Hon. John B. Doolin, was discussed and Judge Thomas H. Doyle presented the name of Hon. George L. Bowman, of Kingfisher, to fill said vacancy in the Board of Directors.

Gen. Charles F. Barrett moved that Hon. George L. Bowman be nominated and elected, and that the Secretary be instructed to cast the unanimous vote of the Board for the election of George L. Bowman. Motion was seconded and carried.

Judge Thomas H. Doyle presented a bill from the Foster Floral Company, for flowers for the funeral of Hon. Dan W. Peery, former member of the Board of Directors and also former Secretary of the Society, in the sum of \$10.30, and moved that a payment be approved. Motion was seconded and carried.

Mrs. Blanche Lucas moved that a committee be appointed to draft appropriate resolutions in his memory and secure data as to his life and activities. Motion was seconded and carried.

The Chair appointed the following committee: Mr. Jasper Sipes, chairman; Judge Thomas H. Doyle, vice-chairman; Gen. Charles F. Barrett, Mrs. Frank Korn, and Mrs. John R. Williams.

The President reported on the grill doors in the west corridor of the Museum, and presented the bill of the Tibbs-Dorsey Manufacturing Company for the work in the sum of \$576.35.

Dr. Emma Estill-Harbour moved that the bill of the Tibbs-Dorsey Manufacturing Company in the sum of \$576.35 be appropriated and allowed out of the private funds of the Society. Motion was seconded and carried.

The installation of the mezzanine floor in the newspaper stack room was discussed, and Mr. George H. Evans moved that the Board authorize this installation to be paid for out of the Equipment Fund, cost not to exceed \$1250.00, and an additional sum of \$250.00 from the Board of Affairs. Motion was seconded and carried.

The President read a letter from Mr. S. A. Layton, suggesting that the Board appoint Mr. George Forsyth as consulting architect for the Historical building without pay.

Judge Robert A. Hefner moved that Mr. George Forsyth be appointed to the position as consulting architect for the Historical building, to advise with the Board when changes or renovations are to be made in the building and for him to carry the title of Honorary Consulting Architect. Motion was seconded and carried.

The President read a letter from the Chief of the Periodical Division of the Library of Congress regarding the microfilming of certain newspapers at a cost of \$617.40.

Judge Thomas A. Edwards moved that the purchase of these microfilms be authorized for the sum of \$617.40 to be paid for out of any funds available, either public or private. Motion was seconded and carried.

Judge R. L. Williams presented to the Society a copy of the *Choctaw Intelligencer*, dated October 15, 1851 and a copy of the *Illinois Journal*, dated June, 1861.

Mrs. Frank Korn moved that these papers be accepted and Judge R. L. Williams thanked for this donation. Motion was seconded and carried.

Dr. E. E. Dale moved that all members of the Board of Directors, not at this meeting, be excused. Motion was seconded and carried.

The President transmitted to the Society the picture of Sion Lewis, otherwise known as Silon or Sylon Lewis, the Choctaw who was executed at the court grounds of Gaines County, Choctaw Nation, about eight miles south of Wilburton, November 5, 1894, the gift of Mr. James Brazell.

Dr. Emma Estill-Harbour moved that this photograph be accepted and that the donor be thanked for this gift. Motion was seconded and carried.

The President reported that a new WPA contract had been prepared for extending the work sponsored by the Oklahoma Historical Society.

Judge Thomas H. Doyle moved that the President and Secretary be given authority to approve the new contract extending the work of the WPA project. Motion was seconded by Dr. Emma Estill-Harbour, which carried.

The President presented to the Society for the Confederate Memorial Room a Confederate coat worn by Robert Reece, of a Tennessee regiment, C. S. A., maternal grandfather of Mr. L. K. Hughey of Durant, Oklahoma, gift of Mr. Hughey.

Dr. Emma Estill-Harbour moved that it be accepted and that Mr. L. K. Hughey be thanked for this donation. Motion was seconded and carried.

Judge William P. Thompson transmitted the book entitled *The Story of the Cherokees* by Dr. W. R. L. Smith, of Norfolk, Virginia, with an index for same, gift of Mrs. Mayme Chaney Hallum, the index being her own work.

Judge Thomas H. Doyle moved that these be accepted and that the Secretary be instructed to express the thanks of the Society to the donor. Motion was seconded and carried.

Dr. E. E. Dale presented to the Society an autographed copy of the first edition of his book entitled *The Range Cattle Industry*, an autographed copy of the first edition of his book entitled *Cherokee Cavaliers* of which Mr. Gaston Litton is co-author, and a copy of his address before the Mississippi Valley Historical Association in St. Louis, 1937.

Dr. Emma Estill-Harbour moved that Dr. E. E. Dale be thanked for this valuable contribution to the Library of the Historical Society. Motion was seconded by Mrs. Blanche Lucas which was unanimously adopted.

Judge Baxter Taylor, chairman of the Library and Museum Committee, read a letter from Mr. C. E. Chouteau, advising that a large oil painting of Maj. Jean Chouteau would be presented to the Oklahoma Historical Society, provided that the Society would furnish a frame for the portrait at an estimated cost of \$25.00, and moved that \$25.00 be appropriated out of any funds available either private or public and set aside for this purpose, and that the matter be referred to the Library and Museum Committee and the Art Committee for action in the matter. Motion was seconded and carried.

The Secretary read a letter from the Indian Arts and Crafts Board of the Department of the Interior, asking permission to borrow two Choctaw dishes and a small parfleche for an exhibition of Indian arts in the Museum of Modern Art in New York City, starting January 22, 1941 and continuing for a period of three months, agreeing to insure the articles and pay all transportation.

Dr. E. E. Dale moved that this request be granted and the articles lent under their terms. Motion was seconded and carried.

Dr. Emma Estill-Harbour moved that the telephone company be requested to move the pay station from the Historical building. Motion was seconded and carried.

Mrs. Frank Korn reported that the Society could obtain from Mr. R. F. Jones, of El Reno, some articles formerly owned by the late George W. Bellamy, the first lieutenant governor of the State of Oklahoma and a member of the Council of the Oklahoma Territory, and moved that the Secretary be instructed to take this matter up with Mr. R. F. Jones, and secure as much of the Bellamy collection as possible. Motion was seconded and carried.

The Secretary presented the following list of applicants for membership in the Historical Society:

LIFE: Burdette Blue, Bartlesville; Olney F. Flynn, Oklahoma City; Streeter B. Flynn, Oklahoma City; George Henry Shirk, Oklahoma City.

ANNUAL: Mrs. Sallie Alexander, Inola; Clell W. Babler, Vinita; Dr. Louis Bagby, Vinita; William Beaumont, Mangum; Mrs. Anna Betzinez, Apache; W. R. Blakemore, Oklahoma City; Mrs. E. J. Blank, Cushing; Mrs. Atha M. Boatright, Cushing; N. M. Bradley, Salina; Roland M. Broach, Tulsa; Mrs. Laurie F. Bronson, Muskogee; Mable Caldwell, Stillwater; Ada Lois Cardell, Oklahoma City; Mrs. Wilburn Cartwright, McAlester; Robert E. Chandler, Miami; Laura E. Crews, Enid; Col. M. L. Crimmins, Ft. Sam Houston, Texas; Mrs. Fletcher E. Crowe, Enid; Richard Lawrence Crutcher, McAlester; Mrs. Grace Ledbetter Cutler, Oklahoma City; Mrs. Estelle Davis, Inola; Russell W. Davis, Bartlesville; Prof. M. E. Derrick, Shawnee; J. T. Dickerson, Edmond; Mrs. Leo M. Doolin, Alva; Mrs. John A. Dykstra, Grand Rapids, Michigan; Rees Evans, Ardmore; Oscar John Grace, Oklahoma City; Anna Foreman Graham, Tulsa; Mrs. Mollie Bowling Glenn, Norman; Mrs. A. K. Gossom, Enid; Mrs. Estelle T. Gross, Trinidad, Colorado; Dr. Gaines B. Hall, Norman; Walter Reynolds Harris, Oklahoma City; Ida Frances Hasley, Oklahoma City; William M. Johnson, Houston, Texas; Rev. William Robert Johnson, El Reno; Gerald Brown Klein, Tulsa; M. D. Libby, El Reno; Mrs. Constance McGill, Alva; Quincy Mitchell, Durant; Mrs. S. Earl Newcomb, Antlers; Mrs. Alfred R. Page, Sierra Madre, Calif.; Mrs. A. J. Parsley, Claremore; B. K. Pate, Caddo; Mrs. M. B. Pitts, Durant; Frank Ragsdale,

Durant; Clayton Thomas Rand, Gulfport, Miss.; Judge Prentiss E. Rowe, Pawnee; Mrs. Charles A. Runk, New York, N. Y.; Orpha B. Russell, Tulsa; H. L. Schall, Ponca City; Mrs. Gwendolyn Schuhmacher, Alva; Mrs. A. Schuler, Chickasha; Prof. Marion Severance, Durant; Phamis E. Shelden, Edmond; Mrs. O. T. Sipes, Olustee; Mrs. Jessie Mary Spainhower, Inola; J. D. Steakley, Durant; William L. Steger, Durant; Mrs. Ether L. Stone, Oklahoma City; Blanche Turrentine, Smithville; Sister M. Ursula, Tulsa; and Mrs. Ray M. Welch, Tulsa.

Judge Thomas H. Doyle moved that they be admitted to membership in the Society in such capacity as shown in the applications. Motion was seconded and carried.

The President discussed the Robert M. Jones property and the advisability of securing it for a state park, taking title for the Historical Society, in the name of the State for the Oklahoma Historical Society, consisting of 320 acres.

Judge Baxter Taylor moved that the President be authorized to act and exercise his best judgment in acquiring the land. Motion was seconded and carried.

The President called attention to the meetings of the Southern Historical Association at Charleston, South Carolina, the Society of American Archivists at Montgomery, Alabama, and the Mississippi Valley Historical Association at Milwaukee, Wisconsin, and the meeting of the American Historical Association at New York City, to be held during this coming winter and spring.

Dr. Emma Estill-Harbour moved that the Secretary be authorized to attend the meeting of the Southern Historical Association at Charleston, South Carolina, and the meeting of the Society of American Archivists at Montgomery, Alabama, during the month of November, 1940, and the meeting of the Mississippi Valley Historical Association at Milwaukee, Wisconsin, during the spring, 1941, with expenses allowed, and the meeting of the American Historical Association at New York City in December, 1940, at his own expense. Motion was seconded and carried.

Upon motion of Judge Thomas H. Doyle, the meeting stood adjourned to meet subject to the call of the President.

Robert L. Williams, President

James W. Moffitt, Secretary

CALLED MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

The Board of Directors of the Oklahoma Historical Society met November 15, 1940, in the Historical Building, Oklahoma City, Oklahoma, pursuant to the call of the President.

The meeting was called to order by the President, Judge Robert L. Williams.

The Secretary called the roll, which showed the following members present: Judge R. L. Williams, Dr. Emma Estill-Harbour, Mrs. Jessie E. Moore, Gen. Charles F. Barrett, Judge Harry Campbell, Dr. Grant Foreman, Dr. James H. Gardner, Judge Samuel W. Hayes, Judge Robert A. Hefner, Mr. John B. Meserve, Hon. W. J. Peterson, Judge Baxter Taylor, Mrs. John R. Williams, Hon. George L. Bowman and James W. Moffitt, the Secretary.

Upon motion of Dr. Emma Estill-Harbour, duly seconded, the reading of the minutes of the previous meeting of the Board of Directors was dispensed with.

The President reported the death of Judge William P. Thompson, one of the members of the Board of Directors of the Oklahoma Historical Society, after which the members stood a moment in reverence to his memory.

Mrs. Jessie E. Moore presented the name of Mr. J. B. Milam of Chelsea, Oklahoma, to fill the vacancy on the Board occasioned by the death of William P. Thompson, which was seconded by Mrs. John R. Williams.

Judge Harry Campbell moved that the nominations be closed and that the Secretary be authorized to cast the unanimous vote for the election of Mr. J. B. Milam. Motion was seconded and carried, and the Secretary cast the unanimous vote of the Board of Directors for the election of Mr. J. B. Milam to serve on the Board of Directors of the Oklahoma Historical Society.

The President introduced Hon. George L. Bowman, of Kingfisher, new member of the Board of Directors.

The President gave a report on the Spiro archaeological project, stating that Dr. Forrest Clements, of the University of Oklahoma, assured him that the artifacts secured from the Spiro mound would be prepared for exhibition and ready for allocation by the first of January, 1941, and also requested the privilege of lending eight specimens from this collection to the exhibition of Indian arts in the Museum of Modern Art in New York City, beginning January 22, 1941, for a period of three months.

Upon motion made by Judge Samuel W. Hayes, seconded and unanimously carried, it was

RESOLVED that the Oklahoma Historical Society consents and agrees that eight specimens of Spiro artifacts now in possession of the University of Oklahoma shall be sent to New York and leased to the proper authorities for exhibition among Indian arts in the Museum of Modern Art in New York City, beginning January 22, 1941, for a period of three months; provided and upon condition that this Society be furnished with a copy of the agreement under which the same shall be leased to or sent for such exhibition, with a definite description therein of the articles so sent or leased; and that insurance against the loss thereof and to insure the return thereof be provided and given at the expense of the lessees for the benefit of the University of Oklahoma, University of Tulsa, and the Oklahoma Historical Society, as owners thereof.

The President appointed Mr. J. B. Milam to serve on the committees as regards the Fort Gibson matter and also the Sequoyah Home.

The preservation of books in the library was discussed and Dr. Grant Foreman moved that the Secretary be instructed to procure a register which all research workers would be required to sign, stating the books or manuscripts to be examined, this register to be used in connectoin with the card system now in use. Motion was seconded and carried.

Hon. W. J. Peterson moved that the meeting stand adjourned subject to the call of the President.

Robert L. Williams, President

James W. Moffitt, Secretary

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