

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

**Effie S. Jackson,
Journalist.
February 18, 1938.**

Interview with Sam J. Haynes,
Chairman of the House of Kings,
Okmulgee, Oklahoma.

Creek Government Since 1859.

I live at the old Newtown Creek settlement, about three miles northwest of Okmulgee. The seventy-seven years of my life spent in the immediate vicinity find me at my old haunts, the early day council house and later day courthouse. I get up at daybreak and walk the three miles to the courthouse. I am always ready to meet old friends or council members or aid in interpreting if the need arises. Frank W. Jones was deputy United States Marshal from 1895 to 1905. He and I worked together for years when I was a member of the Indian police. Our chief work was running down the followers of Chitto Harjo (Crazy Snake). I was of great assistance to Jones in this work as interpreter as well as a police officer.

My father, John Haynes, was a Creek. His grandfather, according to legend, was a trader of either Dutch or Jewish descent, the only tinge of white blood

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

2

in my family. My father was born in Alabama (exact date not known) between 1812 and 1814. His father belonged to the anti-treaty party. They came with the removal, settled in the area where Haskell is today. Later, they moved in the Deep Fork region, two miles south of what is today Okmulgee. My father fought with the Confederates under Colonel Checote. After the war he settled in the Newtown Church-house district, where I live today. He died in 1877 and is buried in the old Newtown burial ground.

I was born in 1860, a week after the first of January. Except for the few years I was away at school I have spent my whole life within a few miles of my birthplace, about one and one-quarter miles southwest of the present Okmulgee. After my mother's death (she was full blood Creek) my father married Sarah Le Blanche, a Catawba Indian. She was a daughter of Judge Le Blanche, pioneer hardware merchant of Checotah, a man prominent in religious and political affairs of his people. The Catawba Indians were adopted by the Creeks. There were very few of them. I believe

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

3

Sarah was among the last. I am the only Haynes' descendant, except my children.

My earliest memory was the Okmulgee Creek district, just a place to hunt and fish. That is the reason that the Creeks in early times chose this locality as their central home, a natural hunting ground. I remember when there were only a few houses up and down the creek.

I went to a neighborhood school until I was twelve years old, then I went to the Asbury Manual Training School, northeast of Eufaula for four years. There were fifty boys and fifty girls in attendance. This school was very much like the school at Tullahassee, which was running at the same time. Like Tullahassee, it burned down in the spring of 1877, I believe. I was not there at that time. From 1877 to 1881 I attended the Southwestern Baptist University in Jackson, Tennessee. I was considered a good English scholar.

I returned in 1881, at twenty-one years of age, and became a clerk in the town of Okmulgee, a town that I had seen grow from the few houses along the creek. I

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

4

clerked in Captain Sever's store, C. W. Turner's store, for James Parkinson and Kramer and Porter (brother of Chief Pleasant Porter). I married Stella Cox, a Creek, and we have two children, John and Elizabeth, living near Okmulgee.

Before the Civil War the Creeks held their council meetings at High Springs, about fifteen miles east of the present Okmulgee. They only held one meeting before the Civil War, in July, 1859. They still had their old system of chiefs. This was the most peaceful election they had held. Mosey Canard was elected principal chief of the Lower Creeks, Echo Harjo principal chief of the Upper Creeks, and Ok-tar-sars Harjo second chief. A constitution was adopted. It provided for the election by all the Creeks of one principal and one second chief for the Nation. There were no longer the Upper and Lower Creeks but henceforth the Muskogee Nation.

After the Civil War the Creeks (both those who fought for and against the Union) all came back together to

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

5

forget the past and start their council meetings in an organized fashion. My father told me of these early gatherings. After the Civil War, in 1867, they met in a black jack grove, six miles southwest of the present Okmulgee, near Rock Creek. This came to be called the council grove. There were forty-four tribal towns, three colored. Each sent a representative to this council.

While the beginning of a new constitution was started in 1860, the Council of 1867 made improvements and adopted a new constitution, the Constitution of 1867. They followed somewhat the outline of the Constitution of the United States. There was to be one principal chief and one second chief, elected for four years; two Houses, the House of Kings, made up of one representative from each town, and the House of Warriors, one representative from each town and one additional for each 200 persons belonging to the town. The Muskogee Nation was divided into six districts, a judge, prosecuting attorney and company of Lighthorsemen for each district. A company

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

6

of Lighthorsemen consisted of a captain and four privates. I served in the following offices: prosecuting attorney, judge and chairman or President of the House of Kings. I still hold that office.

Ok-tar-sars Harjo (later adopted the name Sands) of the Upper Creeks ran against Colonel Sam Checote (Lower Creeks) in the election for principal chief, in 1867. This was a bitter election. The method of holding an election was to step to the side of one whose name you favored, then the votes were canvassed. That was for local elections. Of course, for principal chief the result was Upper Creeks against Lower Creeks. Colonel Sam Checote won the election in 1867 and served until 1883.

At the council meeting in 1857 other matters of importance were taken up. The council grove was poorly located. It was five miles from where supplies could be obtained and thirty-five miles from a post office. The Creek population had centered along Okmulgee Creek and

HAYNES, SAMUEL J. SECOND INTERVIEW..

#12992.

7

it seemed the better location. It was more centrally located for the Creek Nation as a whole. So the present location(Okmulgee) was chosen as the future meeting place of the Creek Council. They made an appropriation to build a council house. They agreed to build a two-story double log house. The question arose as to what name to call the new location. Two names were selected, Columbus and Okmulgee. This matter came up the first meeting in the new council house in 1868. The name Okmulgee was chosen. Tony Burgess brought up the question of the name.

Word was sent out for bidders to build the new council house. A man by the name of W. S. Brown, a Euchee, got the contract. I remember the building of this council house. I was only a little fellow. My mother cooked for the men and my father selected the timber. I used to follow him as he went from one red oak to another. When he found a tall, sound tree he blazed it with his ax. Then came the group of Indians

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

8

to chop the trees down, then men to chip off the bark, then the hewers who hewed it to line. The haulers came next with their ox-carts and as fast as the logs were hauled to the building spot they were put in place by the group working there. This log council house was built by the Indians themselves under a work-planned organization. It was built where the present council house stands in the center of the city. The roof was made of clapboards, the timber sawed two feet long. A maul and froe split these boards with the grain of the wood. Jeff Berryhill built the two rock chimneys. So the new council house was ready for the council meeting in 1868. It has met annually ever since, sometimes for an extra session. It will convene again October, 1938. This log cabin council house was used for ten years, then in 1878 the present structure replaced it.

I was appointed revenue collector by the Indian Department to collect tribal tax paid by cattlemen who leased range land belonging to the Creeks. I was appointed a member of the Indian Police from 1904-1912.

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

9

I served under Colonel Wisdom and could be sent any place among the Five Tribes. I was furnished a badge and a uniform and given \$20.00 a month and my expenses.

There have only been three executions among the Creeks since they built their council house. They were Thomas Chickbrow, Ta-yo-la and Jimmie Jack. Ta-yo-la killed a man in the Deep Fork district, was arrested and convicted. He asked to see his folks and was allowed to go. He returned the night before ready for his execution. The story ^{of} Jimmie Jack is well known; that was in 1896. I was one of the prosecuting attorneys. Jimmie Jack and James Brown, both Euchees, got in a drunken fight up near old Broken Arrow. Brown, brother of Billie Brown, was killed with a knife. Jimmie was tried at Isparhechar's courtground, four miles west of Beggs, and found guilty. He said he deserved the penalty, that he had disobeyed the law. He was allowed to return to his people to settle his affairs. He and his wife returned the day before the execution. Silas Smith, a carpenter, was making the coffin. We did not

HAYNES, SAMUEL J. SECOND INTERVIEW.

#12992.

10

want Jimmie to know it but he heard about it and came in and asked to see it. Not only that but he lay down in it and said, "Well, that fits all right". Then he asked that his friend, Pleasant (Duke) Berryhill, be allowed to execute him. At the set hour a square of white paper was placed over his heart and he took his place under the execution tree in the council yard here in Okmulgee. One shot from Berryhill's gun hit its white mark. That was the last execution (1896) of a Creek by a Creek.

I look back and from my own experience know how our Creek government has worked. For fifty-five years I have served in some official way. I began as a Lighthorseman in 1883 (I was twenty-three), then Captain of a Lighthorseman Company, prosecuting attorney, district judge, Indian Police, and since 1901 I have been Chairman of the House of Kings. I have gone to Washington many times in the interest of my people, 1906-'07-'09. The last time was in 1933. That was to talk to Collier about official recognition of our principal chief. This was granted

HAYNES, SAMUEL J. SECOND INTERVIEW. .

#12992.

11

only as an honorary position. Rokey Canard is now our chief.

The most interesting work I did as a member of the Indian Police was to run down Chitto Harjo and his followers. I aided Frank W. Jones and other deputy United States Marshals in this work. Later I served as an interpreter in the Federal Court of Judge Thomas when these offenders were brought to trial. I still serve as an interpreter in many legal cases.