

CHEROKEE ADVOCATE

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NEWS ITEM OF INDIAN TERRITORY

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It will be remembered that during the last session of congress a strong effort was made to secure the passage of some measure organizing the Indian territory south of Kansas and west of Arkansas. The civilized Indian nations living therein met at Okmulgee, in the southwestern portion, and framed a federative form of government, designed to preserve the Indian "commune" or tribe, with common ownership of land and rights thereon. The constitution there framed was the work of delegates from the Creeks, Chickasaws, a portion of the Cherokee delegates, the Seminoles, Delawares (now incorporated in the Cherokee Nation), and about a dozen very small bands or tribes, such as Senecas, Quapaws, Shawnees, Wichitas, Peorias, Pinkeshaws, Caddoes, &c., who altogether may number about two thousand persons.

The Osages, who had not then removed from Kansas, were represented. The Choctaws were not in the council. The constitution then submitted to the various tribes, had some oligarchic and objectionable features consequent upon the attempt to preserve the tribal autonomy, and to exclude as far as they could, and dared, Federal control. -- It gave too much power to the smaller band, recognizing in them an equal right of representation with the larger nations, on the ground of separate tribal existence -- in at least one body -- the upper council or Senate. The instrument aimed at creating a new federation in the larger one of the United States, because the Indian's aim was that of an independent State, not a Federal Territory, or even a State in our sense of the term. The Governor and judiciary were, with all other officers, to be elected by themselves. It was that killed the bill, more even than the antagonism of the railroad sharks, who were after its destruction.

The House Indian Committee, not a very savory institution, introduced a bill providing for a territorial organization, which sought to preserve the Indian system-- or want of one, as some affirm -- while a minority of the committee, through General Shanks, offered a bill,

which was substantially the Okmulgee constitution, modified so as to require the appointment of Governor, judiciary, &c., by the President. This is what Grant recommended. Both bills were recommitted. It is probable that these measures, with modifications, will be among the first up at the next session.

In the meanwhile, the progress of events in the Territory to be affected seem to be doing much to push forward a solution.

#### INDIAN PROGRESS.

The Federal Indian Council reassembled at Okmulgee last spring. Their constitution had not met with a favorable reception from the larger tribes, and changes were at once made. The Choctaws, the wealthiest of all the Indian nations, put in an appearance, and delegates were present from the tribes about Fort Sill -- "The Plains" Indians, who have been forced to settle there. The last council embraced the representatives of about 65,000 persons -- of whom all but 10,000 or so are in a settled state, tending steadily toward a definite social and civil life. But that which presses the questions involved to solution is the rapid construction of two railroads through their Territory.

## RAILROAD INSTRUMENTALITIES.

The Southern Branch, Pacific Railway, running from Junction City, Kansas, south and easterly down the Neosho Valley, is in conjunction with the Lawrence, Galveston, and Gulf road, with the Missouri and Kansas Border Tier road, one running south from Lawrence, and the other from Kansas City, are building a road to Texas, under the designation of the Missouri, Kansas and Texas Railroad, which is now more than half way through the Cherokee Territory. It takes into that nation, as well as to other parts of the Territory, large numbers of whites, who appear to have no more regard for the Intercourse laws than as if they did not exist.

Persons are forbidden to trade on Indian reservations or territory, except as legally authorized by the Indian agent and superintendent, or as in the case of the nations living in the Territory under consideration by the national councils. White persons are also prohibited from even working for the Indians, unless they have permits from council to reside in the nations. Above all are they regarded as trespassers when they attempt settlement on the Indians' land. Yet all these things are constantly being done, and these acts are

increasing daily in number.

#### CONSTANT COLLISIONS THE RESULT.

As may be expected from such conditions, life on that frontier is "in a muddle." The Territory is a hybrid. Laws are mixed, and affairs more so. All sorts of rascals, as well as the general squatterdom of the West, are making for it.

A number of arrests have been made of persons trading without permits. They are generally released, but the goods are held for further action by the United States Commissioner -- in some instances having been confiscated.

The United States Marshal for Western Arkansas whose court has jurisdiction over the Indian Territory, evidently has a busy as well as profitable time of it. The Fort Smith papers report every week arrests made by his deputies, as well as crimes which are not punished, the perpetrators making their escape. The last Fort Smith Era gives a budget of items, which forcibly show the disturbed condition of affairs there. One deputy marshal makes a journey of several hundred miles and arrests two murderers; another arrests one in the Choctaw country. The first reports the Osage returning

to their reservation from their annual buffalo hunt. A white man named Newton was with a party of them and under his lead killed two Texans. There are already about 2,000 white settlers in the Osage lands. The agent is powerless to remove them, and they will resist any attempt or show of military force. Another deputy marshall brought in a horse thief, known as a desperate character, after chasing him through portions of Kansas, Missouri, and the Indian Territory. They were caught at Springfield, Mo. The following paragraph has a euphe, mystic way of putting things, which is at least amusing to the reader, if not to its subject:

"The deputy marshal says that, "owing to the almost epidemic frequency of horse stealing, the people of Western Arkansas and Missouri have become very severe on that kind of gentry, and that within a brief time about a dozen rogues have paid with their lives for interfering with that kind of property. Two men were caught a few days ago near the Missouri line while asleep, and the stolen animals in their possession. They never woke again in this world!"

The horses stolen by the rogue whose capture is reported, were the property of a wealthy colored citizen of the Creek nation named Nero. He was formerly a slave of Opoth-ye-le-ho-lo, the Creek

hereditary chief, who in 1861 resisted the Creek rebel leader McIntosh, and the Confederate Indian Commissioner, Albert Pike.

From the condition of affairs prevailing there it is quite evident the next session of Congress cannot close without adapting some government which will prepare the way for an end of the present anomaly. It is to be hoped, however, that the Indian lands will be amply protected even against his own improvidence. The railroad ring will "gobble" them all if they get a chance.