

STAR VINDICATOR

McAlester, Ind. Ter.
Sept. 1, 1877
Vol. 4, No. 29
G. McPherson, Editor

A STRANGE ORDER

Office of Indian Affairs,
U. S. Union Agency,
Muskogee, I. T., August 28th, 1877.

Mr. James J. McAlester,
McAlester, I. T.

Sir:

I am directed by the Indian Department, to notify you that: "It is a settled principle in law, that a citizen can divest himself of his citizenship while within the country to which he owes allegiance."

He may marry an Indian woman, be adopted into an Indian tribe, be recognized by the Indians in every sense as a member of such tribe; but he is nevertheless a citizen of the United States.

It is also a settled principle that no citizen can trade with Indians without first obtaining a license,

authorizing such trade; . . . 'that you are violating the law, and subjecting yourself to its penalties; that you will at once cease to trade, and close up your store, until you have complied with the requirements of law."

Respectfully,

Your obedient, &c.,

S. W. MARSTON,

U. S. Indian Agent.

The above notice was handed to us by Mr. McAlester, and we fail to see by what authority of law the Department can be acting under. It seems to us that this is certainly a piece of persecution, originating with some of McAlester's enemies, as we have made inquiry and failed to find that the order has been served upon other merchants in the Nation, coming under the same status as McAlester's. It is evident that such an order, emanating from the Indian Department, should have been general and not confined to one person or firm.

The treaty of 1866, sec. 38, says: "Every white person who having married a Choctaw or Chickasaw, resides in the said Nations or has been adopted by the legislative authority, is to be deemed a member of said Nation, and shall be subject to the laws of said Nation according to

his domicile, and to prosecution and trial before their tribunals, and punishment according to their laws, in all respects as though he was a native Choctaw or Chickasaw."

Sec. 39: "No person shall expose goods or other articles for sale as a trader without a permit.

But no license shall be required to authorize any member of the Choctaw or Chickasaw tribe to trade in the Choctaw or Chickasaw country."

This is the paramount law of our country, and we certainly see nothing in it to justify the issue of any such order as the above, and are satisfied, upon a due investigation of the law, the Department will find they are in error, and ~~revoke~~ the order; thereby doing justice to a Nation of people who have been imposed upon too much already.

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