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HURT M. WEST, Informant  
Okay, Oklahoma.

-Jas S. Buchanan

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Frank N. Smith, my grandfather, was born October 15, 1845 on the west bank of Grand River near Fort Gibson.

He was the son of Frank N. Smith, who was a native of the state of Maryland, born in Baltimore in 1817. He was a graduate of West Point, and due to a family quarrel, ran away from home and came to the Indian Territory in 1839, and was engaged in some capacity at old Fort Gibson. He was married to Elizabeth Woodward of Fort Gibson in 1841. There were six children born to that union, four girls, and two boys, including my grandfather.

During the Mexican War, in which Frank N. Smith, my grandfather, served the family went to Mexico and one of the girls was born while in Mexico City in 1846. After the close of the Mexican war the family returned to Fort Gibson where Frank N. Smith died soon after their return.

During the Civil War Frank N. Smith, joined the Confederacy and was captured by the Union soldiers in the early part of the war. He was given the privilege of going to work for the government or be taken as a prisoner of war. Having his mother and four sisters to support, he went to work for the government.

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For five years he drove a freight wagon between Fort Gibson, Fort Leavenworth, Fort Scott, Fort Riley, Fort Arbuckle and other government posts. I have heard grandfather tell of driving a six mule team across Grand River at Fort Gibson on the ice for a month or so during the severe part of the winter.

In 1871 he was married to Ella Fields, a part Cherokee, and was made adopted citizen of the Cherokee Nation. There were eight children born to that union as follows: Samuel, Wirt, Walter, Return, Richard, Belle, William, and Elizabeth.

He always engaged in farming and stock raising. Farming was much more successful in those days than at the present time. The land was new and fertile, no crop failures due to drouths, etc., and plenty of free range for the stock. He improved different claims of land in this vicinity of the territory, but of course only held title to the improvements he made thereon. It was a law in the Territory in those days that a citizen could take up a claim of land, fence and improve as much as he could cultivate and utilize for his own purposes, but if he sold the claim, he could only dispose of the improvements and not the land. That custom existed until the Indian land allotment was made.

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As to some of the stories grandfather told of the Civil War, I recall him telling of just after he joined the Confederacy, the yankees raided his mother's home on the bank of the Grand River, took everything they wanted, killed the stock they did not take and set fire to the home place and told his mother that she and the children could warm by the fire. The family then went to Fort Gibson and was spared of another raid later by a boy that Mrs. Smith had reared happening to be in the Yankee raiding squad, recognizing Mrs. Smith and stopping the raid. Samuel, a brother of my grandfather also joined the Confederacy in the beginning of the War and was never seen or heard tell of after he bade the family goodbye and mounted his horse and rode away.

Another story I recall of my grandfather telling that always impressed me very much was of a raid by a band of wild Indians. He, with four companions, were riding in search of some missing cattle in the vicinity of where Gibson now stands, and all unexpected, a band of Indians upon  
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them. Seeing them approaching with their horses in a dead run, grandfather and his companions headed their horses in a run for home, in an effort to escape. The Indians shot one of his companions off his horse, killing him, while grandfather and the other three men escaped.

He lived in the most interesting periods of the history of our state. He saw the development of what is now Oklahoma from the days before the Civil War, to the present day stage of development. He lived an active outdoor life, one of hardship as well as adventure, but I do not believe he would have exchanged it for any other, had he the privilege. He died in 1931, at the age of 86, not over six miles from the place of his birth.

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During the existence of the Cherokee Government, the Cherokees had a tax law that required any citizen of the Cherokee Nation who employed a person who was not a citizen of the Cherokee Nation, to pay a tax of fifty cents per month for each month such person was employed. When the employer applied for such permit, and the tax paid, a permit would be issued by the District Clerk to the employer specifying the employees name and the number of months for which the permit was issued, and for months tax paid.

I am submitting herewith three specimens of the old permits which I found in my grandfathers old papers. One of these permits were for the employment of George Crow as a farm hand.

(See George Crow Story in file of Jas. S. Buchanan)

SERIES B

Act of November 5th, 1892

No. 8934

CHEROKEE NATION, Illinois District 430

CONFESSED:

H. E. STARR

Treasurer Cherokee Nation

Permission is hereby granted Frank Smith, a citizen of the Cherokee Nation, to employ B. Ball as a farmer for a term of THREE MONTHS from this date.

"No permit shall be issued for a longer period than Dec. 31, of the year in which the permit is issued."

Given under my hand and seal of office, this the 16th day of Februry 1894.

May  
June  
July

HENRY C. WIGG  
Clerk Ills. District

PERMIT

No. CHEROKEE NATION, Illinois District.

Mr. Frank Smith, a citizen of the Cherokee Nation, is hereby authorized and permitted in accordance with Section 2nd of the "Act authorizing the District Clerks to issue PERMITS", approved December 4th, 1879, and amended Dec. 1st, 1885 and Dec. 3rd, 1889, to employ L. J. Brunson to labor as a farmer within this District for the term of six each George Crow months from this date, he having paid to me, in advance, the sum of \$6.00 (Dollars) as follows -- Cash ----- National Certificates ----- Given under my hand and seal of office, this the 1 day of March April, 1892.

N. M. THORNTON  
Clerk Illinois District, C. N/

OATH

I do solemnly swear (or affirm) that I am a citizen of the United States, and that I have never made application before any Commission or Court of the Cherokee Nation for citizenship in said Nation: That it is not on account of any criminal offense against the laws of the same, that I have come to seek employment in the Nation. That within Ten (10) days after the expiration of my Permit, unless the same shall be renewed, I shall remove without the limits of this nation,

Sworn to and subscribed before me this 1 day of March April 1892.

N. M. THORNTON.

P E R M I T

CHEROKEE NATION, )  
 Illinois District))

Frank Smith Recognized as a citizen of the CHEROKEE NATION is hereby authorized and permitted, in accordance with Section 2d, of the "Act authorizing and requiring the District Clerk to issue PERMITS", Approved December 6th, 1879, to employ A. J. Johnson to labor as a farm hand within this District for the term of Six months from this date; he having paid to me, in advance, the sum of Three dollars (\$3.00), in pursuance of the requirement of the before mentioned, Section of said law, as amended by Act Dec. 1st, 1885.

Given on this the 16th day of February, 1888.

T. JAY THORNTON  
 Clerk of Illinois Dist.

OATH

I do solemnly swear (or affirm) that I am a citizen of the United States or foreigner. That it is not on account of any criminal offense against the laws of the same, that I have come to seek employment in the Cherokee Nation. That within Ten (10) days after the expiration of my PERMIT, unless the same shall be renewed, I will remove without the limits of said Nation.

A. J. JOHNSON

Sworn to and subscribed before me this day 16 of February, 1888.

(SEAL)

T. JAY THORNTON

On Reverse side -

Renewed for the period of three months from 16 of Aug 1888.

T. JAY THORNTON  
 Clk.