



OARS LOWEY, JAMES R. - THOMAS M. BUFFINGTON.

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## "THOMAS M. BUFFINGTON"

I was three years old when I first came to know Thomas Mitchell Buffington. He had married my father's half sister, Susie Woodall, and lived just one mile east of our place, and as there were no children in his home he and his wife were frequent visitors in our home.

I was afraid of my uncle because he wore long hair and was very tall, standing six foot six inches in his bare feet. He told my aunt he was going to tame me, and the next time he came he brought a sack of candy. My aunt told me that if I would walk up close to my Uncle Tom, and look right up in his face, he would give me some candy. I did this and he looked down at me and said, "You look like you wanted some candy," and pulling out his sack, he gave me a stick of candy. When I had eaten that he said, "Now get up here in my lap, and I will give you the whole sack." I crawled up in his lap, and after that I was never afraid of the tall man with long hair.

Chief Buffington had long hair when he came to Delaware from Goingsnake District, and wore it long until about 1890.

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It grew in proportion to his length and looked to be from 24 to 30 inches long. He combed it straight back, and let it hang down under his hat. When I first knew him, he was a tall slim, gangling young man, with not much flesh, but as he matured he made one of the most striking figures I have ever known. He weighed over 300 pounds, wore a number 11 shoe, and knew how to "shake a mean foot."

Back in the early days there was not much amusement in the country, and the natives had to create their own amusements. In our neighborhood a good old time country dance was given once every week or two, and all the neighbors attended. It was at these country dances that Chief Buffington distinguished himself as "jig" dancer. He could knock any kind of a step that any other man did, and if anyone came along with a new step, he was the first to learn it. He was a good "old time fiddler," and played the fiddle for the other folks to dance, when he, himself was not on the set.

After I grew up, and learned how to play, I went to my uncle's home very frequently and played an accompaniment on a guitar for him. I remember one time I was there,

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and an old time circuit rider, Methodist preacher, rode up to stay all night. My uncle told me I would have to stay all night and help to entertain the preacher. I didn't know what he meant at first, but before bed time I found out. He wanted to play for the preacher and wanted some help. The old preacher was originally from Arkansas, and seemed to enjoy the old "ho-down" music very much. After awhile my uncle "cut down" on the "Arkansas Traveler," and to my amusement, that Methodist preacher hopped right out in the middle of the floor and "jigged" until he was out of breath. When he got through he said, "Now don't you boys tell this, if you do I'll deny it." I have never told on him, until now, and even then I've got too much sense to mention any names.

Chief Buffington was a good man and got along fine with all of his neighbors. He never had an enemy in all of his acquaintances, unless it was a political enemy. His only fault was that of being "absent minded." One of the biggest blunders I ever saw him make was one day when he started to Vinita, about ten miles, and on the road, about

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three miles from home, he left his wife at the home of Dr. E. B. Frayser where she spent the day with Mrs. Frayser. The roads were bad and my uncle did not get back until after night. He forgot all about his wife being at Fraysers and drove on home, before he ever thought of her, then he had to drive his two horse wagon back three miles after his wife.

I well remember when my uncle made his first race for office. He was out for district judge, and he decided to make a trip across Grand River on his first campaign trip. He had no buggy or hack, so he decided to ride a young saddle mule he called "old Kate." He put his old fiddle in a flour sack and tied it to his saddle horn, and with his long black hair waving behind him, he started on his first campaign trip, and was gone a week. It was common knowledge in Delaware District that Chief Buffington fiddled and danced himself into his first office.

After being elected to the office of district judge, my uncle became known as Judge Buffington. It was about this time that he cut his long hair, put on more flesh

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and became an entirely different looking man. He continued his fiddling and dancing with the boys over round the court house on Honey Creek, and before his first term had expired had become so popular with the voters all over his district that a demand was made on him to run for the senate against L. B. (Hooley) Bell. He did so, and made his first political enemy. Hooley got so mad, he declared he was going to drive my uncle clean out of politics, but the old fiddle and big footed dancer was too much for him, and my uncle won in a walk.

The rest of Chief Buffingtons' political life is told in his own words in his last interview with me, and written elsewhere.

Chief Buffington was very lucky at stock raising as well as in politics. He started raising cattle and hogs soon after settling in Delaware district, and soon had his place covered with hogs and cattle. He was more lucky in hog raising than cattle. He lived in the edge of the woods and had much mast for his hogs, and they did not wander very far from home, although they were on free range and could

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so as far away as they wished, always for the purpose of keeping them coming back home. He started a fine cattle brand the "Old Ox Yoke," and after becoming mayor of Vicksburg had the ox yoke put on the line, which is a fine illustration of his work.

Since the discovery of gold in California, the attention of the nation has been turned to the West. The discovery of gold in California has led to the discovery of gold in Nevada, and the discovery of gold in Nevada has led to the discovery of gold in Colorado. The discovery of gold in Colorado has led to the discovery of gold in Arizona, and the discovery of gold in Arizona has led to the discovery of gold in New Mexico. The discovery of gold in New Mexico has led to the discovery of gold in Texas, and the discovery of gold in Texas has led to the discovery of gold in Louisiana. The discovery of gold in Louisiana has led to the discovery of gold in Mississippi, and the discovery of gold in Mississippi has led to the discovery of gold in Alabama. The discovery of gold in Alabama has led to the discovery of gold in Georgia, and the discovery of gold in Georgia has led to the discovery of gold in Florida. The discovery of gold in Florida has led to the discovery of gold in South Carolina, and the discovery of gold in South Carolina has led to the discovery of gold in North Carolina. The discovery of gold in North Carolina has led to the discovery of gold in Virginia, and the discovery of gold in Virginia has led to the discovery of gold in West Virginia. The discovery of gold in West Virginia has led to the discovery of gold in Kentucky, and the discovery of gold in Kentucky has led to the discovery of gold in Tennessee. The discovery of gold in Tennessee has led to the discovery of gold in Mississippi, and the discovery of gold in Mississippi has led to the discovery of gold in Louisiana. The discovery of gold in Louisiana has led to the discovery of gold in Texas, and the discovery of gold in Texas has led to the discovery of gold in New Mexico. The discovery of gold in New Mexico has led to the discovery of gold in Arizona, and the discovery of gold in Arizona has led to the discovery of gold in Colorado. The discovery of gold in Colorado has led to the discovery of gold in Nevada, and the discovery of gold in Nevada has led to the discovery of gold in California.

The Cherokee government was opposed to the discovery of gold in Georgia, and in no way wanted to be influenced by the white man.

Thomas E. Buffington made his first appearance before the Cherokee Nation on the opening ticket, and was opposed by Wolf Geon, a full blood Cherokee, on the National ticket.

The question at issue in this election was "Allotment of land" and was a hard fought one. At first it was wagered that Buffington would win with landslide, but the

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question of allotment was a much bigger one to the average Indian than had been figured, and when the vote was counted the Coon was only 302 votes behind.

He immediately contested the election, through his attorneys Frank Boudinot and Daniel Gritts, and the election was referred to a committee composed of Senator C. V. Rogers of Coowescoowee, Hitcher of Goingsnake, and Councilors James Bonaparte Wodall of Delaware, Ben Helderbrand of Coowescoowee and Waters of Flint District. This committee did not take action until sometime later.

Chief Samuel H. Mayes and his executive officers then turned the reins of government over to Chief Buffington who announced his executive secretaries to be Willis O. Bruton of Muldrow, Jeff T. Parks and Andrew B. Cunningham of Tahlequah.

The meeting then adjourned to the public square in Tahlequah where members of the tribe had gathered to listen to their new chief's first message.

Looking calmly over the crowd, many of whom were his bitter political enemies, the Chief addressed them in words



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carefully chosen, urging them to lay aside personal petty grievances, and to work together, that the best thoughts and most patriotic endeavors might be welded for the benefit of the nation as a whole. He spoke of the treaty which the Cherokees had by a majority vote ratified early in the year. The treaty had been drawn by the Indian leaders, together with members of the Dawes Commission, but Congress had failed to approve it. He urged more time to be given in which Congress might consider it. He asked the council to appropriate money for the payment of delegates' expenses to Washington that they might confer with the president, and members of the Congress, relative to Indian laws and measures being considered at the Capitol, asking that not more than two delegates be sent.

In his message he declared the tribe had three high schools, 124 primary schools and one orphan asylum. He urged that more money be provided for the school system, as in many instances teachers had had to discount warrants received for their services.

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When the report of the committee on the Chief's direction was taken into consideration, all the expenses incurred followed by President McKinley, except that of \$3,000 for delegate expenses at a point, were to be paid from the delegate's own pockets.

The committee also investigated the charges against Chief Huffington and later, after the close of the National Council, met with J. George Wright, head of the Dawes Commission, who after carefully examining all angles of the petition, listened to arguments presented by lawyers of the plaintiff and defendant. He held the charges were without foundation and threw them out.

The Chief was represented at this hearing by James

Davenport, W. W. Hastings and William Thompson, all of whom later became prominent in state affairs in Oklahoma, and L. B. Bell whom Huffington once before had defeated for his position in the senate.

The Chief appointed C. V. Cooper and C. W. Cristen to act as a committee, with J. W. Zevoly, special inspector for the U. S., to investigate fraud.

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The white man was rapidly taking possession of the country, given by treaty to the Indian as his, as long as grass grows and water flows. No longer was he merely a visitor in a foreign country. He was a resident by choice. He came and brought his family with him, he built himself homes, he cultivated the soil, he monopolized business. A survey of the Indian Territory in 1900 disclosed that there were 101,600 Indians of all tribes, as compared to over 396,000 whites. The Indians count naturally took in all men enrolled in the tribes, many of whom were entirely white, but who had inter-married. The term of "squaw man", referring to such had been dropped. There were too many of them. Many white men, not members of Indian families, had been adopted by various tribes, and thus given rights of citizenship.

Although Chief Buffington was only one eighth Indian, he had spent his life among them, was their leader, and naturally strove to prevent this rapid absorption of his tribe by another race.

Cattle were being shipped in and grazed on the Indian's land, without the consent of the tribes. True taxes were

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collected on many of them, but many came in tax free, a white man giving an Indian a small fee to report the cattle as his own.

Congress was demanding the enrollment of the Indians, and commissions were appointed, whose duty it was to enroll them. The question whether the government was going to pay the Cherokees for various things the Cherokees believed the United States owed them, was a moot one, and one which continually demanded the Chief's attention. Various contracts with lawyers were placed before the Indians providing a percentage of the immense sum was to be paid to the lawyers.

Railroads building into the Indian Territory were claiming every other alternate section of land for their own, under

terms with the government drawn up in 1886, which provided that when the Indian land ceased to be the property of the Indian it should be given the railroad.

W. C. Rogers, himself a Cherokee, who succeeded Thomas M. Buffington as Chief of the Cherokees, and who owned three stores, one at Varna, another at Talala and another at Skiatook, Indian Territory, and invoiced at \$30,000, refused to

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pay his merchandise tax, and his stores were closed by officers representing the tax collectors for the Cherokee Government.

The Merchandise Tax, which Rogers was refusing to pay, had been bringing much money into the Cherokee treasury and aiding materially in financing the government of the Indians. Rogers obtained a court order permitting him to open his store at Talala so that he might dispose of perishable groceries. In this stand he was supported by many other Cherokees. He retained as his lawyer Mellette & Smith, W. H. Kornegay of Vinita and Luman F. Parker, James S. Davenport and W. T. Hutchins. They carried it through the courts and obtained a decision favorable to their client. Thus came to an end the Merchandise tax in the Indian Territory, destroying much income tax for that tribe, as most of the store owners were white men from the east.

The question of statehood at this time was rife. Most of the white people in the eastern half, and practically all in the western half of what is now Oklahoma were demanding statehood. Bills were introduced in Congress, which, had they

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A committee appointed by Chief Ruffington to work with members of the Dawes Commission, in drawing up a treaty that would meet approval, immediately began work. President McKinley had again vetoed the bill passed by the National Council, and the Council had to meet in regular session. The treaty was drawn up and passed by the Council. A committee to meet with the Congressional representatives in Washington to emphasize treaty problems.

Under the Chief's guidance a treaty was drawn up with the Dawes Commission as provided, and on November 6, 1901, the Council again met in regular session. This treaty, under the Cherokee laws, became known as "The allotment bill" as it provided solutions on problems of allotment which had been vexing previous to that time.

A bitter fight was waged in the Council to prevent the passage of the bill, but under the skillful direction of the Chief, aided by J. C. Starr, Gideon Woygan and George W. Hayes, it was finally passed on March 4, 1902.

Congress was in its closing days when the bill reached it, and Speaker Henderson refused to allow it to come up in

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the house. He would not recognize the Chief as having  
bringing it on the floor, and Chief Buffington was  
sensed defeat.

Calling together the members of the committee  
Tame and the Chief of the...  
audience with a... several...  
printed, the committee spent several...  
with the president... consented to...  
administrative pressure upon Congress...  
and pay...  
after much...  
house on...  
as the house took...  
and intact.

Satisfied, the Chief...  
set the election... for their ratification... August 5, 1802.  
at last the Chief was satisfied...  
which would meet the approval of his people; however many of  
them, headed by the fullbloods, bitterly fought its adoption.  
Chief Buffington, Hooley Ball, Too-quah-stee, and others led



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the fight for its adoption, finally... out  
the Territory, publishing a series of articles  
articles favorable to, but some were also published  
against it.

Cherokee...  
election...  
council was called to an immediate session...  
14th revealed the official count as being for the treaty  
4,340, against the treaty 2,376. Chief Buffington had at  
last won his fight. His home precinct was supported  
with an almost 8 to 1 vote in favor of the treaty, 7,826  
for, and 214 against.

...that, through years of effort, both as a  
member of the Senate and as Chief of this Nation, he had  
succeeded in bringing about a necessary end. He returned  
to his home resolved to enjoy himself a few weeks be-  
fore setting to work to wind up the affairs of the Nation  
in the shortest possible time.

Together with A. G. Hal Bell, in September he went to  
Oklahoma City. The idea of Statehood with western Oklahoma

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had always been opposed by the Chief, but his trip convinced him he had been misinformed about this western section which he had never visited. From then until 1907, when Statehood became a reality, he devoted much time to bringing about welding of the Eastern and western halves into one state. In this, with the help of able men from both sections, he was successful. The "Treaty" called for a dissolution of the Cherokee Government March 4, 1906.