Muscogee Creek Nation

High School Study Guide
2007

High School Division

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HIGH SCHOOL DIVISION

LANGUAGE

HIGH SCHOOL AUDIO

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LEGENDS

THE THUNDER HELPER

Once there was a boy who had no mother or father. All day long he would take long walks and play by himself. One day as the boy was walking along the creek, he heard a noise like Thunder. When he looked up, he saw a Tie-snake and the Thunder having a fight. The Tie-snake called to the boy saying, "Kill the Thunder, and I will tell you everything I know.

I know all the things that are under the earth." Just as the boy was putting an arrow to his bow, he heard a loud noise. It was the Thunder speaking to him, "Boy, boy, don't pay any attention to the Tie-snake, I, Thunder, can help you to be brave, strong and wise. Shoot your arrow at the Tie-snake."

The boy shot at the Tie-Snake, killed him, and the Tie-snake fell into the creek. Now the Thunder made the boy strong and wise, but the Thunder told the boy that he must never, never tell anyone that the Thunder had made him strong, brave and wise. The boy became the best hunter in the village. He was good and kind to all of the people. When he talked, the people listened. In the cold time, the people were very hungry, for there was no food and very little corn.

Many days passed, and the boy stood before them and said, "Last night the owl in the tree talked to me. The owl told me to come to his tree. He told me there was a bear sleeping in a hole in the ground." The young men of the village laughed at him for saying the owl talked to him, but the old men did not laugh for they knew the boy was wise. One of the young men did not laugh. He told the boy he would go hunt the bear with him. He knew the people were hungry.

The young man and boy went to the tree with the owl in it. By the tree, in a hole in the ground, they found the bear sleeping. They killed the bear and took it back to the village. The people were happy to have so much meat to eat. Now, when the boy said something, the people found what he said was true. The time came when the men of the village went to fight. Many men were killed. The women were so afraid; they knew the enemy would come and burn the village.

The boy stood before the women and said, "Do not be afraid. I will go and kill the enemy. They will not burn our village." The boy went into the woods and found the men of the village. He said to them, "Stay where you are. I will go to meet the enemy and kill them. Never again will the enemy try to burn our village." The men watched the boy as he went to meet the enemy. They saw the Thunder and the Lightening. The Thunder and Lightening came down upon the enemy. All the enemy were killed. The men waited in the woods for a long time.

The boy never came back. No one in the village ever saw him again. When the old men hear the Thunder and see the Lightening, they know what to think. They are now wise in many things. They are sure that they hear the boy call in the Thunder, and when the Lightening illuminates the sky, the old men are sure they can see the face of the boy. "The Thunder Helper laughs," the old men say, and then they go to sleep unafraid.

HOW THE CLANS CAME TO BE

In the beginning, the Muscogee people were born out of the earth itself. They crawled up out of the ground through a hole like ants. In those days, they lived in a far western land beside tan mountains that reached the sky. They called the mountains the backbone of the earth. Then a thick fog descended upon the earth, sent by the Master of Breath, Esakitaummesee.

The Muscogee people could not see. They wandered around blindly, calling out to one another in fear. They drifted apart and became lost. The whole people were separated into small groups, and these groups stayed close to one another in fear of being entirely alone. Finally, the Master had mercy on them. From the eastern edge of the world, where the sun rises, he began to blow away the fog. He blew and blew until the fog was completely gone.

The people were joyful and sang a hymn of thanksgiving to the Master of Breath. And in each of the groups, the people turned to one another and swore eternal brotherhood. They said that from then on these groups would be like large families. The members of each group would be as close to each other as brother and sister, father and son. The group that was farthest east and first to see the sun, praised the wind that had blown the fog away.

They called themselves the Wind Family, or Wind Clan. As the fog moved away from the other groups, they, too, gave themselves names. Each group chose the name of the first animal it saw. So they became the Bear, Deer, Alligator, Raccoon, and Bird Clans. However, the Wind Clan was always considered the first clan and the aristocracy of all the clans. The Master-of-Breath spoke to them: "You are the beginning of each one of your families and clans. Live up to your name. Never eat of your own clan, for it is your brother.

You must never marry into your own clan. This will destroy your clan if you do. When an Indian brave marries, he must always move with his wife to her clan. There he must live and raise his family. The children will become members of their mother's clan. Follow these ways and the Muskhogeans will always be a powerful force. When you forget, your clans will die as people."

The Animal Helpers

Source: Myths and Tales of the Southeastern Indians, By John R. Swanton, 1929

A man on a considerable journey stopped to eat his lunch beside a creek. Then a big black Ant came out and said, "Give me a piece of bread. Sometime I may help you out of trouble." So he gave it some bread. By and by he heard some talking in the water, and some small Minnows came up and said the same thing.

He gave the Minnows some bread also. Then a red-headed Woodpecker came and asked for bread, which he again gave to it. After this the man went on again and came to a town .

There was a lot of wheat at a certain place in that town, and the people told him that he must move it and put it in barrels by morning or they would kill him. So they tied him down on the wheat and went away.

By and by up came the black Ant which he had fed and asked him what the matter was. The man told him, and the Ant immediately went away and brought back a multitude of Ants, who soon had the barrels full. Next morning the people paid him for what he had done, but said that the next night he must dig up a certain tree, root and all, or they would kill him.

This time the Woodpecker came to him and asked what the matter was. "I am in trouble," he said, and he related what had been imposed upon him. Then the Woodpecker flew up and told the lightning and the lightning came down and tore the tree up, roots and all, so that in the morning the people paid him for that.

They told him, however, that a horse loaded with gold had been drowned in a neighboring creek and that they would spare him if he found it by the following morning. So they tied him again and laid him on the bank of the creek.

By and by the little Fishes he had fed came and said, "My friend, what is the matter with you?" He told them, and they went down and brought all the money to land, but they said that they could not get the horse for the snakes alone could do that, and they were only orderlies. They made a pillow of the sack of gold under his head.

The town people paid him for all the work he had done, and he went home a rich man.

HOW THE EARTH WAS MADE

At last the excitement had died down. The news that Crawfish had brought back to the Council from the new lands below was important. Birds, he explained, could live on the new lands; animals could find their food for their survival. The mighty Eagle walked to the center of the fire and began to speak: "We are all filled with joy in our hearts to find that we cannot only send fish, but also birds and animals.

Now we must prepare the lands for the coming of the new creatures, for they cannot live on the lands as they are now. I have an idea. I will ask permission from the Great Council to help create better land below." "Yes, yes," the Council cried, "It is our wish that the lands be a good place to live." The Eagle walked to the Crawfish and took the wet soil from between his claws. Round and round he rolled the soil between his powerful legs.

Then, with a mighty flapping of his huge wings, he soared high above the Council. "What is he doing with the earth in his legs?" Does he intend to steal it?" they cried. Then, with a mighty swish, he hurled the red ball of soil earthward. The soil traveled so fast that it looked like a shooting star falling from the sky. A mighty roar sounded when the ball hit the oceans, making a large wave that parted the water.

The red soil spread out and flattened so much that the earth was made in one move. At first, the lands were very wet, so the Eagle flew over them and dried them with his mighty wings. Soon the lands were dry enough to let the animal migration begin.

The Boy who Flew

A man was out hunting when he noticed a shadow falling over him. Before he knew what happened, a giant eagle seized him and carried him off to its nest. He lived with the eaglets in the nest for some time. Every now and then the mother bird would bring a deer or bear, and the man would roast it for them all to eat. Soon the little eagles became quite tame, and he would venture out in flight a short way from the nest by riding on the back first of one eaglet, then another. Soon the mother began to trust him, so one day he took one of the little eagles and flew a very great distance way. He whacked the eagle on the back of its head, and it became dizzy, circling toward the ground. Every time the eagle recovered, he would knock it again. Finally, he reach the ground and escaped.

How the Earth Was Made

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Rabbit Outwits Panther

Rabbit and Panther were friends. They were traveling together. After awhile they came to a place where there was a creek with a bad name. It was "Dogogaga Hatchi." Now, Rabbit wanted to go on and said that, since the creek had a bad name, it would not be good to camp there for the night. He said, "This creek has a bad name." "Why is that?" asked Panther. "Because everyone who camps here at night gets burned up!" "Well, I think it will be all right," remarked Panther. "We will camp here anyway." Rabbit did not want to, and he told Panther. But, at last they made ready their camp for the night, as Panther would go no further. When it got late, they prepared to sleep. They had talked all the evenings about the evil place and other things. Now Rabbit asked Panther, "What kind of noise do you make when are asleep?" (He meant how did he snore) Why, I say "Nutslagum! Nutslagum!" said Panther. Then he asked Rabbit what kind of noise he made. "I say, Nuts! Nuts! Nuts!" said Rabbit. Now, they went to bed and in a short time, Rabbit pretended he was asleep. He began to snore, saying, "Nuts! Nuts! Nuts!" and Panther thought that he was surely asleep, so he went to sleep himself, snoring "Nutslagum!" Now, when the Panther was sound asleep, Rabbit got up, took a piece of bark and shoveled many coals from the fire on it. Then he threw the coals on Panther and fell down quickly, laying as though he had been asleep all the time. Panther jumped up howling with pain and woke the Rabbit. Panther told Rabbit that he was right, that he had been nearly burned to death. Rabbit would only say, "I told you so. I told you so." Pretty soon, they settled down to sleep again. As soon as Rabbit thought Panther was asleep and got up and played the same trick on him again. But, this time Panther was only pretending to be asleep and he caught Rabbit in the act and jumped up to kill him. Rabbit barely escaped Panther's claws and ran as fast as he could. Panther gave chase, several times he nearly caught him, but Rabbit managed to keep ahead of him. But soon he began to lose strength. To save himself, he made an ocean spring up between himself and the angry Panther. Panther could not get across the water and that is why there is an ocean.

CHRONICLES OF OKLAHOMA

SECTION 1

- EARLY HISTORY
- RECONSTRUCTION OF THE CREEK NATION
- EARLY GOVERNMENT OF THE CREEK NATION
- PLEA OF CRAZY SNAKE
- DAWES COMMISSION

Chronicles of Oklahoma
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EARLY HISTORY OF THE CREEK INDIANS

Ohland Morton

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(Continued from last issue)

According to the traditions of the Creeks, they originally lived in a distant western country. When Hernando Cortez landed at Vera Cruz in 1519 the Muscogee[1] apparently constituted a separate republic in the northwestern part of Mexico. Their exodus began when Spain conquered Mexico. The Creek confederacy formed the largest division of the Muskhogean family. They received their name from the early English traders on account of the numerous creeks and small rivers in their country.[2]

It seems from the migration legend of the Creeks[3] that after leaving Mexico they started east and after much wandering settled on the numerous streams between the headwaters of the Alabama and the Savanah Rivers in the country which now lies largely within the boundaries of the states of Alabama and Georgia.[1]

The Creeks were sufficiently numerous and powerful to resist the attacks from the northern tribes such as the Catawba, Iroquios, Shawnee, and Cherokee, after they had united in a confederacy which they did at an early date. Nothing certain can be said of their previous condition or of the exact time this confederacy was established, but it appears from the records of De Soto's expedition that leagues existed among several of the Creek towns in 1540.[2] These towns were presided over by head chiefs.

There were seven different languages spoken among the Creeks. These were the Muscogee, Hitchiti, Koasati, Ali-

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[1]About half the confederacy spoke the Muscogee language, which thus constituted the ruling language and gave name to the confederacy. Handbook of American Indians, Bulletin 30, Bureau of American Ethnology, Part I, p. 363.

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[2]Adair, History of the American Indians, p. 357. Handbook of American Indians, Part I,

p. 362.

[3]Gatschet, A. S., A. Migration Legend of the Creeks. D. G. Brinton, Philadelphia, 1884.

[1]Pickett, History of Alabama, pp. 76-79. This information was taken from a History of the Creek Nation, by Le Clerc Milfort, who was for several years a resident among the Creeks. See also, Adair, pp. 194-220.

[2]Handbook of American Indians, Part I, p. 363. Jones, History of Georgia, Vol. I, Chap. II.

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bamu, Natchez, Yuchi, and Shawnee. The first five of these were Muskhogean; the others were alien incorporations.[3]

Geographically speaking, the Creeks were grouped as Upper Creeks on the Coosa and Tallapoosa Rivers in Alabama and Lower Creeks on the middle or lower Chatahoochee River on the Alabama and Georgia border. The Seminoles were a small body confined to the extreme northern part of Florida and were frequently spoken of as Creeks.[4]

The Creeks were a proud and haughty race, arrogant, brave and valiant in war. As a people they were more than usually devoted to decoration and ornamentation. They were fond of both vocal and instrumental music. Their most important games were chunkey[5] and a form of ball play. Exogamy, or marriage outside the clan, was the rule. Adultery by the wife was punished by the relatives of the husband, even though chastity in the unmarried was not considered a virtue. Descent was in the female line.[1]

There were some other peculiar customs among the Creeks which are worthy of mention. They usually buried their dead in a pit dug under the bed where the deceased lay in his house. The medical needs of these people were served by female practitioners who effected cures by the use of herbs and "magic".[2] All courting was done with the consent of the girl's mother or maternal uncle.[3] Polygamy was a common practice and existed among them until after the Civil War.[4]

No Creek knew his age. They had no months, weeks, and hours. The passing of days was noted by inserting pegs in a board. By the decimal system they counted to millions.[5]

The busk which the Creeks called the puskita, meaning a "fast", is by some early writers called the "green-corn dance." Taken all together the puskita was one of the most

[3]Ibid., Part I, p. 363.

[4]Ibid., Part I, p. 500. See also, Early History of the Creek Indians and their Neighbors, by John R. Swanton. Bulletin 73. Bureau of American Ethnology, p. 398.

[5]Handbook of American Indians, Part I, p. 298. A full description of the game Chunkey is given here.

[1]Handbook of American Indians, Part I, p. 364. See also, p. 962.

[2]Schoolcraft, Indian Tribes of the United States, Vol. I, p. 270.

[3]Ibid., Vol. V, p. 268-269. The father had no voice in the matter.

[4]Chronicles of Oklahoma, VOL IV, p. 276. Article on Col. Sam Checote, by O. A. Lambert.

[5]Schoolcraft, Indian Tribes, Vol. I, p. 273.

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remarkable ceremonial institutions of the American Indians.[6] It lasted from four to eight days, varying with the importance of the towns where it was celebrated. The day of the beginning of the celebration of the puskita, which took place chiefly in the town square, was determined by the "miko" or chief, and his council.

This celebration was an occasion of amnesty, forgiveness, and absolution of crime, injury, and hatred. It was a season of change of mind which was symbolized in various ways. A general amnesty was proclaimed, all malefactors might return to their town, and they were absolved from all crimes, which were now forgotten and they were restored to favor. In connection with the busk the women broke to pieces all the household utensils of the previous year and replaced them with new ones; the men refitted all their property so as to look new. Indeed it meant a new life, physical and moral, which had to begin with the new year. Houses were cleaned and all old things were burned.[1]

The Creek warrior was larger than the ordinary race of Europeans, often about six feet in height, but was invariably well-formed, erect in carriage, and graceful in every movement.[2] There seems to be some inconsistency in the descriptions of the Creek woman. One writer says that "she was short

[6]A full description of the Busk is given in Bulletin 30 of the Bureau of American Ethnology, Part I, p. 176.

[1]Gatschet, Albert Samuel, A Migration Legend of the Creek Indians, Part I, p. 181.

[2]Pickett, History of Alabama, p. 87. Military prowess commanded the highest respect. Early History of the Creek Indians and their neighbors, by John R. Swanton, p. 76. B. A. E. No. 73.

"We know this is a very dull subject at this stage of the Indian's history, but we happen to know that there was such a thing once as a Creek war whoop. It was never given during a battle as some would have you believe. The war whoop of the Creek Indian was given more as a warning than as a summons to combat. When the enemy was close upon the Creek Indian he went at once to all the camps, giving, at intervals, three keen whoops as fast as he could draw his breath—short keen whoops. As he drew near the camp of his people the whoops were given oftener. He did not stop to report the cause but kept right on to the next camp or settlement, as the case might be. After the first one giving the war whoop gave out on his run, another took it up and carried it to other camps and settlements until all the Creeks were warned. They asked no questions but rushed to arms at once and formed scouting parties. The Arbekas were always detailed by the Creeks to do picket duty, for they were experts at this business. They were called the Gate Town." Charles Gibson, in Indian Journal, January 31, 1902.

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in stature but well-formed. Her eyes were large, black and languishing, her brow high and arched. Her cheeks were also high but her features were generally regular and pretty. Her feet and hands were small, but exceedingly well-shaped."[3]

The Creeks had a peculiar form of government in that the confederation seemed to have no central control. The population of a town, regardless of the number of clans[1] represented, made up a tribe ruled by an elected chief or "miko", who was advised by the council of the town on all important matters. This council also appointed a "great warrior" or "tustenuggihlako." Certain towns were consecrated to peace ceremonies and were known as "white towns", while others, set apart for war ceremonies were designated as "red towns".

The Creek town in its outline extended eastward from the town square and represented an autonomy such as is usually implied by the term "tribe." Every considerable town was provided with a public square formed of four buildings of equal size, facing the cardinal points and each divided into three apartments. The structure

on the east side of the square was alloted to the chief councillors, probably of the administrative side of the government; that on the south side belonged to the warrior chiefs; that on the north to the inferior chiefs; while that on the west was devoted to the ceremony of the "black drink".[2] They had several orders of chiefly rank.[3]

The general policy of the confederacy was guided by a council composed of representatives from each town who met annually, or as the occasion required at a time and place, fixed by the chief or head "miko". The confederacy had its political organization founded on blood relationship, real

[3]Ibid,. page 87.

[4]Schoolcraft, Indian Tribes, Vol. V, p. 274.

[1]There were several original clans among which were: Wind, Bear, Tiger, Deer, Bird, Snake, Raccoon, Fox, Bog, Potato, Maize, Fish, Beaver, Panther, Wild-cat, Skunk, Hickory-nut, Salt, Toad, and Wolf. Handbook of American Indians, Part I, p. 364.

[2]Used in connection with the Busk.

[3]Handbook of American Indians, Part I, p. 364.

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or fictitious.[4] Its chief object was mutual defense and the power wielded by its council was purely advisory. Furthermore the lack of central control is evidenced by the fact that parts of the confederacy and even separate towns might and actually did, on occasion, declare war.[1]

The history of the Creeks begins with the appearance of De Soto's army in their country in 1540. Then in 1559, Triston de Luna came in contact with the part of the group, but the only important fact that can be drawn from the record is the deplorable condition into which the people of the section penetrated by the Spanish had been brought by their visit. Juan del Pardo passed through their country in 1567, but his chronicler, Juan de la Vandera, has left little more than a list of unidentifiable names.[2]

The Creeks came permanently into the history of our country as allies of the English in the Apalachee War of 1703-8, and from that period continue almost uniformly as treaty allies of the South Carolina and Georgia colonies and hostile to the Spanish in Florida.

The only serious revolt of the Creeks against the United States took place in 1813-14. This was the well-known Creek War in which General Jackson took a prominent part.

This war ended in a complete defeat of the Indians and the submission of Weatherford their leader, followed by the cession of the greater part of their lands to the United States.[3]

Since this brief article could not possibly record all the events in the history of the Creeks prior to 1865, it is necessary to omit many happenings which may seem important.

Indian education proved to be a repellent force to the efforts to remove the Creeks to the west. Opposition to westward emigration apparently increased in proportion to the completeness of the transition from the hunting to the agri-

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[4]Since descent was in the female line.

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[1]Article by Henry W. Henshaw and James Mooney on Mushogean, in Handbook of American Indians, Part I, p. 962.

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[2]Ibid., Part I, p. 363.

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[3]Speech made by Weatherford, leader of the Creeks, and quoted in Goodrich's Pictorial History of the United States, p. 345. n. "I am in your power. Do with me what you please. I have done the white people all the harm I could. I have fought them, and fought them bravely. There was a time when I had a choice; I have none now; even hope is ended. Once I could animate my warriors; but I cannot animate the dead. They can no longer hear my voice; their bones are at Tallushatches, Talladaga, Einucfau, and To-ho-pe-ka."

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cultural stage of civilization. The Creeks who had good homes, schools, and churches were loath to leave them in exchange for the rather uncertain conditions in the west.[1] Experience had taught them that the Indian's happiness was of little consequence when the white man desired more land.[2]

In 1811 there was held a general council among the Creeks to discuss the sale of their land to the white man.[3] This council voted to forbid the sale of their lands and imposed the death penalty for the violation of this restriction. A large part of the lands of the Upper Creeks were confiscated as a result of their disloyalty during the War of 1812. Additional cessions were made by the treaties of January 22, 1818[4] and January 8, 1821.[5]

In 1823, William McIntosh, chief of the Lower Creeks, took the lead in a movement to sell more land to the Government. On February 12, 1825, he signed a treaty at Indian Springs, Georgia, which ceded a large tract of the Creek lands in Georgia in return for

an equal tract between the Arkansas and Canadian Rivers and $400,000 in money to be paid to the Creeks.[6] The Upper Creeks would not sign this treaty. John C. Calhoun, as Secretary of State, refused to recognize it but after the inauguration of John Quincy Adams as President, it was ratified by the Senate.[7] McIntosh was sentenced to death by a council of Creek chiefs and was assassinated on April 29, 1825, at Milledgeville where he had fled and was hiding in his own home.[8]

A delegation of Creek chiefs led by Opothleyohola and John Stidham went to Washington to protest against the enforcement of the treaty of Indian Springs which McIntosh

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[1]See Address of the Creeks signed by fifty chiefs and sent to the people of Georgia and Alabama. Niles Register, Vol. XXXVIII, p. 12.

[2]See speech of John Murphy, Governor of Alabama, in Niles Register, Vol. XXIX, p. 387-389.

[3]James Mooney, in Handbook of American Indians, Part I, p. 782.

[4]Senate Document 452, Indian Affairs, by Chas. J. Kappler, Clerk of the Senate Committee on Indian Affairs, Vol. II, p. 109.

[5]Ibid., Vol. II, pp. 136-138.

[6]Ibid., Vol. II, pp. 151-153.

[7]President Adams declared he ratified it "under the unsuspecting impression that it had been negotiated in good faith and in the confidence inspired by the recommendation of the Senate." Messages and Papers of the Presidents, Vol. II, p. 306.

[8]Niles Register, Vol. XXVIII, pp. 196-197.

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had signed. A new treaty was signed while this delegation was in Washington. The date of this treaty is January 12, 1826. By its provisions the Creeks ceded all their lands in Georgia to the Government and in return were to receive $217,600 and a perpetual annuity of $20,000. A further clause provided that the McIntosh party were to receive $100,000 and moving expenses.[2]

The final treaty which made way for the removal of the Creeks to the west was signed

in the city of Washington on March 24, 1832. By the terms of this treaty, the Creeks ceded all the rest of their lands east of the Mississippi River to the Government. They were to have all moving expenses paid, were to be furnished with supplies for a year's sustenance, besides tools, weapons, ammunition, blankets, and increased annuities. This treaty was signed by duly authorized representatives of the Creek Nation and Lewis Cass, secretary of war, as the representative of the government.[3]

There was a strong disinclination on the part of some of the leaders to move west and rejoin their fellow tribesmen of the McIntosh party who had preceded them to the new reservation. Opothleyohola, in particular was so bitterly opposed to such a course that he endeavored unsuccessfully to bargain for a tract of land in Texas upon which his people might settle. In the end, however, nearly all the Creeks migrated to the Indian Territory, though many of them did not go until several years after the last of their domain east of the Mississippi River had been sold to the Government.[1]

Shortly after emigration the Creeks found themselves involved in difficulties over boundary lines. A council which met at Fort Gibson in 1833 succeeded in making a satisfactory adjustment and the Creek boundaries were established.

That period intervening between the time of the removal of the Creeks and the Civil War must necessarily be treated very briefly in this article. It is characterized by progress

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[2]Sen. Doc. 452, Ind. Aff., Vol. II, pp. 188-191.

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[3]Ibid., Vol. II, pp. 247-248.

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[1]Thoburn, History of Oklahoma, Vol. I, pp. 93-94. He also says, "To the credit of the members of the McIntosh party, it should be stated that they showed no disposition to maintain a feud after the arrival of the main body of the Creek people. On the contrary, the past differences were apparently forgotten and harmony prevailed among the people of the re-united Creek Nation."

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in religion, education, and the adjustment of their relationship with neighboring tribes.

During the first decade after removal the Baptists and the Methodists were the principal religious workers. During the period from 1840 to 1860 the religious factor in the Creek life proved to be a most potent force in the Creek Nation's advancement.

As early as 1833 the Baptists had established a mission boarding school at Ebenezer.[2] The American Board established a school at Coweta in 1843,[3] and the Methodists established the Asbury Manual Training School near Eufaula in 1850.[4]

During the year 1848 the Presbyterians established a school at Tullahassee.[5]

The young people who were accommodated in these schools showed marked progress and soon improved noticeably in dress, speech and manners.

Practically the same form of government prevailed among the Creeks until 1867. This particular phase of their development has already been discussed in previous articles by the writer in The Chronicles of Oklahoma.

The Seminoles were originally a part of the creek Nation and after much litigation they were assigned lands by the government which had already been given to the Creeks. The Creek chiefs accepted the arrangement but the Seminoles objected because it would place them under Creek jurisdiction and make possible the enslavement of their fugitive black friends. However, in 1845 they agreed to removal to the assigned lands, and submitted themselves to the Creek council in all matters except finances.[1] On account of disagreements over fugitive slaves the two tribes were unable to live together peaceably and in 1856 the Creeks ceded part of their territory to the Seminoles on condition that it should not be sold, or otherwise disposed of, without the consent of the Creek Nation.[2]

With the exception of a few skirmishes with the Osage

[2]Willam Gammell, History of American Baptist Mission, p. 328.

[3]McAfee, Missions among the North American Indians, p. 59.

[4]Rep. Com. Ind. Aff. 1851, p. 390.

[5]McAfee, Missions among the North American Indians, p. 59.

[1]Sen. Doc. 319, Ind. Aff., Vol. II, pp. 550-552.

[2]Ibid., Vol. II, pp. 756-763.

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and Pawnee tribes to the north, there was no further trouble among the Creeks until the Civil War.

On July 10-12, 1861, Albert Pike, as commissioner of the Confederate States, met the representatives of the Choctaw, Chickasaw, Creek, and Seminole Nations at Eufaula. At this meeting and at one held on August 1, he negotiated formal treaties of

friendship and alliance with each of these tribes. Thus the Indians of the Five Civilized Tribes were placed in an attitude of hostilty toward the Government of the United States, and the "White Man's quarrel" became the source of the Red Man's woe.[1]

Many of the Creeks remained loyal to the Union, even though the Federal Government seems to have abandoned them for a time.[2] In the fall of 1861 about 2500 of these gathered under the command of Opothleyohola, the aged chief. This group, after a few battles with confederate Indian forces were finally dispersed at the Battle of Chustenahlah, December 16, 1861.[3]

Thus Opothleyohola was crushed. The Indians who remained loyal after this nearly all gathered north of the Kansas Line. Their sufferings during the following winter are almost indescribable. They had abandoned homes and farms and stock. Most of them were scantily clothed, many without shoes, and food was scarce. Hundreds of them died from exposure and fever. Opothleyohola died in 1863.[4]

There were two regiments and one cavalry battalion made up mostly of Creeks which served with the Confederacy during the Civil War. Col. D. N. McIntosh commanded the first Creek Regiment, Lieut. Chilly McIntosh commanded the 1st Creek Cavalry Battalion, and Col. Chilly McIntosh commanded the 2nd Creek Regiment. Col. D. N. McIntosh was

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[1]Rep. Com. Ind. Aff., 1861, pp. 46-49.

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[2]Nearly four thousand Creeks and about twelve hundred Seminoles, including women and children, and a few from the other tribes declined to recognize the alliance of their tribes with the Confederacy and aligned themselves on the side of the Union. Rep. Com. Ind. Aff., 1882. See letters Nos. 24, 25, 27, and 29 with the papers from the Southern Superintendency.

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[3]Ibid., 1862, pp. 26-27.

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[4]Handbook of American Indians, Part II. Article by Mrs. Frank Huntington, and Dr. Albert Samuel Gatschet. See also, letters from W. S. Coffin, Supt. of Indian Affairs, Southern Superintendency, and letter from Geo. A. Cutler, U. S. Agent for the Creeks, in Rep. Com. Ind. Aff., pp. 198-199 and 182.

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the son of William McIntosh, the assassinated chief mentioned elsewhere in this article.

An examination of general histories does not reveal much in the way of detail concerning operations of contending armies in the Indian Territory, nor does a closer

investigation of source material reveal any great strategic advantages gained therefrom. Nevertheless, war, in all its brutality, cruelty and destruction, came home to the inhabitants of that country during the years that followed.[1]

For students of Oklahoma History and others who are interested in a more detailed account of the topics treated in the latter part of this article the writer recommends the following works by Dr. Annie Heloise Abel:

"The History of Events Resulting in Indian Consolidation West of the Mississippi River." American Historical Association Annual Report, 1906, Vol. I, pp. 235-412. Government Printing Office, 1908.

"The American Indian as Slaveholder and Secessionist" "The American Indian as Participant in the Civil War." 2 Vols., Arthur H. Clark Co., Cleveland, 1915 and 1919.

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[1]Lights on Oklahoma History, By Charles Evans, pp. 117-118.

"The Civil War in the Indian country was mainly local. While there were some severe struggles in the Indian Territory, they were given little attention at Washingon or Richmond. The Indian, or Oklahoma region, was a buffer beween Kansas on the north and Texas on the south. The territory was rich in cattle and horses and a good ground for recruiting, and both armies wanted all of this material they could get. It was so ravaged, torn and bleeding, that when the southern leaders, as Stand Waitie, the McIntosh brothers, Tandy Walker, and the Folsoms and Adairs, hearing of Lee's surrender, said they would fight on to the bitter end, the people thought they had done enough. They deserved peace. So on July 14, 1865, three months after Lee's surrender, General Stand Waitie surrendered the last Confederate forces of the Indian Territory and the war in the Oklahoma land was over."

For a fuller discussion of this topic see Brooks, Marion Stuart, The History of the Indian Territory During the Civil War. (1917). M. A. Thesis, Library, University of Oklahoma.

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RECONSTRUCTION IN THE CREEK NATION

Ohland Morton

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The close of the Civil War found the Creek Nation rent in twain by factions. The Creeks were nearly equally divided in the fratricidal strife, and probably nowhere in the United States did the conflict leave such bitterness.

After two attempts at making peace had failed in 1865, the Creeks sent representatives to Washington and an agreement was arrived at on June 14, 1866, which provided for perpetual friendship between the Creeks and the United States; peace with other tribes; general amnesty for past offenses, against the United States and against the Creek government; the granting of citizenship to the emancipated slaves; the cession of the western half of the Creek lands for the settlement of wild tribes and freedmen:[1] the survey of the western boundary and the building of a new agency at the expense of the United States Government; the granting of a right of way to any railroad company authorized by the Government to build a line through the Indian Territory; the establishment of a territorial government and an inter-tribal council; and the renewal of the annuities provided for in previous treaties.[2]

The commissioners on the part of the United States found considerable difficulty in attempting to harmonize the differences between the two factions in the tribe, and this was the occasion for so much delay in securing the final agreement for the new treaty.[3]

To say that chaotic conditions existed in the Creek Nation at the end of the Civil War would be stating it too mildly. Farms had been completely abandoned, buildings had been destroyed and stock run off or confiscated by contending forces. Churches and schools had practically ceased to exist, and social and business conditions were generally demoralized. Added to this was the presence and activity of a lawless element which knew no feeling of respect for

[1]The Creeks were to receive thirty cents an acre for this land.

[2]For the full text of this treaty see Senate Document 452, pp. 714-719. Charles J. Kappler, Indian Affairs, Laws and Treaties.

[3]This treaty was concluded June 14, 1866; ratification advised with amendment, July 19, amendment accepted July 23, and proclaimed on August 11, 1866. Rep. Com. Ind. Aff., 1866, p. 10.

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any authority. The Civil War was an event of more than passing notice in the history of the Creek people.[1]

In 1860 the Creek Nation was a scene of prosperity. Wealthy Creek farmers with slaves doing their labor, were not uncommon on every hand.[2] In 1865 we have another picture. The country was in waste, almost unparalleled in its desolation. Tools were gone, slaves were free and intermarrying with some of the tribesmen of their former masters. The Union Creeks were crowded about Fort Gibson and were quarreling among themselves. The Southern Creeks remained in their camps along Red River because it was not safe to return and face the uncompromising hostility of the Union faction.[3]

The Department of Interior indeed faced a gigantic task. This department was to guide and direct these people back into the paths of peace and happiness.

The old War feud broke out again when Spokokogeeyohola, Opothleyoholo's successor, and some three hundred and seventy Union Creeks repudiated the treaty of 1866. They refused to accept any money due under its provisions. Also, they denied any reconciliation between the Union and the Southern factions of the Creeks and continued to live in the Cherokee country where they had been sent by the Government in 1865.[1] The Union Creeks who did return to their own homes were very much provoked by the assumption of such an attitude and contended that the disaffected band, alleged to be composed of the most ignorant and superstitious people, had no authority to speak for the loyal Indians who had followed Opotheyohola and should forfeit all privileges arising from their former loyalty.[2] There can be no doubt that these differences continued to exist for several years. Congress, however, decided against

[1]Rep. Com. Ind. Aff., 1865, pp. 32-42.

[2]Ibid., 1855, p. 133, Ibid., 1856, p. 145. Also, Abel, Slaveholding Indians, Vol. I. pp. 20, 23, 42, and 166-167.

[3]John Ross and the Cherokee Indians, by Eaton, pp. 196-197. Rep. Com. Ind. Aff., 1865, p. 255, and Ibid., 1871, p. 575.

[1]Rep. Com. Ind. Aff., 1864, p. 304. See letter from Geo. A. Cutler, Creek Agent, Ibid., 1864, p. 312.

[2]Ibid., 1867, pp. 320-321.

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a forcible removal and the insurrectionists remained in the Cherokee country for some time.[3]

By the end of the year 1866 the Southern Creeks had all returned to their homes[4] and most of the loyal Indians had gone back to their respective tribes. After the ratification of the treaty of peace the inhabitants of the Creek Nation were able to turn their attention to the restoration of their devastated country. Short crops the first two years were caused by insect pests and droughts. Rebuilding was hindered on account of the scarcity of lumber and mechanics, but houses, schools and churches were rebuilt at a comparatively rapid rate.[5]

A constitution was adopted in 1867 as a result of agitation for a new code of law and a better government.[1] Under the existing conditions the attempted administration of justice required about four times the number of officers needed under a good code. In 1868 a general council of the Creeks voted to build a capitol at Okmulgee.[2] The Creeks in control of the government were progressive and they found themselves handicapped by the existence of a minority, composed of those who were dissatisfied with the reconstruction treaty, the encroachment of the whites, and the change in the political system. They were opposed to the new constitution apparently because it did not provide enough offices to accommodate all the office seekers. They persistently refused to support those in power.[3] These changes in the governmental system are given such scant mention at this particular point because a previous article by this writer was devoted to a study of the government of the Creeks.

The first railway to enter the Creek Nation was the Missouri, Kansas & Texas. On June 6, 1870 this company began laying its track southward from the Kansas boundary in the valley of the Neosho River. The construction was

[3]Mention is made of the removal of part of the Creeks in the Report of the Commissioner of Indian Affairs for 1870, p. 298; but no mention can be found of how long the others stayed.

[4]Rep. Com. Ind. Aff., 1866, p. 10.

[5]Ibid., 1867, p. 321, and Ibid., 1871, pp. 575-576.

[1]Rep. Com. Ind. Aff., 1868, p. 283.

[2]Hattie Seale Joplin, A History of the Creek Indians, Thesis, Library of University of Oklahoma, Note 18 p. 285. Rep. Com. Ind. Aff., 1868, p. 264.

[3]Ibid., 1867, pp. 320-321, 1868, 283, and 1871, 576.

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rapidly pushed southward and southwestward across the Cherokee, Creek, and Choctaw Nations in the fall of 1871, and thence across the Red River into Texas by 1872.[4]

There was generally a settlement of tents or shanties at the end of the railroad where track laying was in progress. The vicious element of the frontier country congregated in these settlements.[5] On account of the fact that these railroad "towns" were not permanent, however, this particular element caused very little trouble of a serious nature.

However, the coming of the first railroad did more than all else to settle and build the Indian Territory according to the white man's customs, liking, and ideas. Along with the railroad came the white man to operate it. Stations were established along the way. Towns sprang up along the railroad and hardly before the Indians were aware, hundreds of white families were living within their borders. When they once located in the Indian Territory, there was no chance ever to get rid of them.[1] The beginning of a new era dawned as will be shown in the following pages.

As partial atonement for the disloyalty of the Southern faction during the Civil War, the Creek treaty-makers in 1866 were compelled to assent to the organization of an inter-tribal territorial government. Although circumstances rather forced a ratification of this treaty, the Nation as a whole had never approved of either this provision or the territorial bills subsequently introduced into Congress.[2]

The last effort on the part of the United States to create an Indian state out of what is now Oklahoma was made December 5-11, 1870 at Okmulgee. The continued agitation in Congress concerning the proposed organization of the Indian Territory prompted the Indians to call a meeting of a general inter-tribal council. This council met at Okmulgee in the Creek Nation September 27, 1870. At this council the Cherokee, Creeks, Eastern Shawnees, Sena-

[4]Thoburn, History of Oklahoma, Vol. 1, p. 435.

[5]Hill, History of Oklahoma, Vol. I, p. 160. Also, Rep. Com. Ind. Aff., 1872, p. 76.

[1]Gideon, History of Indian Territory, p. 36.

[2]H. Misc. Doc., 42 Cong. 2 sess., Vol. III, No. 166. For list of bills see Gittinger, Formation of the State of Oklahoma, Appendix E.

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cas, Quapaws, Ottawas, Sacs and Foxes, Wyandottes, Peorias, and Absentee Shawnees[1] were represented by delegates. Committees were appointed on all general subjects of interest to the Indian government. A resolution was passed asking other tribes to attend the next meeting.

On December 5, 1870 the second meeting of this nature was held and the number of represented tribes had increased to include the Chickasaws, Choctaws, Seminoles, and Osages. On December 10th, Campbell LeFlore, a Choctaw, made a report for the committee on permanent organization. He reported that the Indians deplored any territorial organization but deemed it expedient to form a government of their own choice. He said it must be republican in form; have a constitution for the Indian Territory conforming to all treaties with the United States; and have Legislative, Executive, and Judicial departments[2]. Sovereignty of each nation was to be protected. The general government would have only the powers given it.

After serious deliberation, it was almost unanimously voted to appoint a committee of twelve for the purpose of drafting a constitution for a confederation of the tribes of the Indian Territory. William P. Ross of the Cherokee Nation was appointed chairman of this committee. The constitution was written and accepted by the general council. It had a preamble and six articles divided into forty-six sections and a bill of rights of thirteen sections. It was modeled after the state constitutions. The completed instrument, which was republican in form and not in conflict with the existing treaties with the general government was promptly submitted to the several tribes for consideration.[1]

The Chickasaw Legislature, which was the first to take action, rejected the proposed constitution because it provided for proportional representation instead of equal rep-

[1]These Absentee Shawnees had separated from the main body of the tribe in Kansas in 1842. In 1872 they numbered 663. Rep. Com. Ind. Aff. 1872, p. 39 and 89.

[2]Report of the Board of Indian Commissioners to the Secretary of the Interior for submission to the President, 1870, pp. 114-136.

[1]Rep. Com. Ind. Aff., 1871, p. 571. See also, Messages and Papers of the Presidents, Vol. VII, p. 119. President Grant in 1871, thought the tribes should be encouraged in their efforts to form a government but objected to the Okmulgee Constitution on the ground that it did not give Congress power to pass upon the legislative acts.

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resentation in the inter-tribal legislature council.[1] This unexpected opposition had the effect of checking interest and support among the other tribes.

The "Okmulgee Constitution," as it was called, did not give the United States Government a share in the proposed Indian Government. Hence it did not meet the approval of Congress nor of many of the tribes.[2]

An examination of the general histories covering the period of reconstruction in the Indian Territory reveals the fact that among the Five Civilized Tribes there were three parties or factions. First, there was a small party of radicals who favored the opening of the country to white settlement. The largest faction was composed of those who favored the "Okmulgee Constitution" but not white settlement. The third group was made up of ultra-conservatives who wanted no change at all.[3]

Another inter-tribal council of interest was held at Okmulgee in March, 1871. At this council it was decided to ask the Kiowas, who were on the warpath, to join in a peace council.[4] After some delays, this gathering was held at the Wichita agency (Anadarko) on May 1, 1871. All the tribes represented seemed interested except the Kiowas, therefore nothing was accomplished.[5]

In June, 1872, the Five Civilized Tribes held another council at Okmulgee. From this council a delegation was selected to meet with the wild tribes of the plains Indians in another peace council. In July, 1872 this council was held at Fort Cobb. Despite the advice of the representatives of the Creeks, Choctaws, Seminoles, Chickasaws, and Cherokees, the Kiowas could not be persuaded to "turn into the bright path of peace."[1]

[2]Report of the Secretary of the Interior for 1874, H. Ex. Docs., 43d Cong. 2nd Sess., Vol. I, p. 32.

[3]Benedict, Gideon, Thoburn, and Abel.

[4]Rep. Com. Ind. Aff., 1871, p. 466.

[5]Thoburn, History of Oklahoma, Vol. II, p. 125, n. "The tribes represented at the peace council were the Cherokee, Creeks, Chickasaw, Seminole, Delaware, Shawnee, Caddo, Wichita, Comanche, Kiowa, Apache of the Plains, Cheyenne and Arapaho. The pipe of peace was smoked, and many of the chiefs addressed the council. Several of the prominent Kiowa chiefs were conspicuous by their absence."

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[1]Full report of Daniel H. Ross, Commissioner and Secretary of Indian Peace Commission, in Rep. Com. Ind. Aff., 1872, pp. 195-198.

L. N. Robinson, superintendent of Southern Superintendency, says, "During the past summer my attention was called to a former practice of the government of negotiating with these wild tribes through the agency of the civilized or friendly Indians. Great success attended all such efforts, and peace was maintained with less expense than could be secured by any other course. War should be avoided if possible; and an exterminating war is but an outgrowth of a bloody imagination, which can not nor ought to be made a reality. It is cheaper and vastly more humane to feed than to fight these plains Indians, and the government should exhaust all peaceful means before resorting to arms.

It is believed by most intelligent men conversant with Indian character, that these wild Indians would have more regard for a compact entered into by them with the civilized tribes, than for any treaty made with the government at the bayonet's point.

While hoping for the best results from the military surveilance now placed over the wild tribes, I cannot but regard it as a mistaken policy of the government, the evil effects of which will be experienced by the army and the Indians alike. It is unfortunately true, that social demoralization exists in the immediate neighborhood of military posts; and the extent of that demoralization is measured only by the civilization, intelligence, and religious sentiment prevailing in that community." Rep. Com. Ind. Aff., 1868, pp. 277-278.

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The Board of Indian Commissioners in making its report to the President for the year 1870, says:

"The Creeks"

"This tribe numbers 14,000, the females outnumbering the males about 1,500. Ten years ago the population reached 21,000. They own nearly 4,000,000 acres of land, and the United States Government holds in trusts for them $1,519,000." Also, "The Creeks have their annual dance, and are given to ball playing and similar polite arts."[1]

Although the Indian Intercourse Act of 1834 forbade unauthorized entrance of any reservation, the white population of Indian Territory continually increased by "silent immigration." Congress indirectly destroyed another barrier against the white man's

advance in 1871. On March 3, a bill was passed providing that "No Indian nation as a tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe or power with whom the United States may contract by

[1]Second Annual Report of the Board of Indian Commissioners to the Secretary of the Interior, 1870, p. 138.

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treaty."[2] History shows that the violation of treaty pledges had characterized forever intercourse between the Indians and the Government, but the legalization of such a policy of refusing to recognize the independence of the tribes proved quite a significant factor in future developments. The abandonment of the earlier system of negotiating with the red men greatly simplified the situation and was, in reality, a weapon in the hands of the men so persistently endeavoring to secure the opening of the Indian lands.

In two previous articles the history of the Creeks has been briefly reviewed from about 1540 to 1870. We found the Creeks living under a loose confederacy, and existing in a most primitive sort of society. By 1870, they were a compact nation. They had survived several wars, the ordeal of removal, and the conflict between the states.

In this study of the political history of the Creek Indians since the Civil War it was found necessary and practicable to go back to the early records and bring the story up to the period treated. In the introduction we began with the records of De Soto's expedition in 1540. These records present the earliest written accounts of this tribe. Any statement regarding their condition prior to that time must be based largely on legends. From these legends we conclude that the Creeks once lived in the northwest part of Mexico.

A brief discussion of primitive customs together with a few facts of early history also found a place in the introduction. A rapid survey of events from 1811 to 1866 concluded the article. In this article a study of the Creek Nation during the period in which those in charge of the tribal government were attempting to carry out the provisions of the treaty of 1866 was made. It was during this period that the factional wars began anew.

Since 1907, the counties, state, and nation have carried on all the government of the Creeks, but the tribe still has a principal chief and the tribesmen are still called

[2]Sen. Doc. 319, Ind. Aff., Vol. I, p. 17. "Silent immigration," said John C. Calhoun over sixty years ago, would save Oregon for the American Union. It had saved Texas to the Union, as Calhoun knew. "Silent immigration" has been the instrument of the "manifest destiny" of a large part of the Union, and it was the silent immigration of the "White Intruders" of Indian Territory that promoted the failure of the original plans for the

Indian asylum. Hill, History of Oklahoma, Vol. I, p. 150.

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together at intervals to discuss matters affecting their welfare. Since the adoption of the constitution in 1867 there have been but ten chiefs of the Creek Nation. They were Sam Checote, Lochus Harjo, Ward Couchman, J. M. Perryman, L. C. Perryman, Isparhecher, Pleasant Porter, Moty Tiger, G. W. Grayson, and Washington Grayson. The first eight of these were elected by the tribe and the last two were appointed by President Wilson.[1]

Many of the tribal customs of the Creeks continued until a comparatively recent date. In the Introduction mention was made of the fact that, from the earliest records, it seems that the medical needs of the Creeks were attended to by female practitioners. Nevertheless, all subsequent accounts speak of medicine men. Evidently, some time in the early history of this tribe the female practitioner was relegated to the ranks.

The Creek warrior has made it a point to be in every fight possible. During the Spanish American War the noted "Rough Riders" of Troop L gained an enviable military record. Troop L was enlisted from the Creek and Cherokee nations. During the World War two of the outstanding heroes were Richard Bland and Marty Beaver, Creek Indians from Oklahoma.[2]

Of the 11,952 Creeks in Oklahoma, one is safe in saying that fully ninety-five per cent are engaged in productive work and making useful citizens. They are to be found in nearly all lines of pursuit. They are merged in the body politic as workers in factories, shops, and on the farms. Some are in business occupations, others are in professions as lawyers, doctors, teachers, and nurses. Many of the Creeks own large farms and some have been considerably enriched by the recent oil developments in Oklahoma.

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[1]G. W. Grayson was appointed to succeed Moty Tiger who died in 1917. Washington Grayson was appointed to succeed his father February 22, 1921. This is the only instance of son succeeding father to the chieftaincy in the history of the Creeks.

[2]Department of Interior, Indian Affairs, Bulletin 15, (1927) p. 1.

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THE GOVERNMENT OF THE CREEK INDIANS

Ohland Morton

EARLIEST FORMS

The clan system has played a very important rôle in the history of the Creek Indians. It was the unit of social as well as political organization. In the beginning years of the Creek Confederacy there was a remarkably large number of these clans but by the beginning of the twentieth century it seems that there were only about twenty in existence.[2] Many of them had become extinct through the process of absorption and others ceased to exist as a result of the casualties of the early wars.

A number of clans with their constituent families would unite to form a village, in which they lived under a chief or "miko."[3] The miko was elected for life from a certain clan, usually the largest in the village from the standpoint of numbers. Preferably, he was the next of kin, on the maternal side, of the miko just deceased. The Creek woman held a peculiar station; since descent was always in the female line. If for any reason, such as old age or illness, the miko became incapacitated he chose a coadjutor, who was subject to the village council.[4]

The village council was composed of the leading representatives of each clan in the village. Each clan was represented according to its population, but the proportion of representation varied with the village. This council exercised great power, but mainly by moral influence or persuasion. The lack of a real executive body is typical of Indian government everywhere during the early years of the history of our

[2]Hodge, Handbook of American Indians, Part 1, p. 364.

[3]Schoolcraft, Indian Tribes in the United States, Part V, p. 279.

[4]Pickett, History of Alabama, p. 97.

"Among the Creeks, in spite of strict maternal inheritance, the Individual position of the woman was insubordinate. She was not allowed to participate, except in a most modest manner, in the busk, nor was she permitted to be present at the councils. Her occupations were, in general the household duties assigned to her sex among all Indian tribes." Livingston errand, Basis of American History, p. 172.

The grandmother was recognized by the United States as the head of the family. House Document Vol. 116, No. 538, 56th Cong. 2d Sess. 1900-1901, sec. 3716, p. 581.

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country.[1] However, the conservatism of this council is evidenced by the fact that there are few if any instances of insubordination. Every man felt himself bound by the action of his own representative. All of which goes to show the importance of the kinship group or clan as a fundamental factor in the political organization of the Creeks.[2]

The warlike spirit for which the Creeks were noted was naturally fostered by their position among hostile and powerful neighbors such as the Catawba, Iroquois, Shawnee, and Cherokee. It was this warlike spirit which brought into prominence and favor the warrior class. As an incentive to the young men of the tribe, there was instituted early in the history of the Creeks a series of war titles. The overwhelming passion of the youthful "brave" was to gain one or more of these titles by prowess in the field. In order to become a warrior, every young man had to pass through a period of severe training and initiation which lasted from four to eight months and upon its completion he was eligible for service in the field and possible advancement to the higher titles.[3] There were three of these titles above the rank of warrior. They were "leader," "upper leader," and "great warrior." All of these titles were granted by the miko and the councillors of the village in recognition of distinguished services on the warpath. There may have been several "leaders" and "upper leaders" in the village, but the title of "great warrior" was given to only one man in the village at a time and, was held until the miko and councillors saw fit to pass it on to another who had gained distinction. The height of every young man's ambition was to achieve this office.[4]

There was between the councillors and the common people an intermediate privileged class of men whose duties were mostly administrative. They acted as an advisory group and also were charged with the responsibility of the preparation and carrying out of the elaborate ceremonials of the tribe. An interesting fact regarding the authority of this intermediate or civil council was that it could initiate military meas-

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[1]Schoolcraft, Part V of Volume I, p. 193-312. Haines, the American Indian, Chapter VIII.

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[2]Ibid., Vol. V, p. 273.

[3]Livingston Farrand, Basis of American History, p. 169.

See also, Pickett, p. 110, and Schoolcraft, Part V., pp. 279-280.

[4]Handbook of American Indians, Part I, p.364

ures either of aggression or defense but had to consult with the "great warrior" in carrying out these measures. Even should the council declare itself in favor of peace, the "great warrior" might persist in "raising his hatchet" against a hostile tribe and lead all who chose to follow on the war-path.

In this case the council was powerless to act.[1]

Each Creek village had its own council house which stood near the "great House."[2] The "Great House" was occupied by the chief and his family and was the center of the social life of the town. The council house stood on a circular mound and was built in the shape of a large cone. The one described by Pickett[3] was placed on walls about twelve feet high and was from twenty-five to thirty feet in diameter. It was here that the miko and council met for deliberation of a private or formal character. When not thus used the council house became a general meeting-place for various purposes. Often religious ceremonies were held here and owing to the utter lack of ventilation the early traders often spoke of it as the "hot house."[4]

The Creek Confederacy was made up of one dominant tribe, the Creeks, and numberless other smaller tribes. Often these tribes were remnants of once larger and stronger ones who had joined the Creeks for protection. The Creek language was the Muskogee and this explains repeated references in this study to the Muskogee Nation. Each village was practically independent of the remainder of the confederacy and in reality formed a tribe by itself. In spite of the fact that the organization and administration of the villages were identical, yet the structure of the confederacy was extremely loose. The general attitude of the confederacy was strictly defensive and often when a tribe undertook an independent offensive campaign it was not sustained by the others.

There was a head chief of the confederacy but it seems that he had no particular position of command. He was elected by the general council.[5] This council determined

[1]Pickett, p. 98.

[2]Big House or Town House, Pickett, p.98.

[3]Pickett, p. 100.

See also, Brooks, History of Georgia, p.19.

[4]Brooks, History of Georgia, p 20.

[5]Schoolcraft, Vol. V, p. 279.

the policy of the confederacy but issued no orders or commands. It was composed of representatives from the villages and met annually at a time and place designated by the head chief. Each village usually sent one representative to the meeting of the general council.[1] The head chief presided over the meetings of the council. When several of the tribes or villages united in a military campaign a head war-chief was appointed for that particular emergency.

There were two districts or divisions of the Creeks. These were spoken of as the Upper Creeks and the Lower Creeks. The governmental system in the two districts were identical and after 1860 they were united under one government as will be brought out later. They all attended the same general council, which was spoken of as the National Council, but in the administration of their local affairs they were independent of each other. It might be of interest in this connection to clarify their orders of chiefly rank. There was a principal chief of the nation elected from the Lower Creeks who was called the head chief; a principal chief of the Upper Creeks; a second chief for the Lower Creeks and one for the Upper Creeks.[2] The second chiefs were appointed by the principal chiefs with the advice and consent of the general council until 1859 when they were elected by a vote of the male citizens. After removal to Indian Territory, each village also had two subordinates who assisted the village chief in the affairs of the town government.

These second chiefs and subordinates held positions similar to that of a vice-president, in that they had no responsible duties except in the absence or illness of the chiefs under whom they worked.

When the Creeks were removed to Indian Territory in 1832-40 their geographical positions were reversed. The Upper Creeks moved into the southern portion of the Creek country and the Lower Creeks occupied the northern or upper section of the lands assigned to the Creeks in general.[3]

[1]Brooks, History of Georgia, p. 20.

[2]Rep. Com. Ind. Aff., 1859, p. 159.

[3]It is interesting in this connection to remember that the Lower Creeks in the North aligned themselves with the Confederacy and the Upper Creeks in the South joined the Union forces during the Civil war.

PERIOD OF TRANSITION

In writing on the Creek missions and general conditions in the Creek country after 1837, Reverend George McAfee says, "For several years after coming to their new home the Indians appeared to be thoroughly disheartened, soured and disappointed, and made little effort toward self-government and seemed to be careless about self-improvement.[1]

In 1858, W. H. Garrett, United States Agent for the Creeks, says, "With the exception of some slight alterations, they adhere to their primitive form of government, which is well adapted to the wants and capacity for self-government of the great body of the nation. Many of the principal men are moral in their conduct, and do much by their example to advance their people in the arts of civilization. They are rapidly advancing in the science of government, and are anxious to establish a form of government similar to that of our States. This feeling will be gradually diffused among the uneducated Indians, which will gradually incline them to a change, and the influence that education and association with the white man is exerting will prepare them, at no very distant day, for a more complicated form of government."[2]

Elias Rector, Superintendent of Indian Affairs, observed in 1859 that the Creeks still retained their old system of chiefs. In July, 1859, an election for principal and second chief was held. One of each rank, for the two districts of Lower and Upper Creeks, was elected. This election was for the first time in the history of the Creeks, conducted after a civilized and democratic fashion, and passed off quietly. Motey Kinnard, formerly second chief, was elected principal chief of the Lower Creeks, and Jacob Duerryson, second. Among the Upper Creeks, E-cho-Harjo, formerly second, was elected principal, and Ok-tar-cars-Harjo second chief. With this election the late principal chiefs of the Lower and Upper Creeks, Roley McIntosh and Tuckabatche Micco, retired from public life. They were remark-

[1]McAfee, Missions Among the North American Indians, p. 59.

[2]Rep. Com. Ind. Aff., 1858, p. 143.

able men possessed of vast influence with their people, particularly McIntosh, whose power among his people was almost absolute. He had long been the ruling man among the Lower Creeks and his word was law. Tuckabatche Micco was also a man of great influence, a staunch friend of his people, a maker of treaties, and a good man. Both these men were captains in the Creek wars, and Tuckabatche Micco exerted great influence in removing the Seminoles from Florida in 1857-8. His services at that time were very valuable to the United States.[1]

The Upper and Lower Creeks continued to meet in general council after their removal and in 1860 some changes were made which may be regarded as distinct improvements. During the session of the general council that year a constitution was adopted. Its most important provisions possibly was the elimination of the two districts which had divided the nation heretofore. It further provided for the election by all the Creeks of one principal and one second chief for the nation. Their country was no longer to be known as the land of the Upper Creeks and the Lower Creeks but as the Muskogee Nation. The nation was divided into four districts and the council appointed one judge for each district and also five supreme judges who were to form the high court of the nation. Their duties were to take cognizance of all offenses committed within their jurisdiction and to see that all guilty parties were brought to trial. More authority was conferred upon their police, termed "Light Horse," whose duty it was to destroy all spirituous liquors brought into the nation, and levy a fine or inflict a penalty upon all persons found guilty of introducing it, or the commission of the other offenses.[2] The most decided improvement was the placing of the general council in a position to act authoritatively for the nation rather than as merely an advisory group.

From all accounts it seems that the Creeks were enjoying their unity and were setting about their business of adjusting themselves to their new form of government when the quarrel between the states caused them again to divide into factions. The effect of the Civil War upon the political

[1]Rep. Com. Ind. Aff., 1859, pp. 178-179.

[2]Rep. Com. Ind. Aff., 1860, p. 124.

and social life of the Creeks was disastrous. It is sufficient at this time to say that there was no recognized government in the Creek Nation from 1861 to 1866. The country was for the most part in the hands of the rebel forces and, after the war had ended, it was nearly two years before the Creeks were able to adjust their differences and re-unite as a nation.

Elijah Sells, Superintendent of Indian Affairs, Southern Superintendency, in making his report to the Secretary of the Interior in 1865 observed that there were about six thousand Creeks that remained true allies of the United States and those who

survived the Civil War had returned to their homes destitute. Also, there were six thousand five hundred Creeks that allied with the Confederacy and were living in the southern portion of the Indian Territory. They were all anxious to return and live in peace with their brothers of the same tribe.[1]

After the reunion of the Creeks and the signing of the peace treaty with the United States in 1866 they immediately set about to rebuild their homes and readjust their tribal affairs. By 1867 there was considerable agitation on the subject of a new code of laws for the nation. Many of the more progressive saw that the constitution of 1860, while it was a distinct improvement, was inadequate to the needs of the situation at that time. J. W. Dunn, United States Indian Agent for the Creeks in 1867 says that "The laws as now administered, require four times the number of officers that would be necessary to execute promptly and efficiently under a well-established code. These officers, whose numbers are scarcely known even to the authorities, are poorly paid, and are dissatisfied with their positions and salaries. Indeed, so imperfect is the government, that the duty of no officer is fully defined; so that it is difficult for them to determine when they attain or overstep their authority. They have many intelligent and energetic men among them who appreciate this position of affairs, and who are strongly urging reform. A better feeling is manifested between the late antagonistic parties than ever before, and I am convinced that they are determined to unite as one people in all interests. They are anxious to bend

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[1]Rep. Com Ind. Aff., 1865, pp. 254-255.

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every energy to the improvement of the country and to devote their money to the establishment of the schools, manufactories, public buildings, and good government."[1]

It seems from the record of the events which followed that this agitation had its effect. The general council, or National Council of the Muskogee Nation, as it was called after 1860, met at their council grounds near Deep Fork in October, 1867. At the beginning of the meeting attention was called to the isolated location of the meeting-place and accordingly a resolution was passed which provided that all meetings of the general council after 1867 should be held at Okmulgee which was nearer the geographical center of the Nation.[2]

THE CONSTITUTION OF 1867

The progressive element of the Creek Nation took advantage of the dissatisfaction with the old government and set to work in the days that followed to promote the adoption of a new constitution. The October, 1867, meeting of the general council of the Creeks was indeed a memorable event in their political history. After stormy debate with the conservative and non-progressive element a constitution designed to eliminate the evils of the old form of government was adopted.[3]

In its general outline this constitution was similar to that of the United States; yet it was unique in many respects. It had a preamble which read as follows:

"In order to form a more perfect union, establish justice, and secure to ourselves, and our children, the blessings of freedom, we, the people of the Muskogee Nation, do adopt the following constitution."[4]

It contained ten articles and provided for a thorough re-organization of the legislative and judicial departments.

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[1]Rep. Com. Ind. Aff., 1867, pp. 320-321.

L. N. Robinson, Superintendent of Indian Affairs, Southern Superintendency, says in 1868, "I found the office of the Superintendent located at the Creek council-house, near Deep Fork, a point 45 miles west of Fort Gibson, five miles removed from any settlement where supplies could be obtained, and thirty-five miles from a post office, unpleasantly situated on an open prairie, and with an entire absence of water fit for drinking." Rep. Com. Ind. Aff., 1868, p. 275.

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[2]Rep. Com. Ind. Aff., 1868, p. 278.

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[3]See Appendix A for copy of this constitution.

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[4]Constitution and Laws of the Muskogee nation, p. s.

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An examination of it will show that much time and thought had been spent in its preparation, and that it was well adapted to the needs of a people living under the pioneer conditions of the Indian Territory in 1867.

Article I provided for the Legislature. The law-making power was lodged in a council consisting of two houses known by the peculiarly Indian names of "House of Kings" and "House of Warriors." The upper house, the house of kings, was composed of one representative from each town[1] who was elected by a vote of the town represented for a term of four years. The house of warriors was composed of one representative from each town and an additional representative for every two hundred persons belonging to the town. His election and term of office were the same as that of the representative to the house of kings. The members of the council were to receive such compensation out of the national treasury as provided for by law. A majority of the members of the council constituted a quorum but Section 5 provided that less than a quorum might meet and adjourn from day to day and compel the presence of absentees.

Each house had the powers ordinarily delegated to all democratic legislative bodies

such as judging the returns and qualifications of its members, impeaching members for disorderly conduct, and expulsion by the concurrence of two-thirds of both houses. Each house elected its own presiding officers and neither house was allowed to adjourn for a longer period than two days without the consent of both houses. Section 10 of Article I provided that the style of the action of the council should be: "Be it Enacted by the National Council of the Muskogee Nation." The qualifications for the members of both houses were two in number. First a member must be a citizen of the Muskogee Nation and second he must be twenty-two years of age.

Article II provides for the executive department and stated that there should be a principal chief, to be styled the "Principal Chief of the Muskogee Nation." His term of office was four years and he was elected by a majority of the votes of the male citizens of the Muskogee Nation who had attained the age of eighteen years. Also a second

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[1]There were forty-four of these towns. See Appendix E.

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chief was to be chosen for the same term and in the same manner as that prescribed for the election of the principal chief, and in case of the death, resignation, or removal from office of the principal chief he was to perform all the duties of that officer. In order to be eligible to the office of principal chief a person must have been a recognized citizen of the Muskogee Nation and thirty years of age.

The principal chief was vested with the reprieving and pardoning power and charged with the responsibility of seeing that all the laws of the Nation were faithfully executed and enforced. He was required to make an annual report to the national council of the condition of the affairs in the nation; and to recommend such measures as he might deem necessary for the welfare of the nation.

Section 4 of Article II provided that whenever any bill or measure should pass both houses, it should be submitted to the principal chief for his approval or rejection. In case he approved it it would become a law. If he should object to the bill or measure he was to return it to the house in which it originated within five days accompanied with his objections. If not returned within five days it was to become a law. A bill could be passed over the objection of the principal chief by a two-thirds vote of both houses. In case a bill was submitted to the principal chief within five days before adjournment, he was allowed the first three days of the next session of the council within which to return it.

The principal chief was allowed a private secretary of his own selection who was compensated out of the national treasury.

The judiciary was placed on a much better basis than it had been formerly. There was created under the new constitution a high court composed of five competent

recognized citizens of the Muskogee Nation chosen by the national council and compensated out of the national treasury. In order to be eligible for a position on the high court a man must be at least twenty-five years of age. This court was to meet on the first Monday in October in each year and had power to try all cases where the issue was for more than one hundred dollars. Three members constituted a quorum

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The Muskogee Nation was divided into six districts and each district was furnished with a judge, a prosecuting attorney, and a company of light horsemen. These district judges were chosen by the national council for a term of two years. They were to try all cases, civil and criminal, where the issue did not exceed one hundred dollars. Each judge was given the right to summon twenty-four disinterested men, out of which number a jury of twelve men for criminal and nine for civil cases might be selected. Each judge was allowed a clerk and the judge and the clerk were to be compensated out of the national treasury as provided for by law. Any person failing to obey a summons to serve as juror, without good reason for such failure, was subject to a fine of five dollars. Each juror was to receive one dollar per day for his services to the

Articles VIII, IX, and X, were rather general and made miscellaneous provisions. Section 1 of Article VIII provided that no laws impairing contracts should be passed. Section 2 of Article VIII was the Creeks' *ex post facto* law and read as follows: "No laws taking effect upon things that occurred before the enactment of the law shall be passed." Article IX provided that all cases should be tried according to the provisions of the respective laws under which they originated, and that all persons should be allowed the right of council. Article X provided that all treaties should be made by delegates, duly recommended by the principal chief, and approved by the national council, and such treaties should be subject to the ratification of the national council; and that all treaties should be the supreme law of the land.

After the adoption of this constitution the general council went into legislative session and passed a number of laws for the new government. The powers of all the national officers were clearly defined in a series of laws classed under the title of "National Executive Officers."[1] The next business of this session was the passing of a number of laws providing for the organization of the nation in general.[2] The powers and duties of the new judiciary were set out and more fully defined.[3] The six judicial districts provided for in the constitution were created and named Okmulgee, Deep Fork, We-wo-ka, Eufaula, Muskogee, and Cowetah. There followed a series of civil and criminal laws which defined the crimes and stated just what the penalty would be in each case of violation.[4] Article XVII of the criminal laws provided that impeachment charges must be preferred before the house of warriors, and that body would vote as to whether articles of impeachment were to be filed. The house of kings were to act as judges on impeachment trials.[5]

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[1]Constitution and Laws of the Muskogee Nation, p. 11-17.

[2]Ibid., pp. 18-21.

[3]Ibid., pp. 22-31.

[4]Ibid., pp. 32-43.

[5]Ibid., pp. 43-44.

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A number of criminal laws already in use in the Creek Nation were approved by the legislative session of the national council, October 12, 1867. They were as follows:

"CRIMINAL LAWS APPROVED OCTOBER 12, 1867."

1. Be it enacted by the General Council, That all cases of murder shall be punished by

death upon conviction.

2. Be it further enacted, That the accused shall have a fair and impartial trial, and no one shall sit on any case where he is related to either of the parties by blood or marriage unless it is by consent of the parties.

3. Be it further enacted, That if any person kill another accidentally, or in self defense, he shall not be punished.

4. Be it enacted, That should any person be convicted of rape, he shall for the first offense receive fifty lashes; for the second offense he shall suffer death.

5. Be it enacted, That if any person shall steal property from another, the party thus aggrieved shall receive damages in full.

6. Be it enacted, That it shall be unlawful for any woman to use medicine calculated to cause infanticide; and any woman who may be found guilty of the violation of this law shall receive fifty lashes on the bare back."[1]

Under the title of "Organization of the National Council" a law was passed which provided that the national council of the Muskogee Nation should convene within the National Capitol building at the seat of government on the first Tuesday in October of each year.[2] However, in cases of great emergency the principal chief had power to convene the national council, by issuing an order to the president of the house of kings and the speaker of the house of warriors to call the members of their respective houses to convene.[3]

By 1868 the Creeks had published in Muskogee and English a portion of their laws, and copies were placed in the hands of every officer. This was to insure a more just

[1]Constitution and Laws of. the Muskogee Nation, p. 29.

[2]Ibid., Article 1, Section 1, p. 18.

[3]Constitution and Laws of the Muskogee Nation, "National Executive Officers," Article I, Section I, p. 11.

division of punishment for offenses, as heretofore, judgment had been given by each chief according to his own discretion.

THE SANDS REBELLION

It was indeed a regrettable fact that the inauguration of this government was not without considerable trouble in the nation. It must be remembered that the Creeks before removal were classed as Upper Creeks and Lower Creeks. The constitution of 1860 had temporarily bridged the gap between the two divisions, but the Civil War had opened it again. A few of the disgruntled loyalists had remained in the Cherokee country under Spokokogeeyohola. The majority of the loyalists returned to their homes, however, and showed every inclination to reunite with their brethern who had fought with the Confederacy.

After the adoption of the constitution a party was formed under Oktars-sars-har-jo of the Upper Creeks, who will be called by his adopted name, Sands, hereafter. They refused to come into the councils of the nation. They claimed that wrong was done them in the payment of certain funds made in December, 1867, urging that it had been agreed to the satisfaction of both parties that this money should be equally divided between the two parties, northern and southern. Each party was then at its own discretion to distribute this money for the payment of its national debt. The United States recognized the government created by the constitution of 1867 and paid all the money to it. Sands further charged that the partisans of Checote had defrauded to win the election of 1867. The inauguration of the new government necessarily involved much prejudice among the less progressive, and added those who were dissatisfied with the decrease in the number of executive officers to the ranks of the discontented.[1]

In the election of 1867 Colonel Sam Checote was named principal chief. L. N. Robinson, Superintendent of Indian Affairs in 1869, says in defense of the government's policy. "The constitution was adopted by an almost unanimous vote. The government of Checote is in power by the suffrage of the people, and is devoted to the interests of the nation,

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[1]Rep. Com. Ind. Affairs, 1868, pp. 284-285.

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favoring religion, education, progress, and works of internal improvement. Such a government deserves and should have the sympathy and cordial support of the administration; and if need be, the Creek authorities should be furnished a force sufficient to put down insubordination or insurrection; and unless strong measures are used at once, I greatly fear the Creek people will soon be involved in civil war."[1] J. W. Dunn, United States Agent for the Creeks, in commenting on the situation, says, "Growing out of these differences, a noted increase in the violations of the law may be observed. More murders have been committed within the last year than in all of the years since the close of the war. Congregations have been disturbed at their meetings, and have been compelled to disperse, until now no meetings are held in this vicinity after night, from fear that under cover of darkness a serious disturbance might be made. The correction of this state of things properly belongs to the Creek authorities, and it is not considered proper for the United States to interfere, unless the Creeks find it impossible to enforce their laws, and apply to the United States for

protection. It is to be hoped that the Creeks will have the courage and power to uphold their government, which is essentially the offspring of progress and civilization. My four years among these people have led me to respect them for their truthfulness, simplicity and sincerity."[2]

Matters continued to grow worse and in 1870 the Board of Indian Commissioners listened to Sands' claims. His principal claim seemed to be that he was defrauded out of the office of principal chief in the election of 1867 by the partisans of Checote; but he was unable to submit any proof. The commissioners declined to have anything to do with the matter.[3]

The feeling of bitterness became so tense that when chief Checote tried to convene the national council at Okmulgee in October, 1871, about three hundred of the followers of Sands marched on the capital and broke up the council meeting. Federal agents appeared on the scene,

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[1]Ibid, 1869, p. 399. For sketch of the life history of Col. Checote, see Chronicles of Oklahoma, Vol. IV, p. 276.

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[2]Rep. Com. Ind. Aff., 1869, pp. 413-414.

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[3]Report of the Board of Indian Commissioners for 1870, p. 138.

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however, and persuaded both sides to lay down their arms and agree to an armistice.[1]

In 1872, Sands, Cotchochee, and Ketch Barnett, leaders of the Sands faction died and the bitter feeling that had been engendered between the two parties gradually died out.[2]

It may be of interest to note in passing that the construction of the M. K. & T. railroad through the Creek Nation was in progress during the time of the Sands rebellion. In order to appear neutral in the controversy, and as

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[1]Rep. Com. Ind. Aff., 1871, pp. 574-575.

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[2]Rep. Com. Ind. Aff., 1872, p. 239.

Benedict, History of Muskogee and Northeastern Oklahoma, Vol,. I, p. 187.

Also, From Report of Comm. of Indian Affairs, 1871, pp. 573-574.

F. S. Lyons U. S. Agent for Creeks.

"With reference to the political difficulties among the Creeks, I have the pleasure of reporting very entire satisfaction with the settlement effected last October for four or five months thereafter. During that time there was held a session of the Creek National Council, in which all the towns but two were represented by those duly elected as members of the council for the next four years. It was pronounced the most harmonious session that had been held for some years. They met as brothers and friends, and, in accordance with their mutual agreement, each took the prescribed oath to support and defend the Constitution. All seemed rejoiced at the prospect of peace and quietude, and there seemed nothing in the way, so far as the Indians alone were concerned, of the formerly discordant elements blending and laboring together for the mutual interests and improvement of all the Creeks. But, under the guise of friendship and special regard for the formerly disorderly faction, two white men, most thoroughly irresponsible and unreliable, doubtless employed by emissaries, clandestinely entered the Creek Nation, and informed the Sands faction that they had been abused and deceived, and therefore were under no obligation to keep either their pledges or their oaths. A tissue of falsehoods was arranged in the form of a petition, and, having obtained by strategy, of course, the indorsement of a Western Senator, said to be a railroad millionaire, an Investigation of the Creek difficulties by a special committee was obtained. But the excitement among this ignorant portion of the Creep had been raised so high by the inflamatory influence of these two 'apostles of liberty' and a few others of kindred spirit, that they could not wait the slow action of the United States Government, and so they continued to hold insurrectionary councils and to harbor horse thieves and desperados until the Creek authorities felt obliged to raise a larger force to overawe the insurrectionists. This force, joined with the interposition of the "investigating committee" and the military, resulted in a peace under about the same conditions as agreed upon by the contending parties last October. The whole matter now awaits the action of the Department upon the report of the Investigating Committee. I must here express my firm conviction that the revival of this old difficulty was unfortunate and unnecessary."

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a bid for the favor of both parties, stations were named for the principals in each faction. The station of Checotah was named for Colonel Sam Checote, and Oktaha for Sands (Ok-tars-sars-har-jo).

Thus we find the Creeks by 1872 with a new form of government which has withstood the first onslaught of those who would destroy it for selfish reasons. A great deal of the opposition to the constitution adopted in 1867 and to the government created under it may be laid at the door of superstition and ignorance. The Indians of the conservative elements looked upon the adoption of the white man's institutions with fully as much disfavor as they did the opening of the country to white settlement and this explains the opposition to both the new government and the constitution providing for an inter-tribal territorial government which was proposed at Okmulgee in 1870.

The new government withstood the first attack but we shall soon see that its sailing in later years was by no means smooth. In the following pages we shall trace the effects of the old tribal divisions of Upper and Lower Creeks which have caused so much discord among the leaders. At every crisis in the history of this tribe we see this old geographical division coming to light. We saw the first display of this discord in the assassination of William McIntosh of the Lower Creeks in 1825. The second division came when the Civil War undid all that the constitution of 1860 had accomplished toward tribal unity. Then the Sands rebellion, which has just been discussed, was a fight, pure and simple, between the Upper and Lower Creeks. Had Sands, of the Upper Creeks, been elected in 1867, there would have been no Sands rebellion. A political history of the Creek Indians would be incomplete without the story of the Isparhecher War and the uprisings growing out of it.

THE ISPARHECHER WAR

The Isparhecher, or "Spiechee," War caused a great deal of the excitement and anxiety while it was in progress, yet it did not result in many casualties. The most harm done by it was the bad feeling throughout the Creek Nation which resulted from it.

With the close of the Sands rebellion, leaders had begun to hope that the Creeks might devote their entire at-

tention to matters of state and society. Such was not the case, for in less than three years trouble again broke out. In 1875, Lachar Haijo, of the Upper or Loyal Creeks, was elected principal chief over Colonel Sam Checote, who had held the office since 1867.[1] The Lower or Southern Creeks were in control of the Legislature. On account of disagreements between the principal chief and the legislative bodies, Chief Haijo was impeached in 1876. (Thus a worthy example was set for future Oklahoma legislatures.) Ward Couchman, of the Lower Creeks, was appointed to serve the three remaining years of Haijo's term.[2]

In the election of 1879, Checote was again elected principal chief and his election increased the antagonism between the two factions. Isparhecher, a former member of the National Council, was principal judge of the Okmulgee district at this time. For alleged seditionary acts, he was impeached and deposed.[3] Immediately, he identified himself with the conservative element which was more or less of a hang-over from the Sands rebellion, and was made up largely of an aggregation of horse-thieves and other violators of the law.[4] Naturally such an element would be opposed to order and progress. In a very short while, Isparhecher, who was a very able man, become the leader of this element. However, even though the neucleus of this group, was made up of law-violators, there was added to it a large number of pure-blood Creeks and a few negroes, all of whom were sincere in their beliefs and had no criminal intentions.

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[1]Benedict, History of Muskogee and Northeastern Oklahoma, Vol. I, pp. 169-170.

[2]Ibid., p. 170.

[3]Indian Journal, July 26, 1883. For Checote's statement see Report of the Board of Indian Commissioners for 1883, pp. 16-17.

Isparhecher, a full-blood, was born in the Creek country in Alabama, about the year 1828. In 1836 his parents migrated to the Indian Territory, both of them dying shortly afterward. Isparhecher grew up with but scant education. At the outbreak of the Civil War he enlisted in a Creek Regiment, which entered the Confederate service, but he later Joined the Union Army as a volunteer, being mustered out of the service in 1865. He became a leader among what were known as the loyal Creek party, and was several times nominated as its candidate for principal chief. He was elected to that position in 1895 and served four years. He died in December, 1902. Thoburn, History of Oklahoma, Vol. II, p. 554.

[4]Indian Journal, July 26, 1883.

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The policy taught and promulgated among this element was purely one of retrogression. They were taught to believe that the governmental, educational, and religious policies of the Creek Nation were not suited to Indians, and that all who would espouse Isparhecher's cause need not be bound by them. They were taught that since their forefathers knew nothing of schools and churches, constitutions, and written laws, yet prospered, that they must return to the habits and customs of their foreefathers in order to become a prosperous people. Thus, were the Creeks to discourage all such white man's interests.[1]

By 1882 these "Loyal" Creeks numbered about three hundred and fifty warriors. They with their families were established in a sort of military camp at Nuyaka, twelve miles west of Okmulgee, the Creek capital. Isparhecher announced that his purpose was to restore to the Creek Indians their primitive tribal government and society. Officers were elected and light horse companies were formed and provided with arms and ammunition. Intimidation of the Indians, in the vicinity of Nuyaka, who favored the Checote government, became quite frequent. Attempts were made daily to organize others and initiate them into the "Loyal" faction.[2]

General Pleasant Porter,[3] who was in command of the Creek military forces (light horsemen), was at this time in Washington on official business; but Checote, on being

[1]Report Board of Indian Commissioners for 1883, p. 8.

[2]Indian Journal, July 26, 1883.

[3]Pleasant Porter was born on a plantation near Clarksville, in the Creek Nation, September 26, 1840. His paternal grandfather, a native of Pennsylvania, was a captain in the United States Army at the time of the Creek War, and showed such consideration for the defeated Muskogee Indians that they formally adopted him into their tribe. Years later, Pleasant Porter's father, Benjamin E. Porter, came to the Creek country and married the daughter of a prominent chief, Tah-to-pee Tust-e-nuk-kee, and settled on a plantation. Pleasant Porter's early life was simple, if not uneventful. His education was secured at the Presbyterian Mission School at Tallahassee. At the outbreak of the Civil War he entered the Confederate Army as a private. He saw much active service during the war, and was promoted through the various grades to the rank of first lieutenant. The close of the war found him, like most of his fellow tribesmen, penniless. He began life then as a farmer. His first official position in civil life was that of superintendent of schools of the Creek Nation, in which capacity he re-organized the educational system, which had ceased to exist during the war. His ability becoming recognized, his services were soon in demand as a representative at Washington. At the time of the Spiechee War in 1882-3, Pleasant Porter was entrusted with the command of the administration military forces, a duty which he discharged not only fearlessly, but also with great judgment and tact. During the later years of his life he occupied the position of principal chief of the Creek Nation. His attainments and integrity were such that he easily ranked as one of the most distinguished and influential Indians of his time. His death occurred at Vinita, in September, 1907. Thoburn and Halcomb, A History of Oklahoma n. p. 156.

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informed of Isparhecher's activities, telegraphed him to return and take charge of the Creek light horse brigade.[1] He returned at once and organized a band of six hundred mounted Indian light horsemen.

A horse thief who was supposed to be a member of Isparhecher's band was killed by one of Porter's men in Muskogee. Isparhecher immediately threatened an attack upon Okmulgee. Checote sent a small band of light horsemen on a scouting expedition to ascertain the strength of Isparhecher's forces. On December 24, 1882, this scouting party found and attacked the Loyal band at Nuyaka. In the skirmish which followed seven of the light horsemen were killed.[2]

General Porter, with his forces, immediately took the field to begin an offensive campaign. On arriving at Nuyaka, the Isparhecher camp was found deserted. Isparhecher and his followers had fled westward. General Porter pursued and effected a capture of a number of the fugitives, but being outside of the Creek boundary was forced to return.[3] The fleeing band continued on their way unmolested. They passed across the Sac and Fox Reservation, the Kickapoo country, the unassigned lands, and thence to the Kiowa Indian agency on the Washita at Anadarko.[4] They had abandoned their farms and homes and were poorly equipped for a winter campaign. There was considerable suffering among them. Attempts were made by them to

organize a war party among the Sacs and Foxes but these all failed. The "Loyal" Creeks were unwelcome visitors on the Kiowa reservation, and when they did not return home in the

[1]Gideon, History of Indian Territory, p. 118.

[2]Thoburn, History of Oklahoma, Vol. II, p. 553.

3Gideon, History of Indian Territory, p. 118.

Report of the Board of Indian Commissioners for 1883, p. 10.

[4]Rep. Com. Ind. Aff., 1883, p. 10.

Rep. Board of Indian Commissioners for 1883, p. 10.

spring of 1883, it was necessary for the United States troops to remove them.[1] They were marched back through the Creek country to Fort Gibson in the Cherokee Nation[2] under the command of Captain John C. Bates.[3] They were held at Fort Gibson under authority from the War Department until July, 1883, when they were disarmed and released with permission to return to their homes. Instead of returning to their homes and industries, the main leaders with Isparhecher again went into camp at Nuyaka.[4]

During the excitement caused by the enforced return of the Loyal Creeks, the neighbored schools of the Creek Nation were closed by order of the Principal chief. It was just as well because the inhabitants of the nation refused to allow their children to leave home except in company with someone to protect them.[5]

A Government commission was appointed to visit the Indian Territory and seek to adjust the differences between the Creek leaders and factions. Only two members of this commission came to the meeting. They were General Clin-

[1]Rep. Board of Indian Commissioners for 1883, p. 72.

[2]Ibid., 1883, p. 10.

[3]Captain Bates reached the grade of lieutenant general and chief of the general staff of the United States Army before his retirement from the service. Thoburn, History of Oklahoma, Vol. II, p. 553. n.

[4]Rep. Board of Indian Commissioners for 1883, p. 10.

[5]The following statement appeared in the Indian Journal for February 27, 1883:
Okmulgee, I. T., Feb. 19.
Hon. John T. McIntosh,
Supt. Public Schools and Shops.
Dear Sir:—On account of the recent trouble caused by Isparhecher and party, quite a number of our neighborhood schools have been running without the usual number required by law, and as it is natural to suppose that an excited state of affairs will continue for a while, I have concluded that it would be well to suspend the neighborhood schools for a time. Therefore you are advised to suspend all neighborhood schools until the 15th day of next April.
Very respectfully your ob't serv't.
Sam'l Checote
Prin. Chief M. N.
Educational Department, M. N.
Okmulgee, February 20th, 1883.
In pursuance of the above advice the neighborhood schools for the Muskogee Nation are hereby suspended until April 15, 1883, suspension to take place at once.
John McIntosh
Supt. Schools M. N.

ton B. Fisk of New Jersey and General Eliphalet Whittlesey, of Washington, D. C.[1]

These commissioners met the representatives of the two factions in council at Muskogee, August 6, 1883. There were fifteen delegates from each faction, and each group submitted a written statement of its position. Then the commissioners gave all the delegates an opportunity to express themselves freely and to air any personal views they might have on the controversy. A subcommittee from each delegation was appointed to try to compose the differences[2]

The commissioner of Indian Affairs said, regarding this meeting, "A full and free discussion of all matters of disagreement between them was solicited, and was participated in by the various chiefs and others specially invited. The discussion was ably and intelligently conducted on both sides, and was characterized by a spirit of kindness and conciliation which was highly commendable, and reflected great credit upon the various participants. Both sides appeared to be anxious to reach an amicable solution of existing difficulties, with a view to having the supremacy of civil law restored and firmly established throughout their nation; and this sentiment was promptly seconded by the commissioner."[3]

Isparhecher and his followers contended that since they had remained loyal during the Civil War, it was not fair and just that they were made to surrender a large part of the

Creek country because of the fact that a large part of the Creeks had espoused the cause of the confederacy. By way of compensation for this and other grievances, they demanded that the Creek Nation should be divided into two separate tribes and that the reservation should be divided into equal parts by a line running east and west.[4] This

[1]Rep. Com. Ind. Aff., 1883, p. 72.

Rep. Board of Indian Commissioners for 1883, p. 8.

[2]This committee consisted of Chief Checote, Second Chief Post Oak Taylor, General Pleasant Porter, Coweta Micco, L. C. Perryman, and G. W. Grayson; representatives for the Creek Government, and Isparhecher, Tak-ke-bache Hargo, Ho-tal-kee Fixico, Con-charte Micco, David McQueen, Efa Emahlah, and William McIntosh; representing the Isparhecher party Rep. Board of Indian Commissioners for 1883, p. 9.

[3]Rep. Com. Ind. Aff., 1883, pp. L-LI.

[4]Rep. Board of Indian Commissioners for 1883, p. 27.

proposition was rejected and, after some days in negotiation, an agreement of peace was duly signed by the members of both delegations, whereby amnesty was granted for all crime growing out of the late trouble and the Isparhecher party agreed to take an oath of allegiance to the government of the Creek Nation.[1]

Colonel Sam Checote, Principal Chief, manifested a most pacific disposition. He resigned his position and called an election to be held in the following September to fill the vacancy thus created.[2]

Three tickets were placed in the field,[3] the candidates being Checote, Isparhecher, and J. M. Perryman. Isparhecher had a plurality in the election and he assumed the authority of principal chief, but Perryman contested his right to the position on account of some irregularity in one of the voting precincts.[4] The Department of Interior decided in favor of Perryman and Isparhecher was deposed. The Creeks both Lower and Upper resented very much the Government interference in this election; but Perryman, after he had assumed office received the hearty cooperation of the entire tribe.

(Continued in June Number)

OHLAND MORTON
Eastern Oklahoma College
Wilburton, Okla.

[1]For full text of agreement see Appendix C.

[2]Indian Journal, September 3, 1883.

[3]For full list of candidates and party platforms see Appendix D.

[4]Indian Journal, September 6, and September 13, 1883. See Appendix B.

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Chronicles of Oklahoma
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THE PLEA OF CRAZY SNAKE (Chitto Harjo)

By JOHN BARTLETT MESERVE.

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Down with him, chain him, bind him fast,
  Slam the iron door and turn the key.
The one time Creek, perhaps the last
  To dare declare "You have wronged me".
Defiant, stoical, silent,
  Suffers imprisonment.

Such coarse, black hair; such eagle eye;
  Such stately mien—how arrow-straight;
Such will; such courage to defy
  The powerful makers of his fate.

A traitor, outlaw—what you will,
  He is the noble red man still.
Condemn him and his kind to shame,
  I bow to him, exalt his name.

The detention of Chitto Harjo (Crazy Snake) in the Federal jail at Muskogee in 1901 by the United States authorities, inspired these lines of tribute penned at the time by Alexander Posey, the famous dream poet of the Creeks. Chitto Harjo, most familiarly known as Crazy Snake and also known among the whites as Wilson Jones, was a full blood Creek Indian of the old, decadent type. After the collapse of the Green Peach War and the retirement of Isparhecher from public affairs, Harjo became the acknowledged leader of the discordent full blood Creeks who were opposing the allotment of tribal lands and the extinction of the tribal government. The dissatisfied Indians who rallied to Harjo's leadership were a mere handful compared with the entire tribal membership but were none the less determined to recapture and resume the primitive status and practices of a none too heroic past. The feeling was general

among these malcontents that they had been wronged by the Government and there was a blend of

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much truth in their indictment that both spirit and law of past treaties had been wantonly violated and their cherished hereditary rights and immunities destroyed. In truth, and in fact, the United States treated the Indians like unwanted step-children throughout its early course of dealing with them.

The efforts which Harjo undertook in 1901 to establish a separate political status for his unyielding full blood followers at the old Hickory Stomp Grounds southeast of Okmulgee, were ill advised and farcical although undertaken with the utmost sincerity and good faith. The debacle was a tragic failure, Harjo and some of his militant associates were taken into custody by the military arm of the Government and indicted, tried and convicted in the Federal court, but were subsequently reprimanded and paroled by the court. Harjo was not wanting in the "courage to defy the powerful makers of his fate" but it had been a futile gesture.

During the succeeding five years, the allotment of the Creek tribal lands was accomplished and the tribal government completely extinguished, to all of which the sullen "Snake" Indians continued to be disinterested observers. They declined to make selections of their distributive shares of the tribal domain and arbitrary selections were made for each of them.

Late in the fall of 1906, a Special Senate Investigating Committee came to the old Indian Territory to investigate and report upon general conditions. Secretary of the Interior Garfield accompanied the committee which was composed of Senators Teller of Colorado, Clarke of Montana, Brandagee of Connecticut and Long of Kansas. Public hearings were held at the principal points in the Territory and on November 23rd, the committee opened a hearing in Tulsa. The meeting was held in the old Elk's lodge hall in the Seaman Building on West Third Street and when the session opened at ten o'clock the hall was packed to its capacity. Chitto Harjo accompanied by perhaps a dozen of his associates occupied conspicious front seats and the old warrior's presence being noted by the committee, he was accorded an opportunity to address the solons. Rising solemnly and with much deference, the "Snake" chief with the late David M. Hodge at his side as interpreter, advanced to the committee and with marked eloquence which held the committee and the spectators spellbound, deliver-

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ed what might be said to be the last protest of an expiring race. The scene was dramatic and one which will ever linger in the annals of Tulsa. Harjo spoke calmly, used no gestures and with no hesitation for language to express himself.

> "I will begin with a recital of the relations of the Creeks with the Government of the United States from 1861 and I will explain it so you will understand it.

I look to that time—to the treaties of the Creek Nation with the United States—and I abide by the provisions of the treaty made by the Creek Nation with the Government in 1861. I would like to enquire what had become of the relations between the Indians and the white people from 1492 down to 1861?

"My ancestors and my people were the inhabitants of this great country from 1492. I mean by that from the time the white man first came to this country until now. It was my home and the home of my people from time immemorial and is today, I think, the home of my people. Away back in that time—in 1492—there was man by the name of Columus came from across the great ocean and he discovered this country for the white man—this country which was at that time the home of my people. What did he find when he first arrived here? Did he find a white man standing on this continent then or did he find a black man standing here? Did he find either a black man or a white man standing on this continent? I stood here first and Columbus first discovered me.

" I want to know what did he say to the red man at that time? He was on one of the great four roads that led to light. At that time Columbus received the information that was given to him by my people. My ancestor informed him that he was ready to accept this light he proposed to give him and walk these four roads of light and have his children under his direction. He told him it was all right. He told him, 'The land is all yours; the law is all yours'. He said it is all right. He told him, 'I will always take care of you. If your peo-

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ple meet with any troubles, I will take these troubles away. I will stand before you and behind you and on each side of you and your people, and if any people come into your country I will take them away and you shall live in peace under me. My arms,' he said, 'are very long'. He told him to come within his protecting arms and he said, 'If anything comes against you for your ruin I will stand by you and preserve you and defend you and protect you.'

" 'There is a law,' he said at that time, 'that is above every other law and that is away up yonder—high up—for,' said he, 'if any other town or nation or any other tribe come against you I will see through that law that you are protected. It does not make any difference to you,' he said, 'if as many as twelve other nations come against you or twelve other tribes come against you it will not make any difference for I will combine with you and protect you and overthrow them all. I will protect you in all things and take care of everything about your existence so you will live in this land that is yours and your fathers' without fear.' That is what he said and we agreed upon those terms. He told me that as long as the sun shone and the sky is up yonder these agreements shall be kept. This was the first agreement that we had with the white man. He said as long as the sun rises it shall last; as long as

the waters run it shall last; as long as the grass grows it shall last. That was what it was to be and we agreed upon those terms. That was what the agreement was and we signed our names to that agreement and to those terms. He said, 'Just as long as you see light here; just as long as you see this light glimmering over us, shall these agreements be kept and not until all these things shall cease and pass away shall our agreement pass away.' That is what he said and we believed it. I think there is nothing that has been done by the people should abrogate them. We have kept every term of that agreement. The grass is growing, the waters run, the sun shines, the light is with us and the agreement is

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with us yet for the God that is above us all witnessed that agreement. He said to me that whoever did anything against me was doing it against him and against the agreement and he said if anyone attempted to do anything against me, to notify him for whatever was done against me was against him and therefore against the agreement. He said that he would send good men amongst us to teach us about his God and to treat them good for they were his representatives and to listen to them and if anyone attempted to molest us to, tell them (the missionaries) and they would tell him. He told me that he would protect me in all ways; that he would take care of my people and look after them; that he would succor them if they needed succor and be their support at all times and I told him it was all right and he wrote the agreement that way.

"Now, coming down to 1832 and referring to the agreements between the Creek people and the Government of the United States; What has occurred since 1832 until today? It seems that some people forget what has occurred. After all, we are all one blood; we have the one God and we live in the same land. I had always lived back yonder in what is now the State of Alabama. We had our homes back there; my people had their homes back there. We had our troubles back there and we had no one to defend us. At that time when I had these troubles, it was to take my country away from me. I had no other troubles. The troubles were always about taking my country from me. I could live in peace with all else, but they wanted my country and I was in trouble defending it. It was no use. They were bound to take my country away from me. It may have been that my country had to, be taken away from me, but it was not justice. I have always been asking for justice. I have never asked for anything else but justice. I never had justice. First, it was this and then it was something else that was taken away from me and my people, so we couldn't stay there any more. It was not because a man had to stand on the outside of

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what was right that brought the troubles. What was to be done was all set out yonder in the light and all men knew what the law and the agreement

was. It was a treaty—a solemn treaty—but what difference did that make? I want to say this to you today, because I don't want these ancient agreements between the Indian and the white man violated and I went as far as Washington and had them sustained and made treaties about it. We made terms of peace, for it had been war, but we made new terms of peace and made new treaties. Then it was the overtures of the Government to my people to leave their land, the home of their fathers, the land that they loved. He said, 'It will be better for you to do as I want, for these old treaties cannot be kept any longer.' He said, 'You look away off to the West, away over backward and there you will see a great river called the Mississippi River and away over beyond that is another river called the Arkansas River.' And he said, 'You go way out there and you will find a land that is fair to look upon and is fertile, and you go there with your people and I will give that country to you and your people forever.' He said, 'Go way out there beyond these two rivers; away out the direction of the setting sun and select your land—what you want of it—and I will locate you and your people there and I will give you that land forever and I will protect you and your children in it forever.' That was the agreement and the treaty and I and my people came out here and settled on this land and I carried out these agreements and treaties in all points and violated none. I came over and located here.

"What took place in 1861? I had made my home here with my people and I was living well out here with my people. We were all prospering. We had a great deal of property here, all over this country. We had come here and taken possession of it under our treaty. We had laws that were living laws and I was living here under then laws. You are my fathers and I tell you that in 1861, I was living here in peace and

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plenty with my people and we were happy; and then my white fathers rose in arms against each other to, fight each other. They did fight each other. At that day Abraham Lincoln was President of the United States and our Great Father. He was in Washington and I was away off down here. My white brothers divided into factions and went to war. When the white people raised in arms and tried to destroy one another, it was not for the purpose of destroying my people at all. It was not for the purpose of destroying treaties with the Indians. They did not think of that and the Indian was not the cause of that great war at all. The cause of that war was because there was a people that were black in skin and color who had always been in slavery. In my old home in Alabama and all through the south part of the Nation and out in this country, these black people were held in slavery and up in the North there were no slaves. The people of that part of the United States determined to set. the black man free and the people in the South determined that they should not and they went to war about it. In that war the Indians had not any part. It was not their war at all. The purpose of the war was to set these black people at liberty and I had nothing to, do with it. He told me to come out here and have my laws back, and I came out here

with my people and had my own laws and was living under them. On account of some of your own sons—the ancient brothers of mine—they came over here and caused me to enroll along with my people on your side. I left my home and my country and everything I had in the world and went rolling on toward the Federal Army. I left my laws and my government; I left my people and my country and my home; I left everything and went with the Federal Army for my father in Washington. I left them in order to stand by my treaties. I left everything and I arrived in Kansas—I mean it was at Leavenworth where I arrived. It was a town away up in Kansas on the Missouri River. I arrived at Fort Leavenworth to do what I could for my father's country and stand by my treaties. There

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at Fort Leavenworth was the orator of the Federal Army and I went and fell before the orator of the Federal Army. It was terrible hard times with me then. In that day I was under the Sons of my father in Washington. I was with the Federal soldiers.

"I am speaking now of this orator in the Federal Army. I went and fell before him and I and my people joined the Federal Army because we wanted to, keep our treaties with the father in Washington. Things should not have been that way but that is the way they were. The father at Washington was not able to keep his treaty with me and I had to leave my country, as I have stated, and go into the Federal Army. I went in as a Union soldier. When I took the oath, I raised my hand and called God to witness that I was ready to die in the cause that was right and to help my father defend his treaties. All this time the fire was going on and the war and the battles were going on, and today I have conquered all and regained these treaties that I have with the Government. I believe that everything wholly and fully came back to me on account of the position I took in that war. I think that. I thought then and I think today that is the way to do—to stand up and be a man that keeps his word all the time and under all circumstances. That is what I did and I know that in doing so I regained again all my old treaties for the father at Washington conquered in that war and he promised me that if I was faithful to, my treaties, I should have them all back again. I was faithful to my treaties and I got them all back again and today I am livng under them and with them. I never agreed to the exchanging of lands and I never agreed to the allotting of my lands. I knew it would never do for my people and I never could say a b c so far as that is concerned. I never knew anything about English. I can't speak the tongue. I can't read it. I can't write it. I and my people, great masses of them, are unenlightened and uneducated. I am notifying you of these things because your Government officials have told me

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and my people that they would take care of my relations with the

Government and I think they ought to be taking care of them as they promised. He said that if anyone trespassed on my rights or questioned them to let him know and he would take care of them and protect them. I always thought that this would be done. I believe yet it will be done. I don't know what the trouble is now. I don't know anything about it. I think my lands are all cut up. I have never asked that be done but I understand it has been done. I don't know why it was done. My treaty said that it never would be done unless I wanted it done. That anything I did not want to be done contrary to that treaty would not be done. I never made these requests. I went through death for this cause and I now hold the release this Government gave me. I served the father faithfully and as a reward, I regained my country back again and I and my children will remain on it and live upon it as we did in the old time. I believe it. I know it is right. I know it is justice.

"I hear the Government is cutting up my land and is giving it away to black people. I want to know if this is so. It can't be so for it is not in the treaty. These black people, who are they? They are negroes who came in here as slaves. They have no right to this land. It never was given to them. It was given to me and my people and we paid for it with our land back in Alabama. The black people have no right to it. Then can it be that the Government is giving it—my land—to the negro? I hear it is and they are selling it. This can't be so. It wouldn't be justice. I am informed and believe it to be true that some citizens of the United States have title to land that was given to my fathers and my people by the Government. If it was given to me, what right has the United States to take it from me without first asking my consent? That I would like to know. There are many things that I don't know and can't understand but I want to understand them if I can. I believe the officers of the United

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States ought to take care of the rights of me and my people first and then afterwards look out for their own interests. I have reason to believe and I do believe that they are more concerned in their own welfare than the welfare of rights of the Indian—lots of them are. I believe some of them are honest men, but not many. A plan ought fiat to dispossess himself of all thought or wish to do me or my country wrong. He should never think of doing wrong to this country or to the rights of my people. After he has done that, then maybe he can do something for himself in that regard; but first he must protect the Indians and their rights in this country. He is the servant of the Government and he is sent here to, do that and he should not be permitted to do anything else.

"All that I am begging of you, Honorable Senators, is that these ancient agreements and treaties wherein you promised to take care of me and my people, be fulfilled and that you will remove all the difficulties that have been raised in reference to my people and their country and I ask you to see that

these promises are faithfully kept. I understand you are the representatives of the Government sent here to look into these things and I hope you will relieve us. That is all I desire to say."

In response to, an interrogatory by the Chairman of the Committee, the old Indian responded, "Oh, yes, I am a farmer. I have a farm and a home there on it. I used to have horses and hogs and cattle but I have precious few left now. The white people have run all through me and over me and around me and committed all kinds of depredations and what I have left is precious few. I am here and stand before you today, my fathers, as a man of misery. I am here appealing to you to have the laws carried out."

Senator Teller of the Committee enquired of Mr. Hodge, the interpreter, "Do you believe that the old man is honest in his statements?" Mr. Hodge very readily and with emphasis answered, "Yes sir, he is

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as honest and straight forward and sincere in his statements as a living man can be."

After concluding his address, Harjo bowed low to the committee and retired from the hall with his followers.

A year later, Statehood came with its complement of new, untried State, District and County officials and the Indian had a new set of masters. Early in the summer of 1908, whisperings of another full blood Indian uprising began to drift in from the old Hickory neighborhood which seemed to indicate that the personal prowess of the new officials was going to be put to a test. Rumor had it that old Chitto Harjo had resumed the war path although the old Indian knew nothing about it until he learned that the State Militia was seeking for him. The worst that could be said of Harjo was, that he had talked too much but he committed no overt act against the State in 1908. The old man disappeared rather than face a prejudiced public opinion in the new courts of the State. Timid settlers whose fears were aroused by the reports, appealed to the new sheriff of McIntosh County, to investigate and restore the majesty of the law, but the sheriff was too frightened even to investigate and called upon the new Governor for military aid in quelling the insurrection, which was purely an imaginary one. The State Militia boldly marched into McIntosh County and martial law was declared in the Hickory country and the search for old Crazy Snake began. They never did find the old, decrepid Indian but they did find a few peaceful full blood Creek Indians living quietly in their log cabins with no thought or purpose of fomenting any trouble. There was no Indian uprising nor insurrection by the Snake Indians in 1908 and no occasion for the spectacular display of the military arm of the State at that time. It does seem, however, that discovery was made that a pack of dogs unwarrantedly had chased a rabbit into the smoke house of a white settler and in digging the rabbit out, the dogs had caused the smoke house to collapse and the affair was laid to the door of Crazy Snake and his folks. From this incident the Smoked Meat Rebellion took its place in the early history of the State of Oklahoma and the State Militia marched down the hill

again.

Little remains to be said of Chitto Harjo, the innocent cause of this state-wide panic. In Indian fashion, he just faded away,

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not as a fugitive from justice but because he was becoming too circumscribed by the white man and his individualistic practices. The old Indian just wouldn't civilize and so report has it that he died down in the Choctaw county about 1913—"a red man still".

DEATH OF CRAZY SNAKE

NOTE:—After the escape of Crazy Snake from the officers, nothing was heard of him for three or four years and the report went out that he and some of his trusted followers had gone to Mexico, but it later developed that he had hidden himself away at the home of Daniel Bobs, a full blood Choctaw, living in the Kiamichi Mountains. Fred Barde that well known and thoroughly reliable correspondent of the Kansas City Star, made some personal investigation about 1913 for the purpose of finding out what had become of the belligerent leader of the Creek full bloods, Chitto Harjo, and it was largely through his efforts that the facts concerning his death were established.

In order to keep history straight concerning the death of Crazy Snake, I will give some excerpts from the Barde story:

"The mystery of the disappearance of Chitto Harjo, or Crazy Snake, the noted leader of the Creek fullblood Indians known as Snakes, had been revealed. Chitto Harjo is dead. This fact only recently became known. For several years agents of the United States government sought patiently for news of Chitto Harjo. His friends and kinsmen shook their heads or stared blankly in fullblood fashion at their inquisitors. The fullbloods keep their secrets from white men.

"Chitto Harjo died at the home of his old Choctaw friend, Daniel Bob, hidden away in the Kiamichi Mountains, seven miles from the little town of Smithville, where there has been a Choctaw settlement since 1829. His grave is in Daniel Bob's yard, where it was located by an agent of the United States Commissioner to the Five Civilized Tribes, several weeks ago.

"Daniel Bob gave this account of Chitto Harjo's last days through an interpreter, Jerry Samuel:

"Daniel received word shortly after the fight at Chitto Harjo's home to go to a point north of McAlester, where he found Chitto with a bad wound in his hip. Charles Coker, Chitto's full-blood lieutenant, had been shot through the chest during the fight. Coker, while escaping, is said to have killed the two deputy sheriffs. Both Chitto and Coker said that the officers fired without warning, the moment that Chitto and Coker appeared at the door.

"The journey to Daniel Bob's home was along a secluded route. Chitto was unable to ride his horse without great pain, so they rode half a day and rested half a day. The party passed through old South McAlester, thence north of Wilburton, and through the Winding Stair Mountains by the old road leading from Wilburton to the Kiamichi river, through the Kiamichi Mountains a narrow trail was followed to the head waters of Eagle Fork, and thence round the edge of Bobtukle Mountain by a seldom used deer trail to the home of Daniel Bob. The party was composed of Chitto, Coker, Daniel Bob, and Anderson Harris, of Lukfata.

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"Spring has passed four times since Chitto Harjo was laid to rest in his grave-house at the home of Daniel Bob. He died in a foreign land—the Choctaw country, for such a fullblood would consider any spot outside the boundaries of his tribal lands. His abandoned home in the Creek Nation, valued at several thousand dollars, forced the Federal government to perservere in its search for Chitto, and only the most assiduous inquiry led to his location.

"Daniel Bob, in Indian fashion, dictated a letter to the writer that for simplicity and directness belongs to Homeric times. It reads:

"There was a man by the name of Chitto Harjo were came over here at my place.

"He were stay here while, and he got down in April 5, 1911, and the last few days of his life were spent in bed. One morning in April 11, 1911, at 10 o'clock, his life passed from away.

"In this April 5, he get down that with indeed distress, as the gunshot wound in his hip, and had died.

"Than we laid him good in my house yard. That where he lie in grave.

"This is all about Chitto Harjo death at my place".

A pathetic story, and true to the ways of the full-bloods of which Chitto was so typically representative. It is reminiscent of a poem by the late Alexander Posey, the Creek poet, "Hotgun on the death of Yadeka Harjo":

"Well so, "Hotgun he say,
"My ol'-time frien', Yadeka Harjo, he
Was died the other day,
An' they was no ol'-timer left but me.

"Hotulk Emathla he
was go to be good Injin long time 'go,
An' Woxie Harjoche
Been dead ten years or twenty, maybe so.
All had to die at las';

I live long time, but now my days was few;
'Fore long poke-weeds an' grass
be growin' all aroun' my grave-house, too."

"Wolf Warrior he listen close,
An' Kono Harjo pay close 'tention, too:
Tookpafka Micco he almos'
Let his pipe go out a time or two."

—D. W. P.

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Chronicles of Oklahoma
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THE DAWES COMMISSION

Loren N. Brown, 302 E. Third St., Edmond, Okla.

The relationship between the United States and the Indian tribes within her boundaries has been a changing and developing policy since the inception of our national government in 1789. Throughout all the periods of that development, however, there have been some outstanding characteristics always evident. One of these has been the steady advance of the white settler by definite stages, varying from the advent of the first trapper into the redman's country to the establishment of industries and settled farms on the lands that were formerly his. It is not the aim of this paper to attempt to prove the justice or the injustice of such a policy, but rather to observe the effect of its development upon Oklahoma, especially as it was administered through the hands of one of the agencies created by Congress to speed it along; the Dawes Commission.

The period after the Civil War had seen a reopening of Indian hostilities that had been lulled temporarily with the removal of the tribesmen to new homes beyond the Mississippi River. The release of thousands of fighting men at the close of that gigantic struggle, the completion of new railroads into the far west, the insatiable thirst of the white men for more land, the discovery of priceless minerals in the Rockies which had been thought of as worthless, and innumerable other factors had contributed to a great migration of Americans to the virgin regions west of the Mississippi. This had reopened the old struggle for supremacy between the two races that had been going forward since the coming of the first white men to make the new hemisphere a permanent home. Campaigns against the Sioux, Cheyennes, Comanches, Pawnees, and other tribes were merely incidents in the conflict.

Constantly recurring victories led to new treaties and new laws dealing with the relations between the newly conquered tribes and the United States Senate. The importance of this movement throughout the latter half of the nineteenth century made the Committee on Indian Affairs in
that body a very important assignment. Chairmanship of that important committee in 1885 was held by Henry L. Dawes, veteran Senator from Massachusetts, the successor of Chas. Sumner.[1] In his hands lay the power of doing much to mould the Government's policy towards "Poor Lo." He had served on a special committee to investigate disturbances in the Indian Territory previous to that time, and to him has been attributed the origin of the entire system of Indian education in existence during the latter part of the century.[2]

On February 26, 1886, the Senate passed a bill which had been introduced by Dawes, December 8, 1885, that was destined to revolutionize Indian relations. This was the now famous Dawes Act, providing for the first allotment of lands to the Indians in severalty. Constant pressure was being brought to bear, particularly from the middle west to have the unallotted lands opened for white settlement. While the Senate passed it in February 1886, it was not until February 8, 1887 that final agreement was reached by both houses and the President signed it.[3] The policy of allotment was provided for in the act, but by its wording the Osages, Peorias, Miamis, Sac and Fox, and the Five Civilized Tribes, Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles, were excepted from its provisions. Of all the tribes, the latter five were possibly the nearest ready for allotment and the ending of tribal government, but they did not want it, and through influences brought to bear in Congress, as well as existing treaty conditions, they were freed from the effects of the legislation. Minute details were provided in the law. Each head of a family was to receive 160 acres, with half as much to each single person over eighteen years of age and each orphan under that age, while others under eighteen were to receive 40 acres. The land could not be sold or otherwise alienated for a period of twenty-five years, with the further provision that this period might be extended by the President of the United States at his discretion. Citizenship was to be granted to the Indian upon the delivery of his patent.

As the time for actual allotment approached, it became necessary for the government to have tribal rolls upon which it could base its division of lands. In each of the five tribes rolls of the Indians by blood, adoption, and intermarriage were required, as were also Freedmen rolls. Among the Cherokees, there was an additional demand in the demand for a roll of the Delawares who were settled among the larger nation, the law having provided that the Dawes Commission should segregate 157,600 acres that had been purchased by the Delawares, from the lands of the Cherokees, before allotment should start in that nation.

The preparation of the rolls forced a new type of duty upon the federal representatives. Where, before, only additions were made to the existing rolls, they were now to be given the authority to make up entirely new enumerations, including passage upon the validity of names already enrolled, as well as new applicants for citizenship. This, added to the fact, that there were many disputed claims among the Freedmen who were seeking to be admitted to tribal citizenship, necessitated a changed policy on the part of the Commission. Where, before they had been content to deal with the leaders of each nation, going where they could easily get by rail, they now purchased tents, and went into the far corners of the nation, where they made a personal canvass of conditions. and heard disputed applications in person. This seemed to create a better spirit between them and the people with whom they were dealing. By 1898, the census of the Seminoles was reported complete and ready for allotment. Starts had also been made with the Creeks and the Chickasaws. The preliminary work toward allotment was well under way when we leave them.

Now, at the end of five years, we leave the Dawes Commission. The first phase of their work was almost complete, and they were well started on the second. Tentative agreements had been reached, and already they were started on the preliminary work of allotment. Whether the policy of the Federal Government in bring-

ing the tribal histories to an end, and placing the land available to white domination. will remain a mooted question for some time. But one thing must be admitted, the Commission delegated with the task of puting that policy into effect had started in an efficient manner, and was becoming a vital cog in the administrative unit of the federal organization.

CHRONICLES OF OKLAHOMA

- TRIAL AND EXECUTIONS
- THE MACINTOSHES
- THE PERRYMANS
- CHIEF ISPARCHECHER
- CHIEF PLEASANT PORTER
- CHIEF OPOTHLEYAHOLA

Chronicles of Oklahoma
Volume 12, No. 2
June, 1934
A TRIAL AND EXECUTION AMONG THE CREEKS

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On the night of Jan. 1, 1896, at a dance, Timmie Jack whilst drunk killed James Brown (both Euchees) with a knife. Being apprehended he was charged and tried at Isparhecher court ground 4 miles west of Beggs, for murder, in the Okmulgee District court the following proceeding being shown by the records of said court:

Muskogee Nation
vs. } Murder
Timmie Jack

Charged with killing one Jas. Brown. This crime was committed on the night of January 1st, 1896 against the peace and dignity of the said nation.

Witnesses for Prosecution.	**Dft. Witnesses.**
Jas. Brown	Sandy
Geo. Long	Alloe
Daniel Bigpond	John Stella
Andy Johnson	Stanwaitie Bighead
Lyra Brown	Candy Squire
Karthoney	James "
Thos. Brown	Kethe
Stanwaitie Bighead	Conge
John Stilla	William Littlehead
Pros. Atty. & Assistants:	**Dft. Attorneys:**
Thos Grayson	C. B. Perryman
Ben McIntosh	Lewis McGilbra
S. J. Haynes	George Tiger
Jeffry Smith	Alex Davis

R. R. Bruner

JURY

Austin Anderson	Wash Adams
Woxey Harjo	Ben Porter
Keeper Johnson	Timmie Tiger
George West	Skianger
Isaac Manuel	Joseph Gibson
Pompey Phillips	E. E. Hardridge

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The jury in this case failed to agree on a verdict and turned the case back to the court Febry. 25th, 1896.

On a second trial the following proceedings are shown by the record:

Muskogee Nation
vs. } Murder
Timmie Jack

Charged with killing Jas. Brown. This crime was committed on the night of the 1st of January 1896, against the peace and dignity of the said Nation.

Pros. Witnesses:	**Dft. Witnesses**
James Brown	Sandy
George Long	Ello
Daniel Bigpond	Candy Squire
Karthlona	Kittie
Thomas Brown	Wm. Littlehead
Stanwaitie Bighead	
John Stilla	
Pros. Atty and Assistants:	**Dft. Attys:**
Thomas Grayson	C. B. Perryman
Ben McIntosh	Lewis McGilbra
Sam J. Haynes	George W. Tiger
Jeffry Smith	Alex Davis
R. R. Bruner	O. A. Morton
	Jim Haynes

JURY

Lincoln Postoak	Pigeon Scott

Wm. Eufaula	Tulmarsey
Stanwaitie	Harris Berryhill
Martin Davis	Sandy Tobler
Marchie	David Barnwell
Pufney Tiger	Turner Bradley

VERDICT

We the jury selected to decide the above case after a care-

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ful investigation of all the evidence in the case find the defendant **guilty** of murder as charged in the indictment.

Lincoln Postoak
Foreman

Approved
J. F. Marshall
Judge, Okmulgee Dist.

J. H. Lynch, Clk.

Sentenced to be shot between the hours of 9 A. M. and 4 P. M. April 28th, 1896.
Reprieved 3 days by Isparhecher.
Executed in accordance with law.

After sentence he was brought to Okmulgee and confined under guard in the Council House. At his rquest he was permitted to go home in charge of a lighthorseman, returning to Okmulgee a day before he was to be executed. The lighthorseman who was to execute him not having been aligned with him as a friend, and desiring a friend to shoot him he requested the trial Judge to designate his friend **Pleasant** (Duke) **Berryhill, the Sheriff of** Okmulgee County, to execute him, which request the Judge granted.

Whilst a carpenter and another party were making his coffin in a blacksmith shop in Okmulgee, **Timmie Jack** came by, his wife with him, looking at it and buttoning up his coat he laid down in it as if to see whether his body would fit into it, after which he accompanied his guard to the Council House.

The next day he **was** executed by Berryhill who considered it his duty to do so on the request of his friend, thereby preventing an enemy from carrying the execution into effect. Berryhill fastening a small piece of white paper over his heart, shot and killed him with only one fire.

Effort being made to have the Principal Chief Isparhecher to pardon him which being opposed[2] by a counter petition on the part of the friends of deceased, consisting of Billy Brown, a brother, and others, the Principal Chief declined to interfere with the carrying into effect the sentence of the court, although he postponed the execution for three days.

R. L. Williams

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[1]Sam J. Haynes and Sam Checote, Jr. The records show that Sam J. Haynes was the last presiding officer of the House of Kings.

[2]R. Watts.

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Volume 10, No. 3
September, 1932
THE MacINTOSHES

By John Bartlett Meserve

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Feudal Scotland of its picturesque peoples, its wild warring clans, its hereditary chieftains, its scenic glory of hill and mirrored tarn famed in legend and song, offers the historic background of the MacIntosh Family which has so generously enriched Creek Indian history and lore. We are paused to glimpse an age of castle walls and of personal prowess "when men were brave and women fair and wine was red,"—when man, with the drapery of chivalry drawn about him was either a demigod or a monster and dwelt sword in hand obscessed each waking hour with dazzling images of fancy. Tradition intrigues our interest in the much celebrated duel of December 5, 1056 between King Macbeth and Duncan Macduff, to which event in Scottish history, Shakespeare has imparted an imperishable interest. A well defined tradition identifies this Duncan Macduff as the founder of the MacIntosh clan and as its initial chieftain.

The medieval seat of the MacIntosh clan was situated immediately south of Inverness, Scotland along the eastern slopes of the Highlands and obviously among the heroic "Who's Who of Scotland" during the Middle Ages was one Angus MacIntosh of Mohr Castle, renowned chieftain of his clan in the early part of the 14th century. He was a bold warrior, this Chief MacIntosh, and led his people in their hereditary quarrels with the neighboring clans but chiefly against the Camerons, the MacDonalds and the MacPhersons. He fought with Robert Bruce at Bannockburn and doubtless was diligent to impress his share of the rich loot hastily abandoned by the defeated Edward II when he fled to the south after that long, hectic day in June, 1314.

The Middle Ages closed leaving in the hearts of men a passionate longing for the new day that was to come with the breaking of the rennaissance—when the personal and political rights of men were to be brought more sternly within the sphere of serious consideration. Athwart the pathway of humanity's march across the centuries loomed America, the land where the dreams of men were to approach a realization.

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Settlements decked the Atlantic seaboard in America and the remoteness of these settlements from the mother country enabled an independent spirit to develop. Under crude colonial conditions a revolutionary philosophy of individual rights began to unfold.

The Georgia Colony had its inception in the dreams of James Oglethorpe, the English philanthropist. The prisons of England restrained the liberties of men, who through some unfortunate business engagement became involved in debt. Others who challenged the prevailing religion suffered the indignities of prison life. Men and women of character faced incarceration because of minor infractions of the sumptuary laws which cursed the political life of old England during that period. As a gesture of relief for these unfortunate people, James Oglethorpe procured from the King of England, a grant of lands in America north of the Spanish territorial claims at the Altamaha river. The city of Savannah was founded by Oglethorpe and his contingent of these released people in 1733. Attracted to his benevolent enterprise were the peaceloving and anti-imperialistic Moravians from Germany. A handful of timid French Huguenots and a scattering of Jewish people also joined the Georgia Colony during those inceptive days.[1] The fiber of these various colonizing elements scarcely was calculated to meet the challenge of adversity and danger in the wilds of Georgia where the savage lurked behind tree and rock. The stabilizing element to complete General Oglethorpe's cosmopolitan cocktail became available by the advent of the Scotch Highlanders in the early spring of 1736.

The good ship "Prince of Wales" commanded by Captain George Dunbar sailed from Inverness, Scotland on October 18, 1735 bearing two hundred Highlanders with their families which included some fifty women. Three months later, the timid colonists at Savannah were startled one day by the strains of the Scotch bagpipe as this Highland contingent, in kilties clad, carne marching up the street led by John Mohr MacIntosh, a chieftain of his clan. For the occupancy of this newest accretion, Oglethorpe set aside lands south of Savannah along the north bank of the Altamaha river and immediately across the river from the Spanish settlements. This disposition of the fearless Scotch served to make of them a buffer

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[1] I Samuel, Chap. 22, verse 2.

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between the Savannah colony and the menacing Spanish to the south. The settlement of New Inverness was made, later to become Darien and today, Darien, county seat of McIntosh County, Georgia. Early, in the life of this Scotch settlement, the Spanish precipitated an attack and the Highlanders after a fierce engagement drove them back across the river but not without having suffered a loss of approximately one half of their number. The Scotch settlement grew by accretions from their old homeland among the Highlands.

John Mohr MacIntosh becomes more than a mere footnote in early Georgia history.

He became storekeeper for his colony, traded with the Indians and fought the Spanish. He was taken a prisoner by the Spanish, transported to Spain, languished in prison for some time, but was later released and returned to Georgia. He was a member of the Assembly at Savannah in 1750 and died in 1756. His son, Lacklan became a character of great prominence in the Continental Army during the War of the Revolution but is perhaps best recalled in Georgia history because of his affair of honor with Button Gwinnett. This duel fought on the outskirts of Savannah on May 12, 1777 resulted in the death of Gwinnett. Button Gwinnett had been a signer of the Declaration of Independence and was the first of that body of immortalles to die.

Accompanying John Mohr MacIntosh and his company of Highlanders to Georgia in January 1736, were two of his cousins, Roderick and John. These cousins were sons of Lt. Benjamin MacIntosh whom historians identify as the natural son of old "Brigadier" William MacIntosh famous in the Jacobite Uprising in Scotland in 1715. Roderick and John MacIntosh did not tarry long at Darien but plunged further into the wilds of the Creek Indian country and settled at MacIntosh Bluffs on the Tombigbee river in what is now the State of Alabama, where they received a grant of lands from the king for services rendered by them in the Spanish wars. Roderick, known as "Old Rory" was a choleric, eccentric bachelor, held a commission as a captain in the British Army and fought against the Spanish in the south. John MacIntosh, his brother was also a British captain, lived at MacIntosh Bluffs and married a Scotch lady of the MacGillivray clan. Catharine, a daughter of Captain John MacIntosh, upon the occasion of a trip back to Scotland, married a British Naval

officer by the name of Troup and lived at MacIntosh Bluffs, where her son George MacIntosh Troup was born on November 8, 1780. George MacIntosh Troup graduated from the College of New Jersey (Princeton) in 1797, was admitted to the bar in 1800 and practiced law at Savannah. He was a member of the Georgia legislature from 1801 to 1804 and of the National House of Representatives from 1807 to 1815 and Chairman of the House Committee on Military Affairs during the War of 1812. He served in the United States Senate from 1816 to 1818 and as Governor of the state from 1823 to 1827. From 1829 to 1833, he was again in the United States Senate. Governor Troup was a radical states rights advocate and in 1852 was nominated on a Secession Ticket for President. He died in Laurens County, Georgia on April 26, 1856 and is buried at Rosemont, Montgomery County, Georgia.

A son of Captain John MacIntosh was William MacIntosh who became a Tory captain in the British service during the War of the Revolution. He was probably in command of a contingent of Creek Indian allies of the British as the Indians were supportive of the British during the war. Captain William MacIntosh lived among the Creek Indians at Coweta, Georgia, where he married two Creek Indian women and by one of them became the father of William MacIntosh, the colorful Creek Indian Chief. By the other wife, he became the father of Roderick, known variant among the Creek Indians as Roley MacIntosh.

Chief William MacIntosh son of Captain William MacIntosh was born at Coweta,

Georgia, in 1778. He was denied the finished culture which his cousin, the celebrated Governor had enjoyed, but whatever he may have lacked in the refinements of scholastic training was quite fully compensated in the poise, ability and acumen with which nature had endowed him. He became a character of prominence and commanding influence among the Coweta or Lower Creeks and was the chieftain of that faction from about 1800 until his death in 1825. Chief MacIntosh amassed considerable weath and his plantation home at Indian Springs, Georgia, where he was served by a retinue of negro slaves and where his herds and flocks grazed at will, was elegant in all of its appointments. Two Indian wives graced his home, Susanna Coe, a Creek woman and Peggy, a Cherokee. Residing at

another plantation home some fifty miles distant and which he owned, was a third wife, Eliza, a daughter of Stephen Hawkins. This modern Solomon arrayed in oriental splendor, was tall, finely formed, of a graceful commanding poise and his magnificent Indian Springs plantation home became the rendezvous of United States Commissioners dealing with the Indian tribes in Georgia. By its spacious fireside, the wily chief bargained and sold the ancient homestalls of his people in the State of Georgia only to provoke his own summary execution later at the hands of the enraged Creek Indians.

In its early dealings with the Indians, the United States was not always exactly consistent. Many unfair practices which the end may seem to have justified, were indulged to divest the tribes of their ancient homes. The representatives of the government were not remiss in making convenient the employment of corrupt officials among the Indians to accomplish title to Indian lands. Bribes were scattered among influential leaders, threats were made and engagements broken by commissioners who represented the government. Against these invasions of his ancient prescriptive tenure, the Indian was without a "remedy at law" and hence the war path. Hatred, jealousy and bloodshed were occasioned by practices manifestly unfair. "Many, if not most, of our Indian wars have had their origin in broken promises and acts of injustice on our part", said President Hayes in his message to Congress in December 1877.

On April 24, 1802, the United States, in consideration of the relinquishment by the State of Georgia of all claims to the Mississippi territories (Alabama and Mississippi) engaged to extinguish the Creek Indian titles to all lands within the borders of the state "as early as could be peaceably done on reasonable terms." From thenceforth the people of Georgia began continuously to clamor for the fulfillment of this engagement by the government. The initial cession was procured from the Creeks by the treaty at Washington made on November 14, 1805.[2] By this agreement, the Creeks transferred millions of acres of their Georgia lands to the state. This agreement was negotiated upon the part of the Creeks by Chief William MacIntosh, the chieftain of the Lower Creeks. At the conclusion of the Creek war of 1813-14, General Andrew Jackson

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[2]Kappler, Vol. II. p. 85.

imposed another "treaty" upon the subdued Creeks and compelled them to yield a large portion of their domain which was opened to white settlement. This "treaty" was made at Ft. Jackson, Alabama, on August 9, 1814[3] and again Chief MacIntosh presumed to represent the Indians. The Lower Creeks were led by Chief MacIntosh in the Creek war of 1813-14 as allies of General Jackson, at which time he was a commissioned colonel in the regular army. He was prominent against the recalcitrant members of his own tribe at Horseshoe Bend on March 17, 1814 and yet he was recognized by General Jackson as the representative of the subdued belligerents when he imposed the harsh terms of peace. MacIntosh promoted another treaty at the Creek Agency, Georgia on January 22, 1818[4] and again the Creeks were divested of a large fraction of their acreage. The Creeks were again bound by the treaty of January 8, 1821, at Indian Springs,[5] arranged by the resourceful MacIntosh and a further divesture of lands resulted.

The Creeks were now becoming alarmed at the prospective wholesale alienation of their ancient domain by Chief MacIntosh and, at Tuckabatchee in May, 1824, enacted a law forbidding the sale of any of the remaining lands of the tribe under penalty of death. In these various treaties, MacIntosh, although chief only of the Lower Creeks, had presumed to represent the entire Creek Confederacy and the Commissioners of the United States had so recognized him although they well knew his limitations of authority. In defiance of the law passed by the Creek Council in 1824 imposing the death penalty, MacIntosh undertook by a treaty at his home at Indian Springs, on February 12, 1825,[6] to divest the hapless Creeks of the remaining portion of their Georgia lands. A delegation of the Upper Creeks warned the wily MacIntosh of his doom under the law if he signed the treaty. For the first time in his venal career, the Chief hesitated, but having assurances of protection from the United States Commissioners and from his highly influential cousin, the Governor of the State of Georgia, he signed the treaty as did also a number of the Lower town chiefs including his son Chilly, although it was

[3]Kappler, Vol. II, p. 107.

[4]Kappler, Vol. II, p. 155.

[5]Kappler, Vol. II, p. 195.

[6]Kappler, Vol. II, p. 214.

repudiated and unsigned by a majority of the Indian representatives. Chief MacIntosh was subsequently tried, in his absence, before the Creek Council under the law of

1824 and sentenced to be shot, the order for his execution being given by Little Prince, the Principal Chief of the Confederacy. The Chieftain was not disposed to dignify this action by the Council as an affair of much seriousness. He doubtless felt that his status was impregnable and manifestly he had reason to feel so. He had been unremitting in his fidelity to the interests of the white settlers as expressed through both the National and State Governments. General Jackson was his personal friend and had so expressed himself in commendatory terms after the Creek War. He had the assurances of Campbell and Meriweather, the United States Commissioners. In the Governor's chair at Milledgeville sat his cousin having the state troops at his disposal. The entire situation was calculated to inspire a sense of repose and security and so apparently all thought of the death fiat was disregarded. But when the fatal moment came General Jackson and the regulars were far away, the Commissioners had returned to Washington to interest Congress in a ratification of the treaty and the Governor of Georgia was otherwise engaged. A party of more than one hundred lighthorsemen under command of Chief Menewa of the Upper Creeks stealthily departed from Tuckabatchee to apprehend the Chief and exact the penalty of execution. In the still hours of the morning his Indian Springs home was surrounded by the execution party, the members of the family including his son Chilly who was light and hence unrecognized were permitted to retire, a torch was applied to the dwelling and in the cold, gray dawn of April 30, 1825, Chief MacIntosh walked from the flames which enveloped the house to a hideous, cruel death at the hands of his tribesmen.[7] His scalplock was removed and bourne back to Tuckabatchee as a return of the order of execution and

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[7]In the office of the Commissioner of Indian Affairs at Washington, D. C. is an original letter dated May 3, 1825, written by Peggy and Susannah McIntosh, wives of Chief William McIntosh to Messrs. Campbell and Meriweather, in which they detail the killing of the Chief and their own sufferings. See also "The Green Corn Dance," a letter by John Payne, Chronicles Vol. X. p. 173.

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thus another tragic chapter of Creek Indian history was concluded.[8]

The unhappy death of Chief MacIntosh was not an isolated tragedy nor the result of an abnormal outbreak of fanaticism. It was an incident, a cursory episode in the political affairs of a semisavage, warlike people conducting themselves in a perfectly natural manner. His life was required in response to a tribal mandate and conventions of those days among the Indians had a depth of grim reality. The Governor of Georgia denounced the affair in terms of rage and trouble was averted only by the prompt conciliatory action of the National Government. This tragic sequel to the celebrated Chieftain's career quite naturally excites a sentiment of tenderness akin to that expressed by Desdemona to Othello, "I love thee for the battles, sieges, fortunes thou hast passed and for the distressful stroke thy youth suffered."

This Scottish Chieftain of the Lower Creeks easily could discern that Naboth's

vineyard would be required as the dominant race moved across the continent, correctly visioned the ultimate removal of the Indians to the West and fully appraised their helplessness in the face of the Government's manifest determination. This situation, the full blood Indians were unable to understand or unwilling to accept. History perhaps will duly vindicate the bargain which he concluded with the Government, but the bona fides of his activities are obscured by a receptive posture toward bribes of lands and money which were available to influence his course. An intimate glimpse which betrays the disintegrating influence em-

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[8]The remains of Chief William McIntosh lie in a quiet spot in the woodlands on the banks of the Chattahoochee near the village of Whitesburg, Carroll County, Ga. His grave is marked by a huge boulder erected by William McIntosh Chapter, D. A. R. in October 1921, upon which rests a bronze tablet containing the following inscription;—

1778 1825

To the Memory and Honor of General William McIntosh

The Distinguished and Patriotic Son of Georgia whose devotion was heroic, whose friendship unselfish and whose service was valiant. Who negotiated the treaty with the Creek Indians which gave the state all lands lying west of the Flint River. Who sacrificed his life for his patriotism.

Erected by
William McIntosh Chapter
D. A. R.
Jackson, Georgia, 1921.

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ployed by the representatives of the Government, is reflected in the letter which the Chief wrote to Chief John Ross of the Cherokees in which he counsels the Cherokee Chief, in 1823 to sell the Georgia lands of his people to the government. In this communication MacIntosh assures Chief Ross of his ability to arrange with the United States Commissioners to pay to Ross definite sums of money, "as present and no body shall know it." This reckless Talleyrand of the Creeks yielded to the influence of his astute cousin, the Governor of the State of Georgia as that official spared no effort to drive the Indians, from his state. The hand of the apologist trembles as he turns these sordid pages of Creek Indian history but the thoughtful student recognizes that history is not always a matter of human dignity. Men sometimes "stoop to conquer."

Much bitterness resulted from the summary execution of Chief Wiliam MacIntosh, and the Lower Creeks now to be known as the MacIntosh faction, engaged with the government for their removal to the west. As early as February, 1828, the initial contingent of this faction led by Chilly MacIntosh, eldest son of the ill fated chief,

arrived in the old Indian Territory and settled near the mouth of the Verdigris river. At varying intervals thereafter and under the guiding hand of Roley MacIntosh, a half brother of chief William MacIntosh, emigrating parties of these Indians voluntarily joined their brethren in the west leaving the ancient tribal domain in Alabama to the disposition of the full blood Upper Creeks.

Roley MacIntosh was born at Coweta, Georgia, about 1790, and after the death of Muskogee, his first wife, married Susannah, the widow of his ill fated half brother and became chief of the Lower Creeks in 1828 which position of commanding influence he held for thirty-one years. His word was the law among his people and his administration of tribal affairs, safe and constructive, although he was somewhat unsympathetic in his earlier years, toward the efforts of the missionaries. He denounced the practice of poligamy among his people and opposed the use of intoxicating liquors by them. On June 22, 1829, accompanied by the full council of the Creek Nation, he waited upon Col. Arbuckle and General Sam Houston at Ft. Gibson and delivered into

the hands of Houston a nine page protest against the retention of Col. Brearly as Indian Agent, at the same time vigorously opposing the anticipated transfer to them of Col. John Crowell, the eastern Creek Agent. "Surely" wrote the Chief in expressing his reasons, "General Jackson would not make us so unhappy. * * * He has not forgot the Murder of Mackintosh. He knows that his blood yet lies on the ground unburied. Mackintosh was a Warrior of General Jackson's. The General told him he would protect him but Jackson was far off. Col. Crowell near at hand. He whispered to the enemies of Mackintosh—he pointed at him and he perished. * * * We hope General Jackson will not make us miserable and that he will keep this man from amongst us." This lengthy document was handed by Roley to Houston and by him transmitted to President Jackson with a personal note suggesting that the contents merited consideration. A memorial, signed by both Roley and Chilly MacIntosh was addressed to President Jackson on October 19, 1831, urging the appointment of a commission to compose their differences with the warring Comanches and suggesting the designation of Auguste P. Choteau as one of the commissioners. A great intertribal council was held at Tahlequah early in July 1843 at which meeting eighteen tribes were represented by an attendance of some three or four thousand warriors. Chief Roley MacIntosh delivered an impassioned address before this meeting on July 3, 1843 and a compact of peace was signed, one of the signatory representatives on behalf of the Creeks being Chilly MacIntosh. Roley MacIntosh as chief of the Creeks in the west signed the treaty of February 14, 1833 at Ft. Gibson[9] by the terms of which the boundary differences between the Creeks and the Cherokees were adjusted. With Opothleyahola, he also signed the treaty of January 4, 1845[10] which enabled the settlement of the Seminoles among the Creeks in the west.

Chief Roley MacIntosh owned a large plantation at the forks of the Verdigris and Arkansas rivers which he farmed with slave labor. His imposing home which overlooked the valley was destroyed during the Civil War. He retired as chief of the Lower Creeks in July 1859, being succeeded by

[9]Kappler, Vol II, p. 388.

[10]Kappler, Vol. II, p. 550.

Moty Kennard. He was now an old man and at the outbreak of the Civil War, being a Southern sympathizer, he removed to Texas, making his home with his niece Delilah, widow of William Drew and daughter of the late Chief William MacIntosh, where he died in 1863 and is buried in an old family burying ground on the Drew Plantation near Jefferson, Texas. In the latter years of his life, Roley MacIntosh was baptized in the Baptist Church. It is of interest to know that Alexander MacIntosh, a grandson of Chief Roley MacIntosh, was a member of the Creek House of Warriors in 1887, a district judge of the Muskogee district for three years and on April 4, 1898 was appointed superintendent of schools for the Creek Nation by Chief Isparhecher.

Chilly MacIntosh, eldest son of Chief MacIntosh and Eliza, his wife, was born at or near Coweta, Georgia about 1800. He signed the repudiated treaty of February 12, 1825 and at the time of his father's execution, escaped death on account of his fair complexion and was permitted to retire with the white inmates from the house of carnage unrecognized by the avenging party. After this incident he took refuge, for a time, among the Cherokees. He held a commission as major in the United States army during his residence in Georgia. During the visit of General Lafayette to this country in 1825, he toured the Southland and entered Alabama at Ft. Mitchell about April 1st, 1825. Here the distinguished visitor was met by an escort composed variously of white citizens and Indians. He was first greeted by Chilly MacIntosh with fifty Indian warriors, who were stripped naked and finely painted. The General taking his seat in a sulky previously provided for him, was drawn by the Indians up the hill to where the Alabama delegation stood. On halting, the Indians gave three loud whoops.[11]The political activities

[11]The visit of the venerable Lafayette, the friend of Washington, and the youthful champion of Liberty, in the last year of the administration of Gov. Pickens, excited the patriotic fervor of the people to the highest point of enthusiasm. His tour through the United States was like the march of a triumphal hero. Coming South he passed through Georgia and entered Alabama at Ft. Mitchell, on the Chattahoochee river. Here an escort of between two and three hundred persons, composed of the militia, several prominent citizens and numbers of Indians, met the distinguished visitor. He was first greeted by Chilly McIntosh, son of the Indian general, Wm. McIntosh, with fifty Indian warriors, who were stripped naked and finely painted. The General taking his seat in a sulky, previously prepared for him, was drawn by the Indians up the hill to where the Alabama delegation stood. On halting the Indians gave three loud whoops. Mr. Boling Hall of Montgomery, then welcomed him, after which a splendid address was made by Mr. Dandridge Bibb. On its conclusion the Indians engaged in a

magnificent game of ball play. Starting across the country accompanied by the escort, Montgomery was reached on April 3, 1825. On "Goat Hill" where the State Capitol now stands, Governor Pickens and a large crowd of citizens were assembled as Lafayette and his party marched up to the air "Hail to the Chief."

See "History of Alabama" by Pickens, page 677.

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of Chilly MacIntosh among the Lower Creeks in the West, ran contemporaneous with those of his uncle; Chief Roley MacIntosh. He signed the treaty of November 11, 1838[12] at Ft. Gibson, by which the losses sustained by the Lower Creeks in their removal, were adjusted by the government and also joined with his younger half brother, Daniel N. MacIntosh in signing the treaty of August 7, 1856[13] at Washington, which set aside specific lands for the Seminoles from the Creek domain in the Indian Territory. This treaty was one of the most important in all Creek history as it contained a summary of all antecedent agreements. In the latter years of his life, Chilly MacIntosh became a Baptist minister. He was survived by three sons, John, William F.,[14] and Luke G., and by two daughters, Mildred and Martha, all of whom are now deceased.

We pause to make the historic acquaintance of Daniel Newman MacIntosh,[15] the second and youngest son of the illfated Chieftain and Susannah, his wife, who was born at Indian Springs, Georgia on September 20, 1822 and came West with the third emigrating party in 1830. He first settled on the lower Verdigris but later established his home near what is now Fame, McIntosh County, Oklahoma. He was educated at Smith Institute, Kentucky and subsequently married Jane Ward by whom he had four sons, Albert, Freeland, Roley and Daniel N. Jr. Upon the demise of his first wife, he married Emma Belle Gawler and seven children blessed this union, of whom the following are living, J. M., W. Y., Mrs. E. I. Smith, Mrs. Rose Hyland and Mrs. C. W. Boteler. Colonel MacIntosh was an ardent Baptist, being a minister of that demonination for fifteen years prior to his death. Daniel N. MacIntosh, with his half brother Chilly MacIntosh was a

[12]Kappler, Vol. II, p. 524.

[13]Kappler, Vol. II, p. 756.

[14]"Indian Territory, Its Chiefs, Legislators and Leading Men," by O'Beirne, p. 194.

[15]"Indian Territory, Its Chiefs, Legislators and Leading Men," by O'Beirne, p. 397.

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delegate for his people to Washington in 1856, where he signed the treaty of August 7 of that year. When a young man, he was chosen clerk of the council of the Lower Creeks and also served as a member of its House of Warriors and as a member of its supreme court. In the War between the States, Daniel N. MacIntosh, then in the vigor of middle life, assumed a most engaging part. He raised the First Creek Indian Confederate Regiment and became its colonel. This regiment was organized on August 19, 1861 for twelve months service but was reorganized in August 1862 and served during the war. It is interesting to note that a Second Creek Indian Regiment was soon formed for the Confederate service and of this regiment, Chilly MacIntosh now an old man became the colonel. These two regiments saw much active service, both being attached to the brigade commanded by Col. D. H. Cooper. Both regiments were in service at Round Mountain when the Union Creeks under Chief Opothleyahola, were engaged and were again with Col. Cooper at Pea Ridge, Arkansas in March 1862. After the defeat of the Confederates under Col. Cooper at Honey Springs, the Indian regiments retired to the Red River country where they remained until the conclusion of the war. As captain of Company C. in the regiment commanded by Col. Daniel N. MacIntosh, was Captain William F. MacIntosh, the second son of Chilly MacIntosh. The captain was born back in Alabama on November 12, 1824 and served in the Confederate army for one year, enlisting on August 8, 1861. This MacIntosh walked with God for forty-two years as a Baptist minister. After the war, he served as district judge of the North Fork district, was elected prosecuting attorney for that district in 1881 but declined to serve because of conscientious scruples and later became a member of the Creek House of Warriors from 1887 to 1891. Eight members of the MacIntosh family served in Col. Daniel N. MacIntosh's regiment in the war, A. H. MacIntosh as 2nd Lieut. in Company G, John MacIntosh, a son of Chief Roley MacIntosh as a private in Company C, Thomas MacIntosh as a private in Company F, William MacIntosh as a 2nd Lieut. in Company A, William MacIntosh as a private in Company G and William H. MacIntosh as Captain of Company G. In 1864, both Creek Indian regiments were united with the Seminole battalion and the command conferred upon Col. D. N. MacIntosh. The

military service of the members of the MacIntosh family in the Confederate army was of the highest character.

The Lower or MacIntosh faction of the Creek tribe quite definitely became aligned with the cause of the Confederacy. At the outbreak of the war, the MacIntosh family was one of the wealthiest in the Creek Nation. They were large plantation and slave owners but the ravages of the war quite depleted their holdings. The MacIntoshes were men of high, Christian character and ability and capable of forming an intelligent conviction upon questions of public moment and were possessed of the fearlessness and courage to express themselves. It was not unnatural that their sympathies should have been with the South in its struggle. They came from the South, having back of them an historic background to the creation of which influential member of their own family had contributed substantially. They may have been influenced unconsciously by the denunciations of the militant states rights governor of Georgia, whose career death had terminated but some five years before the war. It may be said that the

MacIntoshes entered the Confederate service prompted by the highest convictions. At the conclusion of the war they resumed the posture of influence among their people which they had enjoyed for so many years. The family, quite generally, settled upon farms then known as Chilly's Prairies, near the present settlement of Fame, and in what is now McIntosh County, Oklahoma.

With the return of peace, Chilly MacIntosh retired to his farm at Chilly's Prairies near Fame where he died on October 5, 1875, and is buried near Fame, his wife Leah having died on the September 11th preceding. Col. D. N. MacIntosh became the representative of his faction in the initial peace negotiations at Ft. Smith in 1866 and in the final settlement at Washington on June 14th of that year.[16] He recuperated much of his losses occasioned by the war and became a most successful farmer and stockraiser and died at his farm some ten miles southwest of Checotah, near Fame, in what is now McIntosh County, Oklahoma where he is buried, on April 10, 1895. Col. MacIntosh was a charter member of Eufaula Lodge, A. F. and A. M. His son Roley C., born April 22, 1858 served as a district judge of the Eufaula district for two terms

[16]Kappler, Vol. II, p. 931.

and was also a delegate for his tribe to Washington. Another son, Freeland B., was a member of the Creek House of Warriors for four years. An outstanding member of the family was Albert Gallatin MacIntosh, known throughout the Creek Nation as Cheesie MacIntosh. He was the oldest son of Col. Daniel N. MacIntosh and born in the Indian Territory on January 27, 1848. In October, 1862, he was sent to Texas where he attended school at Jefferson and after a residence there of some six years, returned to the Indian Territory and resided there until 1874. He again removed to Texas for a few months and subsequently took up his residence in Smith County, Tennessee where he was active for many years. During his residence in Tennessee, he took the name of James Gentry Brown, became a lawyer, practicing at Carthage and was elected to and served for eight years as County Superintendent of Schools of Smith County. He married Miss Mollie F. Boulton, a white lady on December 9, 1879, by whom he had four children, Freeland, Van A., Daniel N. and Waldo E., all born during his residence in Tennessee. He returned with his family to the Indian Territory about 1901, resumed the MacIntosh name and he and his sons were enrolled as members of the Creek tribe in 1901. He served in the Sequoyah statehood convention at Muskogee in August 1905. Prior to statehood, he was appointed as one of the Superintendents of Schools for the Creek Nation and in September 1907 was elected County Superintendent of Public Schools for McIntosh County, Oklahoma, which position, he held until 1911. He practiced law at Checotah until his death on August 8, 1915, where he is buried.

Chilly MacIntosh had three full sisters, Jane who married Col. Samuel Hawkins who was slain by the Indians, Kate who married a Cousin and Sallie, wife of McClish, a Scotchman. Chilly is reputed to have had a full brother named Louis who died in early

life. Daniel Newman MacIntosh had no full brothers but had three full sisters, Rebecca who married Benjamin Hawkins and after his death, Spire Haggerty and lived on a plantation near Jefferson, Texas. She has descendants living in Oklahoma among them being Mrs. C. J. Hindman and Mrs. Louise Walker of Tulsa, Oklahoma, who are granddaughters. Another sister of D. N. MacIntosh, was Delilah Drew of Jefferson, Texas, whose daughter Susan McIntosh Rogers lives at Muskogee, Oklahoma. Hettie West

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nee MacIntosh was also a full sister of D. N. MacIntosh and left descendants, some of whom now live in Wagoner County, Oklahoma. No record is available to show that Chief William MacIntosh had any children by his wife, Peggy.

The influence of the MacIntoshes in the affairs of the Lower Creeks was paramount for sixty years. Under their leadership the early Creeks came from their ancient homes in Georgia and Alabama to the old Indian Territory. The removal of the Creeks has ever been invested with a dramatic interest as those Ishmaelites of the race were enforced to reestablish their social structure in the west. Gaunt specters of famine stalked among them and adversity disciplined their souls during those eventful years. It was an achievement of courage. Through those "dark ages" of Creek life, the MacIntoshes blazed the trail and shared the vices and rigors of the unmeasured waste. There is no phase of Creek Indian history in the west preceding the postbellum years that is not touched by the influence of this historic family.

The story of the Creek Indian MacIntoshes[17] and of their forbears, stretching from the Highlands of bonnie Scotland to the wind swept prairies of the old Indian Territory, is one which intrigues with its great interest. They move like a phantom caravan across the years.

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[17]The family name appears quite uniformly in Scotland as Mackintosh and such was the name as used by the first emigrants to Georgia. In Colonial days, it became MacIntosh and later the orthography of the name became McIntosh and is so in use today by a majority of the family in America. Chief William wrote the name, McIntosh. The writer, in his endeavor to preserve a more intelligent and harmonious narrative, has preempted the use of the name as used in Colonial times and thus avoided the extremes.

The Family has a registered Coat of Arms and Crest, copies of which are frequently seen and may be found in Burkes.

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THE PERRYMANS

By John Bartlett Meserve

The assassination of Chief William McIntosh of the Lower Creeks at his plantation home on the Chattahoochee river near the present town of Carrollton, Carroll County, Georgia in April 1825 provoked the withdrawal, shortly thereafter, of many of his adherents from Georgia and Alabama to the old Indian Territory.[1] Chilli McIntosh, the eldest son of the ill-fated Chieftain led an initial contingent of these people to the West arriving at Three Forks, a short distance north of the present city of Muskogee, in February 1828. Among this emigrating party were members of the Perryman, Winslett and Porter families who were to contribute to the eventful history of the Creeks in the West.

Benjamin Perryman (Steek-cha-ko-me-co) had been a tribal town chief of some prominence among the Creeks back in Alabama and was a pronounced adherent of the McIntosh faction in Creek tribal affairs. He is noted as a signer of the Treaty of February 24, 1833[2] at Ft. Gibson with the Government and, with Roley McIntosh, represented the Creeks at an intertribal conference with the western tribes which opened at Ft. Gibson on September 2, 1834 and in these proceedings took an engaging part.[3]

The celebrated painting of Benjamin Perryman was made at Ft. Gibson in 1836 by George Catlin, the noted painter of Indian pictures and of Benjamin and Samuel Perryman, the famous artist said, "These two men are * * * fair specimens of the tribe, who

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[1]John Bartlett Meserve, "The McIntoshes," *Chronicles of Oklahoma*, X, 310. The writer acknowledges error in the statement in that article that Chief William McIntosh was slain at his Indian Springs home and that his home there was burned. He was, in fact, slain at his plantation home on the Chattahoochee river near the present town of Carrollton, Georgia, and it was his home there which was burned by his assailants.

[2]Charles J. Kappler, *Indian Affairs* (Washington, 1904), II, 338.

[3]Grant Foreman, *Advancing the Frontier* (Norman, 1933), 136. Grant Foreman, *Pioneers of the Early Southwest* (Cleveland, 1926), 153.

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are mostly all clad in calicoes and other clothes of civilized manufacture, tasseled and fringed off by themselves in the most fantastic way and sometimes with much true and fantastic taste. They use a vast many beads and other trinkets to hang upon their necks and ornament their moccasins and beautiful belts." Through these descriptive words descendants of the emigrant Creeks of a century ago may glimpse an interesting portrayal of their semi-primitive ancestry.

Benjamin Perryman was accompanied by his six sons and two daughters to the West where they settled initially along the lower Verdigris and the north bank of the Arkansas and in an area to become known as Choska Bottoms in what is today Wagoner County, Oklahoma. The region was of broad expanse where the prairies dissolved in the shimmering distance to the west. Wild tribes had wandered along the Arkansas for many years ere the Creeks came. Drifting clouds threw evanescent figures across the undulating plains and the Indian raising his eyes above the earthen walls about him, found spiritual release above them in the reaches of the blue where, in his fancy, the Great Spirit walked. An indulgent nature met the emotional needs of his cloistered life. These primitive scenes are lost today in a maze of cultivated farms. The eight children of Benjamin Perryman left a lasting impress upon the Creeks.

(1) Samuel Perryman (Thenahta Tustenugga) served in the Creek War of 1813-14 under General Jackson and after his removal to the West joined Epley, and Chilli McIntosh in an address to President Jackson asking for relief against the depredations of the wild tribes which infested their border. He was the father of William and Noble Perryman and is reputed to have lived to an advanced age and died at Coweta in 1880. (2) Columbus Perryman (Yahola Harjo) died at Coweta in 1877. (3) Moses Perryman (Aktayahehe) was the father of Joseph Moses Perryman who became a chief of the Creek Nation. He died at Choska in 1866.

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(4) James Perryman (Pahos Harjo) for the last thirty years of his life was a Baptist minister.[4] He attended school at the old Union Mission and between 1830 and 1835 was Creek interpreter for the Rev. John Fleming at which time he was a Presbyterian. He aided in translating two of the first books in the Creek language. In the latter years of his life, he assisted Mrs. A. E. W. Robertson in translating Ephesians, Titus, James and two-thirds of the Book of Acts, into the Creek tongue. In the old Creek hymn book, thirty-two of the hymns are his work either in composition or translation. He served in the Confederate army in the Civil War and died at Coweta about 1882. (5) Lewis Perryman (Kochukua Micco) was the father of Legus C. Perryman an erstwhile

chieftain of the Creeks. (6) Henry Perryman (Efold Harjo) died at Choska in 1876. (7) Lydia Perryman married Tah-lo-pee Tust-a-nuk-kee, a town chief and became the mother of Phoebe. Phoebe married Benjamin Edward Porter and became the mother of Pleasant Porter,[5] the last elected chieftain of the Creeks. Phoebe died at Wealaka, on June 6, 1883. (8) Mary Perryman married James McKellop, a Scotchman. Her daughter Nancy McKellop married Nathaniel Hodge and became the mother of David M. and Alvin T. Hodge both of whom became men of prominence among the Creeks. Susan, another daughter of Mary McKellop nee Perryman married John Denton, a Cherokee and became the mother of Lilah D. Lindsey, who is today (1937) one of the outstanding women in the State.

Moses Perryman, a son of Benjamin Perryman was the father of Joseph Moses Perryman[6] who was born at Choska in 1833. This son attended school at Coweta Mission until 1853 after which he entered Tullahassee and began his studies for the Presbyterian

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[4]James C. Pilling, *Bibliography of Muskhogean Languages* (Washington, 1889), 67. Foreman, *Advancing the Frontier*, 142.

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[5]John Bartlett Meserve, "Chief Pleasant Porter," *Chronicles of Oklahoma*, IX, 318.

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[6]H. F. and E. S. O'Beirne, *The Indian Territory: Its Chiefs, Legislators and Leading Men* (St. Louis, 1892), 120.

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ministry. He pursued these studies for three years and was licensed to preach in 1860. He enlisted in the Confederate army on August 9, 1861 in Company H. First Creek Regiment of Mounted Volunteers of which company Capt. Washington Kennard was captain in the regiment of Col. D. N. McIntosh. He later served as major sergeant and as a first lieutenant of this company. His name last appears on the muster roll of his company on December 1, 1862 although he appears to have joined with other officers of the 1st and 2nd Creek regiments in a petition to President Jefferson Davis, from Camp Stonewall, on May 18, 1863. He remained at Stonewall until the conclusion of the war and was formerly ordained for the Presbyterian ministry at Wapanucka, Chickasaw Nation, shortly thereafter. It was at that time he formed the North Fork Presbyterian Church and also assumed charge of the mission school under the South Presbyterian Synod, which position he held for four years. About 1878, he changed his church affiliations and became a member of the Baptist church and was shortly thereafter ordained to the ministry of that denomination and remained a member of this denomination until his death.

The political career of Joseph M. Perryman began with his service as a member of the Creek House of Kings from 1868 to 1874 inclusive serving as its presiding officer

during his tenure. He served as district clerk of the Eufaula district in 1878 and as clerk of the tribal supreme court in 1869. He was a member of the tribal supreme court in 1873. In 1883, he was dispatched as a delegate from the tribe to Washington and on December 5, 1879 qualified as Creek national treasurer in which position he served for four years, being succeeded by Sam Brown.

In the fall of 1883, Joseph M. Perryman became the candidate of the Muskogee party for Principal Chief, being opposed by Isparhecher of the Loyal party and Samuel Checote of the Pin party. The race settled down to a spirited contest between Perryman and Isparhecher although Checote gained enough votes to

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provoke an embarrassing situation. The Green Peach War, inspired and led by Isparhecher, had ended but a few months before the election, but lingered as an issue in the campaign. The result of the election held on September 3, 1883 was very close and remained long in doubt. A declaration of the canvass involved the determination of two rather delicate constitutional questions. The election being held upon a date slightly different than that provided by the Creek constitution, provoked much dispute but faded in its significance as efforts were made to adjust the situation to another requirement of the Creek constitution. This basic document provided in Article II, Section I, that "the Principal Chief of the Muskogee Nation shall be elected for a term of four years, by a *majority* of the votes * * *." Three active candidates had sought preference in the campaign and as a result none of the three aspirants received a majority of the votes cast. Perryman had a plurality over his opponents but lacked a majority over the combined votes of both of them. An effort was made to placate Isparhecher by sending him to Washington as a delegate, in January 1884 but from that city on February 26, 1884, he wrote Perryman, urging that no choice had been made and suggesting that a new election be called and their candidacies be resubmitted to the electorate of the Nation. Perryman was sworn in as chief and the entire dispute was referred to Secretary of the Interior Teller, who on February 27, 1884, in writing, expressed himself "that the words 'majority' and 'plurality' are synonymous ones as understood and used by the Muskogee people." He directed the Indian agent to recognize Perryman as chief of the tribe. Joseph M. Perryman served his people most faithfully as their chief for the four years' term and became a rather inactive candidate for reelection in 1887 but was defeated by his cousin, Legus C. Perryman. Isparhecher was again a candidate but made a meager showing.

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The concluding years of the chief were devoted to his religious endeavors and to education. He was president of the Creek National Board of Education in 1894 and in the years 1894-5-6 was superintendent of the Eufaula High School. He passed away at Eufaula on December 18, 1896 and rests in the cemetery at that place.

Shortly after the Civil War, he married a lady of the tribe who died some years later. He later, and on September 1, 1876, at St. Louis, married Ellen Marshall, a daughter of Nicholas and Eliza Marshall. She was born at Lenna, Indian Territory on November

4, 1860 and is today (1937) Mrs. W. A. Hammer and lives at Eufaula, Oklahoma.

The chief was an active member of the Masonic fraternity, serving as secretary of the Eufaula Lodge at the time of his demise. He was a man of deep religious convictions, trod the straight path during his political career and enjoyed the love and esteem of his people.

In the adventurous party with Chilli McIntosh was an intermarried white man by the name of Winslett who was accompanied by Hattie Ward of Old Hitiche town, his Creek Indian wife and their young daughters Befeeny and Ellen Winslett. About 1830 their son David Winslett was born at Choska.[7] This son entered Coweta Mission in, 1845 where he studied under Rev. R. M. Loughridge,[8] later entered Tullahassee Mission and in 1851 was chosen a ruling elder of that school. He became an interpreter for Rev. Mr. Loughridge and assisted him in Bible translations. On September 6, 1858, he was ordained for the Presbyterian ministry and assumed charge of the Coweta Mission and church. He entered the Confederate service in the Civil War but became ill through exposure, returned home on a furlough and died at Coweta in 1862. He

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[7]Pilling, *op. cit.*, 68.

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[8]Rev. R. M. Loughridge, being then very old, conducted the first religious service in Tulsa. This was in the spring of 1883. He died at Waco, Texas on July 8, 1900.

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married Mahala, a daughter of Lewis Perryman. The father seems to have faded from the immediate picture shortly after the birth of David. Whether he passed away, or as was not unusual rejoined his white kinsmen elsewhere, is unknown.

We are invited to a more intimate acquaintance with Lewis Perryman, a son of Benjamin Perryman. He was born near Ft. Mitchell, Alabama in 1787, came to the Indian Territory in February, 1828 and established himself upon lands near the falls of the Verdigris river. He was accompanied to the West by his wife and three children Andrew, Mahala and Nancy. About 1833, he married Hattie Winslett nee Ward and in 1838 established his home at Big Springtown on Adams Creek some seven or eight miles northeast of the present town of Broken Arrow. In about 1837 he added her daughters Befeeny and Ellen to his domestic household. There was nothing unorthodox about this romantic status in his domestic affairs because plural marriages[9] were not uncommon and were recognized among the Creek Indians at that time. His wives each bore him children. Hattie was the mother of Sanford W., Thomas W., John W., Kizzie and Phoebe. Befeeny was the mother of Alexander, David, Hattie, Ellen and Lewis and Ellen was the mother of Legus C., Josiah C., China, Henry W., George B. and Lydia.

The succeeding years in the life of Lewis Perryman were very commonplace. In fact it

was a slow and stagnant period during which little progress was registered among the Creeks. He lived at Big Springtown on Adams Creek and after 1848 in the proximity of Tulsa where he ran a trading store. The removal to Tulsa was occasioned by an epidemic of cholera at Big Springtown.

Washington Irving, on October 11, 1832, passed through this area which was to become the arena of the early activities of the Perrymans and leaves for us his contemporary impressions. "For

[9]Plurality of wives was prohibited by Act of the Creek National Council on October 28, 1891 but all prior marriages of such character were legalized.

some miles the country was sprinkled with Creek villages and farm houses, the inhabitants of which appeared to have adopted, with considerable facility, the rudiments of civilization and to have thriven to consequence. Their farms were well stocked and their houses had a look of comfort and abundance. * * * They were a well made race, muscular and closely knit, with well formed thighs and legs. They have a gypsy fondness for brilliant colors and gay decorations and are bright and fanciful objects when seen at a distance on the prairies."[10]

Fortune kept her engagements with Lewis Perryman and ere the Civil War came he was living in comfortable environs to which his patient efforts had contributed. He was engaged extensively in the cattle business along the Arkansas River valley below Tulsa. The years of the Civil war were gruesome for the Creek Indians, as the sectional issue permeated the Indian country. With the withdrawal of the Union forces from the Territory in the early days of the conflict, the affair became disproportionate and many of the Union Creeks fled to Kansas under the leadership of Opothleyahola.[11] Lewis Perryman saw no military service but his sons entered the Confederate Army by enlistment on August 9, 1861.[12] The brief occupancy of Tahlequah by the Union forces after July 14, 1862, influenced his sons to abdicate their enlistment and abandon the Confederate service. When the Confederate troops reoccupied Tahlequah on October 28, 1862, Lewis Perryman taking his wives, Hattie and Befeeny and his children abandoned his accumulations in the Territory and joined the Creek refugees near Burlington, Coffee County, Kansas where he passed away early in December 1862, and where he rests in an unknown grave. His sons enlisted in the Union army on December 7, 1862 and served until the conclusion of the war. His wives returned to the Territory.

[10]Washington Irving, *A Tour on the Prairie* (Philadelphia, 1835), 4-5.

[11]John Bartlett Meserve, "Chief Opothleyahola," *Chronicles of Oklahoma*, IX, 439.

[12]*Records of the Adjutant General's Office* (Washington, D. C.).

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Hattie died at Choska in 1866 and Befeeny passed away in 1877 and both are buried at Coweta. Ellen died at Tulsa in 1854 and was buried in an erstwhile family burying ground between East 11th and East 13th streets and west of South Norfolk Ave. in Tulsa. The crude markings have long since disappeared and a residential section of the city now occupies the spot.

Sanford Ward Perryman,[13] eldest son of Lewis Perryman and Hattie, his wife, was born at Sodom, in 1834. He attended school at Coweta Mission and later at Tullahassee. He was a proficient interpreter and assisted Rev. W. S. Robertson and Rev. David Winslett, his half brother, in their Bible translations. After leaving school, he married Jane Garrison a teacher of the Tullahassee Mission, from Greenfield, Missouri. He enlisted as a private in the Confederate Army in the Civil War on August 9, 1861 in Company H of the First Creek Mounted Volunteers. He later and on December 7, 1862 enlisted in the Union army at Burlington, Kansas in Company I, First Regiment of Indian Home Guards, Kansas Infantry and was honorably discharged on May 31, 1865. Sanford was a character of much ability and served as a member of the Creek House of Warriors from 1868 to 1875, being speaker of that body from 1868 to 1870. He was a trustee of the Tullahassee Mission in 1867 and an elder of the Presbyterian church. He died at Coweta in the summer of 1876 and is buried in the old Coweta Mission cemetery.

Thomas Ward Perryman,[14] a son of Lewis Perryman and Hattie, his wife, was born at Big Springtown on the Verdigris, on July 24, 1839. He entered Tullahassee Mission upon its initial opening on March 1, 1850 where he remained until 1858 after which he assisted his father in the stock business. Upon the outbreak of the Civil War, he enlisted in the Confederate army on August 9, 1861 as a private in Company H of the First Mounted

[13]Pilling, *op. cit.*, 68.

[14]O'Beirne, *op, cit.*, 422; Muskogee *Phoenix*, September 7, 1902; Interviews with Walter L. Perryman, Tulsa, Oklahoma.

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Volunteers. When the Union forces entered the Territory in 1862, he reversed his allegiance, accompanied his father in his flight to Kansas and on December 7, 1862, at Burlington, Kansas, enlisted in the Union army in Company 1, First Regiment Indian Home Guards, Kansas Infantry, served through the war and was honorably discharged from service on May 31, 1865. During the war, he married a young woman

of the tribe who died a few years later. After the war and in partnership with his brothers, he opened a trading store at Choska which was conducted for a couple of years. He taught school at Broken Arrow, in 1868, after which he clerked for a period at Ft. Gibson. After the death of his wife, historic Tullahassee Mission of which he was a trustee in 1881, again challenged his interest and about 1872, he began a three years course in theology under Rev. W. S. Robertson in that institution. During this period and in later years he aided Mrs. A. E. W. Robertson in her New Testament translations. Thomas W. Perryman enriched the spiritual lives of his people by giving to them his translations of Genesis and the Book of Psalms. On May 15, 1874, he married Miss Eva L. Brown, a teacher at Tullahassee. She was a daughter of Robert Brown, was born at Kittanning, Pennsylvania on May 17, 1855 and died at Tulsa on March 26, 1922. She was an active aid to him in his labors at the Nuyaka Mission and in his field of spiritual endeavor among the Creeks. He was licensed as a minister by the Presbytery at Neosha, Kansas in the fall of 1875 and in the succeeding year was ordained by the Kansas Presbytery at a special meeting held at Wealaka and given charge of the western district of the Creek Nation. From henceforth his life was devoted to the spiritual welfare to his people and particularly the full bloods. His labors were amid environs not altogether sympathetic. As a delegate from the Creeks he attended the General Assembly of the Presbyterian Church at New York City in 1889.

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The political life of Thomas W. Perryman ran contemporaneously with his religious activities. He served as a member of the Creek House of Warriors in 1868 from Big Springtown district and again in 1883 and became a strong factor in composing the tribal dissension provoked by Isparhecher in the Green Peach War.[15] He was reelected to the same position in 1887 and 1889 and served as chaplain of that body during his tenure. In 1871, he was chosen district attorney for six years and upon his reelection, resigned the position. He became a member of the House of Kings in 1891 and was again chosen in 1896 being the presiding officer of that body during both terms. He suffered defeat in his race for Principal Chief in 1895 at the hands of Isparhecher. Thomas W. Perryman with clear sighted vision favored the allotment of the tribal lands in severalty and subsequently was enrolled opposite roll number 6749 as evidenced by Creek census card number 2199. He represented the Creek Nation as a delegate to Washington in 1900, 1901 and 1902, was a negotiator and signer of the Creek Supplemental Agreement of June 30, 1902 and actively urged its ratification by the Creeks. He gave to the Creeks an untarnished service.

Thomas W. Perryman was a man of the highest integrity and purest purposes. He was sympathetic toward the delinquencies of his people as he sought to lift the standard of their vision. He was a most devout Christian and in a purposeful way practiced his professions. The nights were never too stormy nor the prairie trails too devious to deter him from answering the summons of the distressed among his people. Of him, the late Federal Judge John R. Thomas said, "He was one of the best men I ever knew. His word was as good as his bond and I never heard him speak evil of any one." He passed away at Kansas City, on February 11, 1903 and rests in the Oaklawn cemetery at Tulsa. Among the sons of men there have been many of larger vision, many whose

[15]John Bartlett Meserve, "Chief Isparchecher," *Chronicles of Oklahoma*, X, 52.

range of activities, has been less circumscribed and many whose influence has been more potent in the affairs of this earth, but there has been none with finer soul, if consecration to duty, love of humanity and veneration of God are to be marks of the perfect man.

Extending to the south and west of the Verdigris Falls is a triangular area having an apex at the forks of the Verdigris and Arkansas rivers and extending northwestward along the north bank of the Arkansas toward the old Tullahassee Mission. In the very early days this region was called Sodom and it was in this section that Lewis Perryman established his home and where he lived until about 1838. Leguest Chouteau Perryman,[16] eldest son of Lewis Perryman and Ellen Winslett, his wife, was born at Sodom on March 1, 1838. He was named for Leguest Chouteau who was, at that time, an Osage sub-agent and ran a trading post on the Verdigris river near the Perryman settlement. He entered Tullahassee Mission on March 1, 1850 with Thomas W. Perryman, his half brother where he early evidenced a marked aptitude for mathematics. During his school years he did much translating of Bible history for the Presbyterian schools of the Creek Nation. In later years he compiled and translated the laws of the Creek Nation.

When the Civil War came, Legus C. Perryman and his brothers enlisted in the Confederate army on August 9, 1861, in Company H. of the First Creek Mounted Volunteers. He subsequently renounced this enlistment, fled with his father and the family to Kansas late in 1862 and on December 7, 1862 at Burlington, Kansas enlisted with his brothers in the Union army in Company I, First Regiment, Indian Home Guards, Kansas Infantry, served throughout the war and was honorably discharged on May 31, 1865 as a major sergeant. Col. Stephen H. Wattles was colonel of the regiment in the brigade commanded by Col. Wm. A. Phillips. He and his brothers were with the Union army in the fight at Web-

[16]O'Beirne, *op. cit.*, 105.

ber's Falls on April 24, 1863 and later at Honey Springs on July 17, 1863.[17] Other members of the Perryman family fought with the Confederates in both of these engagements. It is of interest to know that Samuel,[18] William, Noble, Joseph M., Tecumseh, Riley, Daniel, David, Havey, James, John, Louis and Possoner Perryman as well as Legus C. Perryman and his brothers, Sanford W., Thomas W., Josiah C. and Henry W. each enlisted in the same company and regiment in the Confederate army at the old Creek Agency, on the same day. Legus C. and his brothers later

reversed their allegiance. The other enlisted members of the Perryman family remained in the Confederate service until the conclusion of the war. The inspiration upon the part of many of them was probably one of adventure.

There was not much semblance of order or program among the Creeks after the hostilities were over but a new Creek Nation succeeded the Civil War when the constitution of 1867 was adopted by a reunited tribe. Legus C. Perryman, who then lived near Coweta took an active part in the work of reconstruction. He served as judge of the Coweta district from 1868 to 1874 and in 1875 served briefly as prosecuting attorney for that district. From 1876 to 1882 he was a member of the House of Warriors. Having taken up his abode at Big Springtown, he represented that district in the House of Warriors from 1883 to 1887. He was admitted to practice law before the Creek Nation courts on October 22, 1878 and in 1882 and in 1885 was sent as a delegate to Washington during which period he became active in composing the troubles created by Isparhecher. In 1887, he served as a trustee of Tullahassee Mission at the same time being chairman of the board of trustees of the Wealaka Mission.

On September 6, 1887, Legus C. Perryman was elected Principal Chief of the Creek Nation, defeating his cousin, Chief Joseph

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[17]Charles B. Freeman, "The Battle of Honey Springs," *Chronicles of Oklahoma*, XIII, 154.

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[18]*Records of the Adjutant General's Office.*

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M. Perryman who was a candidate for reelection. He was easily reelected in 1891. His tenure as chief was rather uneventful save as the Government began to evidence its purpose to close up the political life of the Five Tribes in the Territory. A newly created United States Court convened at Muskogee in 1889 and the Dawes Commission made its initial visit to the Territory in 1893. After an investigation made by the Secretary of the Interior, it became manifest to the authorities at Washington that an improvident employment of tribal monies was being made.[19] Cash in the tribal treasuries of the Five Tribes, whether derived from the Government through payment of treaty obligations or by some modest form of taxation, provoked a vulnerable spot and, to careless tribal officials, became a veritable Achilles heel. Funds in the Creek National treasury presented a constant temptation and officials had been derelict in conserving the cash reserves of the tribe. Perryman, being chief at the time of the investigation, the onus of all past as well as present delinquencies fell upon him. An irresponsibility in the financial affairs of the tribe seemed to feature the concluding months of his administration. Charges of the issuance of duplicate and unauthorized treasury warrants were hurled at the old chieftain and his personal safety was threatened by armed members of the tribe who gathered at the capitol at Okmulgee in

the early summer of 1895. The chief may have been innocent of any wrongful conversion of the monies from the tribal treasury but he evidenced a marked weakness in the hands of designing persons who made use of him for ulterior purposes. He was led into treacherous environments by men whom he had every reason to trust. The Creek National Council, after a hearing, impeached and removed the chief and the national treasurer from office on June 8, 1895 and Edward Bullette became the acting chief for the remainder of his term. The whole affair carried with it a heavy smudge of detail in which others became involved, some of whom were sent

[19]Charles F. Meserve, *The Dawes Commission and the Five Civilized Tribes* (Philadelphia, 1896), 11 *et seq.*

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to prison. This impeachment carried with it his denial of all future political rights but these were restored by action of the council on December 21, 1898. The political irregularities in the Creek Nation at this time were somewhat contemporaneous with political escapades among the other tribes in the old Territory. The Government at Washington was about persuaded that self-government by the Five Tribes was just another synthetic rainbow. Conditions developed which influenced the Government to abdicate its vacillating policy and hasten its efforts to close up the political autonomy of these tribes.

The ensuing Creek tribal election held in the fall of 1895 was bitterly contested. The allotment of the tribal domain and the winding up of the political life of the tribe became controversial. The political influence of Chief Legus C. Perryman had lapsed. Thomas W. Perryman, his half brother, whose ideas comported with the Federal Government, was defeated by the turbulent Isparhecher who was able to marshal to his support the full blood Indians and certain organized predatory interests which were opposing allotment. The election of Isparhecher was a concluding gesture of opposition to the purposes of the Government and the old Chieftain was unwittingly to become a silent pallbearer of the political life of the Creek Nation which was then in the throes of final dissolution.

Among the Creek refugees at Ft. Gibson with the Union army in 1864 were Sathanake and her two young daughters, Arparye and Eshoya. Enfalota or Miller, the father of Arparye, was killed at the battle of Chusto-Talaseh or Caving Bank northeast of Tulsa on December 9, 1861 where he served in the Confederate army. Legus C. Perryman and his brothers also were engaged in this battle as Confederate soldiers. He married Arparye, also known as Jennie, at Ft. Gibson in 1864. She was born in the Canadian River country in 1848 and died at Tulsa on January 7, 1904. After his discharge from the Union army he removed to Coweta and

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early in 1871 added Eshoya, the half sister of Arparye to his domestic life. She was

born in 1856 and died at Coweta in 1877. After the death of Eshoya, he removed with his family to a farm south of Tulsa.

Upon his retirement from office the Chief became rather inactive in political affairs, although he did make a gesture as a candidate for Principal Chief in 1899 when Pleasant Porter was elected. On the Creek tribal rolls his name appears opposite Roll No. 2493 as shown by Census Card No. 910.

The chief was an interesting character, far above the average of his people in intelligence and self-training. He kept abreast of current events by constant reading. The Creeks had no kinder soul, his greatest difficulty being to distinguish real from mercenary friends. In the years after Statehood, he became, more or less, a "lone wolf." He traveled memory trails now as his life interest shifted to a past which had disappeared in the twilight of yesterday. His abdication to strong drink in his later years well nigh accomplished his moral bankruptcy. Broken in spirit, body and purse, he passed on to an untroubled sleep at Tulsa on February 5, 1922. He rests in the old Perryman family burying ground below 31st street in Tulsa, where tall weeds wave in the summer air above his unmarked and neglected resting place. But, with Alex Posey,

"All had to die at las';
I live long time, but now my days was few;
"Fore long poke-weeds an' grass
Be growin' all aroun' my grave-house, too."

Josiah Chouteau Perryman, a son of Lewis Perryman and Ellen Winslett, his wife, was born at Big Springtown, on April 25, 1840. He entered Tullahassee Mission on March 1, 1850 and after eight years joined his brothers at Choska. He enlisted in the Confederate army in the company with his brother Legus C. Perryman

in 1861 and later joined him in the enlistment in the Union army at Burlington, Kansas on December 7, 1862. After the war, he married Martha Maupin, a white lady and lived at Tulsa. He was a member of the Presbyterian church being an elder of that faith in the early days of the Tulsa church. He lived on what is today 41st street in Tulsa where the first post office was established at Tulsa on March 25, 1879 and Josiah C. Perryman was named the first postmaster. The mails were relayed by pony riders from Coffeyville, Kansas. When the Frisco railroad came to Tulsa in 1882, he removed the postoffice down to the settlement near the station, resigned shortly thereafter and J. M. Hall was appointed to succeed him. He engaged in the mercantile business in Tulsa for a time and died on March 3, 1889 and is buried in the old Perryman burying ground at Tulsa. Josiah C. Perryman was one of the most highly respected citizens of the Creek Nation.

George Beecher Perryman,[20] a son of Lewis Perryman and Ellen Winslett, his wife, was born at Big Springtown on April 17, 1847. He was briefly educated at Tullahassee Mission but at eighteen began farming and stock raising, which business he continued

during his life. He never engaged in politics nor did he render any military service in the Civil War. He married Rachel Alexander in 1868. She was a daughter of ___ Alexander and Hannah, his wife, was born in 1852 and died at Tulsa on February 6, 1933.

George B. Perryman was an astute business man and lived and maintained the base of his operations at Tulsa where he enjoyed a most ornate and comfortable home. Like the cattle men of the Territory at that time, he ran a store which was in fact a trading post because he exchanged his merchandise for cattle. Money was a rare commodity among the Indians during those years and calves became the medium of exchange at the store of George B. Perryman. As a consequence, his herds assumed proportions and during the grazing season, occupied his vast range along the Ark-

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[20]O'Beirne, op, cit., 410.

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ansas valley south and east of Tulsa. He became the Indian cattle king of the Creek Nation. In addition to his grazing lands, he had, at that time, 1000 acres of farm land under cultivation upon which corn was raised to provision his winter stock.

The cattle industry provoked an era of perilous times in the Southwest.[21] The tragic death of Goob Childers, a Creek Indian, mirrors the abnormal conditions and at the same time reflects the sterling qualities of George B. Perryman. One Bill Jones, a white man having in the background a record of having slain a negro in Texas, was foreman on the Perryman ranch. Threats made by Childers of his purpose to kill Perryman were conveyed to the latter and as Childers, heavily armed, approached the Perryman home, he was greeted by a rifle shot and died with his boots on. Such tragedies were not isolated. Perryman assumed full responsibility for the killing although, in fact, the shot was fired by Bill Jones, the ranch foreman. Had the onus of the killing fallen upon Jones, he would have been summoned before the court of Judge Parker at Ft. Smith, Arkansas, with unpredictable results. Perryman was answerable alone to the Creek tribal courts and no action was taken. Childers left several children and these Perryman took into his home and reared and cared for. The finality of this incident is reflective of the generous and charitable character of George B. Perryman. His home was ever an asylum for the orphan needy of his race. He died at Tulsa on April 21, 1899 and is buried in the old Perryman burying ground at that place.

In the story of the Perrymans, we glimpse a rather complete cross section of Creek Indian life in the old Territory during the concluding fifty years of their tribal existence. Through various members of the family, influential positions were occupied in the spiritual, political and economic life of these people. In their religious' inspirations, we may discern the patient, self-sacrificing la-

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[21]John Bartlett Meserve, "Chief Wilson Nathaniel Jones," *Chronicles of Oklahoma*, XIV, 419.

bors of Rev. W. S. Robertson and his most estimable wife, and through them, the influence of the great Cherokee Messenger, Dr. Samuel Austin Worcester may be observed. That influence, having its inception at the old Tullahassee Presbyterian Mission in the decade before the Civil War, still abides through living members of the family. The old Mission is today a ghost town and lingers only through its yesterdays.[22] The church was the great social center during that period as it also was in the recoupment days from the spiritual wreckage following the Civil War.[23] Members of the family were potent in their influence upon the tortuous political life of the Creek Nation during its concluding decades. The Creeks responded rather slowly to the newer forms of human organization but it is of no avail to pyramid their eccentricities. In the economic affairs of the Creeks, the Perrymans occupied a high and engaging influence. The world to which they belonged has gone or is slipping away but the thoughtful student, having a proper regard for the sources of history, may not disregard the Perryman family when an approach is made to a history of the Creek Indians in the West.

[22]Grant Foreman, *Five Civilized Tribes* (Norman, 1934), 194.

[23]Chilli McIntosh sought the mourners' bench at a Baptist revival held on the North Fork on July 7, 1848 and subsequently became a Baptist minister.

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CHIEF ISPARHECHER

By John Bartlett Meserve.

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The years succeeding the Civil War witnessed many tragic scenes of political disruption among the Creek Indians in the Indian Territory. These revolts, which by their frequency passed to the chronic stage, were fomented by certain full blood leaders and the ranks of sedition recruited from among the Loyal Creeks. The Loyal Creeks, composed mostly of full blood Indians and their former negro slaves, fought with the Union Armies during the Civil War and claimed a preferred status by reason of that service. Their ranks were drawn almost exclusively from the Upper Creek faction and this faction lived in the southern portion of the Nation and along the banks of the Canadian river and its North Fork and Deep Fork tributaries. The Lower Creeks or McIntosh faction espoused the cause of the Confederacy and the cleavage thus created became a source of many subsequent political disaffections. The Loyal Creeks were slow to compose their differences with the erstwhile Confederate Creeks and evidenced a feeling that the penalties for disloyalty had not been entirely exhausted by the defeat and the surrender of the Southern Creek Indian Regiments at the conclusion of the war. They were hostile toward efforts to reunite the dismembered tribe and militant in their defiance of the reforms of modern progress. Some of these Indians were disposed to resort to the persuasive methods employed by their more savage ancestry, rather than accommodate themselves to the orderly processes of popular government. Of course there was none of the old-fashioned ceremony of scalping and of the slaughter of non-combatants including women and children, but they reacted with complacency to the war path's fatal lure. These sentiments were exploited by leadership whom many of the full bloods followed with implicit trust and this untutored class became responsive to reckless, designing counsel.

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The Green Peach War also known as Spa-he-cha's War was, in fact, the absurd result of an irrational secession movement inaugurated by certain Loyal Creek leaders and centered about Isparhecher who became its guiding spirit. The standard of revolt was carried by members, many of whom had followed Opothleyahola into Kansas in 1861

and had been with Ok-tars-Bars-har-jo in 1871 when he dispersed the Creek National Council with armed force; they had rallied to the support of Lachar Haijo in 1876. This group of irreconcilables drawn from the Loyal Creek faction gave repeated evidence of an inherent distrust of the Creek Government. Armed sedition became chronic and was regarded as a logical resort for the expression of their disaffections. They became habitual disturbers of the peace and harmony of the tribe and constituted a turbulent faction which the Creek Nation authorities and the United States Government could not continue to ignore.

Isparhecher led the expiring effort of this faction of the Loyal Creeks against the progressive influence of the reunited tribe. He was an unlettered, unprogressive full blood Creek Indian and, at that time, belonged to the Loyal faction of the tribe. He was ballasted by much native ability and exhibited qualities of leadership which yielded him a position of commanding influence among the full bloods and this influence he maintained with much adroitness despite his many defeats and delinquencies. Isparhecher had the instincts of a resourceful politician but was not of the "happy warrior" type. The fading passions of the full bloods were inspired by his solemn, sedate and sincere posture. These members of the tribe believed in him and supported his Quixotic movements even though they did not, as a class, join his military camp. He seemed to suffer no lapse of their favor through his failures. Isparhecher openly defied the constituted authority of the tribe by armed rebellion and yet the Creek Nation that had repudiated and hunted him with its armed forces in 1883, twelve years later made him its Principal Chief by popular suffrage. It was during his incumbency that the last ef-

fective effort of the full bloods accomplished the defeat of the first Creek Allotment Agreement.[1]

Isparhecher, known variant as Is-pa-he-che and Spa-he-cha,[2] a son of Yar-de-ka Tus-tan-nug-ga and Ke-char-te, his wife, was born in the old Creek Nation back in Alabama in 1829. His parents were full blood Creek Indians, belonged to the Lower or McIntosh faction of the tribe, and in the thirties came with one of the numerous emigrating caravans of that faction to the Indian Territory. They ultimately settled at Cussetah town some seven miles southeast of the present city of Okmulgee, where the father engaged in farming. Grim death stalked among the Indians during the initial years of their settlement in the west and the parents of Isparhecher soon paid the supreme toll to exposure and disease. Isparhecher became a farmer and stockman, which vocation remained his life's effort save as interrupted in after years by his public service. About 1874, he removed to a farm some four miles west of Beggs, where he continued to reside until his final residence was established upon the lands allotted to him in Section Thirty-four, in township Fifteen North and Range Eleven East and which remained his home until his death in 1902. The early years of his life appear to have been rather uneventful and the first record of his activities to be found, has relation to his dual enlistment in both the Union and Confederate Armies during the Civil War.

War records[3] disclose that Isparhecher served as 4th Sergeant in Company K in the 1st Regiment of Creek Mounted Volunteers in the Confederate States Army, having enlisted for this service on August 17, 1861 at the Creek Agency, for a term of twelve months. Captain Abram Foster was his company captain and Col. D. N. McIntosh commanded the regiment which was attached to the brigade of Col. D. H. Cooper. It becomes difficult to visualise the character or extent of the military service rendered by Isparhecher in the Confederate Army as war records report his continued absence from all muster roll calls from Au-

[1]Section 30, Curtis Act of June 28, 1898. 30 Stat. L. 495

[2]Creek Indian Census Card No. 376, Indian Office, Muskogee, Okla.

[3]Records, Adjutant General's office, Washington, D. C.

gust 19, 1861 until August 17, 1862, although he is shown as answering to muster roll thereafter until December 1, 1862, after which date his name ceases to appear. He was reported absent from duty during the entire twelve months of his enlisted term. The company and regiment in which he had enlisted served in numerous engagements in the fall and early winter of 1861 and in the spring and summer of 1862, but it is very problematical that Isparhecher was with them. He was probably "soldiering" but not in a manner quite acceptable to the military authorities and came or was brought back into the service a year later although efforts to impress his attendance seem to have been unavailing.

The enlistment of Isparhecher in the Confederate Army was entirely consistent with his factional affiliations in the Creek tribe. He belonged to the Lower Creek or McIntosh faction and the leaders of that faction had committed themselves and their people to the cause of the Confederacy. Isparhecher inaugurated his military career in the Civil War with perfect circumspection but not unlike many other full blood members of the tribe, conveniently transferred his allegiance to the Union when the cause of the Confederacy began to wane. The ease with which he reversed his allegiance is finely illustrative of the full blood Indian soldier of that period as he strove to align himself with the prevailing side. As a matter of fact the Civil War was an affair of no concern to the Indians. They never knew what it was all about and usually fought where the supply of rations was the best.

Isparhecher appears to have suffered a change of heart about the time that the invading armies of the Union entered the territory and began to disperse the Confederate troops.[4] War records reveal that he volunteered and was mustered into the military service on May 12, 1863 at Ft. Gibson, as a private in Company K in the 1st Regiment of Indian Home Guards, Kansas Infantry in the Union Army. The captain

of his company was Carts-che-her Mic-co and Col. Stephen H. Wattles commanded the regiment in the brigade of Col. William A. Phillips. There is evidence of a higher degree of fidelity by Isparhecher toward his mili-

[4]Records, Adjutant Generals Office, Washington, D. C.

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tary service in the Union Army. He was reported absent without leave on October 31, 1863 but on all subsequent muster rolls of his company, was reported present or his absence satisfactorily accounted for until he was mustered out with his company and honorably discharged from service on May 31, 1865 at Ft. Gibson as a sergeant to which rank he had been promoted on March 12, 1864. During the term of his service in the Union Army, his company and regiment participated in the skirmish at Barren Forks, Indian Territory on December 19, 1863 and Isparhecher was reported as being present.

The dual military record of Isparhecher will admit of no imputation of desertion from the Confederate Army, being laid against him. His twelve months term of enlistment, although indifferently performed, had expired many months before he volunteered and was mustered into the Union Army.

Isparhecher resumed his farming operations upon the conclusion of his military service and became a member of the House of Warriors in the Creek National Council from Cussetah in 1867. This Council met at their old council grounds near Deep Fork in October 1867 and after a somewhat stormy session, framed the constitution under which the affairs of the tribe were administered thereafter. It is not known just what posture Isparhecher assumed during that memorable session toward the framing and subsequent adoption of this organic law of the Creek Nation. From 1872 until 1874, he served as district judge of the Muscogee district and in 1874, upon the expiration of his judicial term, removed from Cussetah to the farm near Beggs which he occupied for years. It appears that he served as a school trustee of the Salt Creek School in 1874-75. His appointment as principal judge of the Okmulgee district came to him in 1877. These judicial appointments were accorded him under the terms of the new constitution and came to him from the hands of the Lower Creek or McIntosh faction which dominated the political life of the Creek Nation at that time. These evidences of preferment would seem to indicate that Isparhecher, at that time, was in full accord with the terms of the constitution of 1867

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and in sympathy with its administration. This deduction is further strengthened by the fact that he was not supportive of either the Ok-tars-Bars-har-jo or Lachar Haijo revolts although he subsequently availed himself of the support of the holdover elements of those insurrections. The appointments of Isparhecher to these judicial positions were not inspired by any peculiar fitness he may have exhibited as a lawyer, because in

fact, he was not a lawyer and at no time pretended to be such. The very strong inference is, that these judicial appointments were proffered to Isparhecher, because he belonged to the party in power, which was the Checote party.

The political campaign in the Creek Nation in the fall of 1879 was a turbulent one. Sam Checote was again elected Principal Chief but much bitterness lingered among the malcontents after the election and again the air was filled with forebodings which presaged new trouble. Vague whisperings began to drift in from the Nuyaka Indian settlement which were calculated to compromise the principal judge of the Okmulgee district with conduct amounting to sedition against the Creek National Government.

West of Okmulgee a distance of some twelve miles, among rugged hills covered with black jack and scrubby underbrush, was situated the full blood Indian community of Nuyaka. The contour of the country was rough, its rocky surface admitting only of an abbreviated tillage. Oak trees spread along the banks of Deep Fork which trickled to the north of the settlement. The somber Indians who dwelt among these native heaths found them adequately adapted to their most fantastic requirements; game was plentiful and the fishing season was always an open one on the Deep Fork, hence their necessary activities were limited. The Creek Indians who clustered among the hills of Nuyaka and contiguous Indian villages[5] were composed of non-progressive, superstitious full bloods, who declined to acknowledge the Creek National Government under the constitution of 1867; they ignored its autonomy

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[5]As an integral part of the revolting Indians, attached to the Nuyaka movement were the full blood Indians living in the contiguous Indian settlements of Tuskegee, Artussee, Kialege, Tuckabatchee and others.

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by refusing to send representatives to the National Council. Many of these misguided Indians had seen service in the Union Army and referred to themselves as the "Loyal" members of the tribe. As time progressed, these Indians assumed a posture of defiance toward the Creek Government and became a disturbing element in the well ordered affairs of the Nation. Tradition confides to us tales of how the outlaws, bootleggers, nondescript characters and fugitives from justice made of the rugged hills about Nuyaka, a convenient rendezvous. But vice was bold in those days and life was coarse and social caste was unaffected by personal conduct. The Nuyaka Indians were well-intentioned, hospitable and Godfearing but unyielding in their attachment to the primitive rites and usages of their race. They insisted that the communistic status be not disturbed, that the full blood members of the tribe be accorded their fractional part of the Creek domain and that they be permitted to enjoy, unmolested the primitive life of their fathers. Thomas Jefferson easily would have found, in their yearnings, a concrete exhibition of his idealistic theories of *laissez faire*.

Upon his removal to the Beggs neighborhood, Isparhecher began to cultivate the Indians of Nuyaka and adjoining full blood settlements and to accord his notions with

theirs. He apparently altered his entire course of thought and action which recalls his manifestations of uncertainty during the Civil War. He betrays a vacilating disposition and a selfish, personal interest may be detected in his change of policy. Isparhecher was a dreamer. In a visionary moment, he perhaps pictured a tribal division and the inauguration of a separate tribal entity to be composed of the unyielding full bloods and with himself as its Principal Chief. He set out to make his dreams come true, and did so. Although unlettered, he was perfectly capable of discerning the vice of such a project and of realizing that his own insincerity would sooner or later suffer a stinging rebuke. The stalwart characteristics of rugged honesty and fidelity of purpose of the full blood Indian yield to a baser plane in the life of Isparhecher at that moment. His cabin among the hills near Beggs be-

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came the gathering place for the malcontents and, covertly at first, an independent government was fashioned with Nuyaka as its capital. He was chosen "Principal Chief of the Loyal People of the Muscogee Nation, Indian Territory." These initial acts of sedition were indulged by Isparhecher while he was yet the principal judge of the Okmulgee district under the Checote administration, but becoming known, he was impeached and removed from office *pro tanto* by the Creek authorities and sentiment ran violently against him.

The rival government at Nuyaka, under the inspiration of Isparhecher now openly defined itself. A policy of retrogression was promulgated and the constitution of 1867 which Isparhecher had helped to frame and under which he had held office and dispensed justice, was denounced as unsuited to the Indians and by reason of that fact was not binding upon them. Isparhecher announced his purpose to restore the Creek Indians to their primitive tribal government and social status. [6]Officers were chosen and lighthorse companies formed and provided with arms and munitions. Intimidation of the Indians in the vicinity of Nuyaka became frequent and vigorous attempts were made to organize and enlist the active interest of the dissatisfied full blood Indians throughout the Nation. Isparhecher was incessantly active and moved unmolested among the Indians in all parts of the Nation, preaching his gospel of discontent. He appealed to certain of the Seminoles and visited the Cherokee Nation where he enlisted the support of Sleeping Rabbit and his followers.

The Checote government at Okmulgee although keenly

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[6]New Yorker Square I. T. June 22, 1882. This is to certify that Richmond Bruner is a light-horse Captain of the Loyal people consisting of a second (Nochar Jack) Twenty two in a Company, in the district known as Tuskergee, or Salt Creek district invested with full power to execute Laws and preserve peace in his district. Therefore if any person or persons should be found interfering this company will be find a misdemeanor of the Laws, whether officer or not. Archolark Harjo his X mark Jno. A. Myers, Clerk. Tustenugee. Approved June 22, [18]82 Is-par-hecher his X mark Principal Chief of the Loyal, people of the Muscogee Nation, I. T. Sam'l H. Lowe, Secretary. (This and subsequent documents referred to in foot notes are from the tribal

records in the custody of the Superintendent of the Five Civilized Tribes at Muskogee, Oklahoma, now being calendared and indexed by the Oklahoma Historical Society for the future use of the society.)

alert to the gravity of the situation, made no effort to interfere with the activities of Isparhecher and hesitated to precipitate bloodshed, although the lighthorsemen were mobilized for the emergency. In the early winter of 1881, Isparhecher led a band of his adherents, numbering perhaps two hundred, eastward and camped at a point on the north bank of the Arkansas river, north of Muskogee. He committed no acts of violence during this raid, the project doubtless being undertaken for the purpose of influencing the dissatisfied Indians in that part of the Nation. He also anticipated the promised arrival of Sleeping Rabbit and his band from the Cherokee Nation. Being advised of this debacle, Chief Checote dispatched William Robison and Thomas Adams with a contingent of three hundred lighthorsemen to intercept the Isparhecher raiding party. At the approach of the Creek regulars, the raiding party scattered and returned to the Nuyaka country. Events began to gravitate rapidly toward trouble in the spring of 1882 and an armed clash between the factions was imminent. The open challenge came in the summer of 1882, when the regular Creek authorities intercepted, disarmed and made a prisoner, one of Isparhecher's lighthorsemen. News of this capture becoming immediately known, a company of Nuyaka lighthorsemen recovered their captured comrade and in so doing, killed two of the offending lighthorsemen of the regular government.

The Creek authorities now took decisive steps to capture and punish Isparhecher's crew of rebellious lighthorsemen but were unable to apprehend them. Gen. Pleasant Porter who had so artfully and successfully dispersed the political revolts of 1871 and 1876, was now in Washington upon official business for the tribe. Porter was hastily recalled to Okmulgee and proceeded to organize the military arm of the Checote government. [7]Early in

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[7]Washington, D. C., January 8th, 1883. Hon. H. Price, Commissioner Indian Affairs, Sir.

It becomes our duty as representatives of the Creek nation to ask your attention to some facts bearing on the recent unfortunate disturbance of the peace of the people of that country. In this connection we assure you the authorities of the Creek nation are fully alive to the fact that their best interests rest in the cultivation and promotion of peace and harmony among all classes of her citizens; and in order as they thought more effectually to accomplish these great needs, they many years ago established a constitutional form of government fashioned much after your own state governments, and which has ever since been recognized by the Interior and other departments of the government of the United States as the legitimate authority in that nation. It is our pride and pleasure also to assure you that under this government, the interests of education, of religion, and of material industry have advanced as they never have in

any previous history of our people. But as in all other governments, we have our malcontents in the form of a small faction, who, while they would propose no reasonable compromise, had not sufficient intelligence to proceed in a legitimate manner to correct their imaginary wrongs. They defied and insulted our laws time and again, but forbearance and love held back the hand of chastisement for many years, all seemingly to no good purpose, until their obstinacy has this the second time culminated in the loss of life as you are aware. The Creek government has not retaliated, however, as she is abundantly able to do, and as the provocation seem to merit, but on the contrary has consented to abide the decisions of a peace conference; to meet some time in the near future and at which we hope an amicable adjustment. What the result of this conference will be, no one can with certainty predict; while in the meantime an unfortunate feature in our troubles lies in the fact that the malcontents in our country receive moral aid and support from Creeks who are not citizens of the Creek nation, but Cherokee citizens living in the Cherokee nation, together with near thirty (30) Seminoles who are also citizens of another distinct government. We are authorized to assure you that the Creek nation is competent to preserve peace and order within her limits if unembarrassd by such outside influences; but with these menacing our nation from two different quarters, the Creek nation is apprehensive of other troubles and commotions pending the peace negotiations now contemplated, which may work to thwart a satisfactory settlement. In view of these apprehensions, then and in view of the guarantees of the United States to "protect the "Creeks and Seminoles from domestic strife, from hostile invasion and from aggressions by other Indians and white persons, not subject to their jurisdiction and laws" (See Revised Indian Treaties p. 112 art. 18), we are instructed earnestly to call upon you to afford to the Creek nation at as early a day as possible that protection thus guaranteed, the same to last at least until a thoroughly pacific solution of our differences shall have been reached. An early reply will greatly favor. Your obedient servants, L. C. Perryman, G. W. Grayson, Creek Delegation. (Ibid.)

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1883, G. W. Grayson, James Larney and Legua C. Perryman were dispatched to Washington by Chief Checote in an effort to secure the military intervention of the United States Government to quell the uprising. [a]The Isparhecher government was represented at Washington, at the same time by Daniel Childers.

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[a]Washington, D. C., Feby. 17, 1883. Col. Saml. Checote Princl. Chief of Creeks Okmulkee Ind. Ter. Dear Sir;

I write this morning to say that Mr. Danl. Childers has been here for several days past in the interest as he states, of the Is pa he cha people. Mr. Perryman being an old acquaintance and neighbor, has been nearest with him and has successfully watched and kept up with his operations here. He has made some informal complaints of the manner of the Orphan payment, that the Creek nation was unjust toward Spa he cha and party, that the Indian Agent leaned toward the interest of the "Checote Government, &c &c. He endeavored to secure some legislation here looking to an

investigation and adjustment of the causes of discontent in our nation, and in order to divest this movement of the character of being the outgrowth of a special legislation for the Creek nation, a thing seeming possible at one time, the name of Genl. Pollock was suggested as a suitable person to go down and *co-perate* with Agent Tufts in restoring Order. He then endeavored to secure attention here in a request to the Govt. or a division of all of the interests of the Creeks, a portion being set apart for the benefit of the Spa he cha party. It was suggested to him that the Govt. would probably not entertain any such proposition unless he would first draw up a petition signed by Spa he cha and all his party making this request and including the provision for allotment of their lands in severalty. In this way this matter was again kept from the attention of Congress, and the suggestion of a petition on the subject was adopted by Childers. Perryman and myself have understood Each other in this matter all the time, and this petition we intend shall have the effect of getting Childers away from here, and of rendering nugatory any influence that may yet be left in the Spa he cha party when it shall be presented for signature to the people called loyal. The petition embraces in it the names of Spa he cha, Hotulga Fixico, Tuckabatche harjo, Sleeping Rabit and Danl. Childers, and will be taken from here about tomorrow by Childers for signature, so that he may bring it back at once and secure the action of Congress thereon. He seems to have no better judgment, than to believe he can do all this during the present session of Congress. We think that the 2nd Chief, Silas Jefferson and other influential loyal men should know these facts and fully warn their people against so grave and dangerous a movement. When the country understand that these agitators have placed themselves on paper as the very first Indians of the Territory to make such a foolish move, then we think all the Creeks both north and south will repudiate these men and all of their pretensions. Indeed I question if this act is not sufficient to justify our authorities in at once proceeding in a summary manner against those who can strike so boldly at the very foundation of the integrity and welfare of our Muscogee nation. I expect to be able to mail you a copy of Spa he cha's petition tomorrow. Very Respectfully Your Obt. Servt. G. W. Grayson. (Ibid.)

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Among these interesting full blood recalcitrants of the Tuckabatchee town settlement lived Tuckabatchee Harjo, a faithful Indian leader and who was a nephew of the old chieftain Opothleyahola. Harjo and his people joined Isparhecher's movement and as the full bloods began to gather at Nuyaka in the early summer of 1882, he led some two hundred of his Tuckabatchee warriors with their families by a circuitous route to effect a juncture with Isparhecher's band. At Battle Creek some three miles east of Okemah, his progress was interrupted by a force of three hundred Checote lighthorsemen under James Larney and a skirmish ensued in which five of six of the Checote men were killed. Harjo fell back to Boley and then marched north and joined Isparhecher at Nuyaka. In the meantime, Sleeping Rabbit had undertaken to keep his rendezvous with Isparhecher and had begun to march his band of

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one hundred followers through the Creek country to join the malcontents at Nuyaka.

Sleeping Rabbit and his band were captured and detained as prisoners.

Marauding parties of the Nuyaka Indians continued to irritate the Creek authorities during the summer and fall of 1882 and required the services of a standing force of lighthorsement. [9]On October 19, 1882, Chief Checote approved an act of the National Council appropriating $19,700 to cover the expense of 1150 warriors in the field. It is in evidence that the Checote government as a gesture of conciliation[10], on October 16, 1882 passed an act granting "full, free and unconditional amnesty for all political offenses growing out of the late troubles" but this pacific offer met with no response. It appeared evident that the authorities at Washington were not disposed to intervene, at least not until the regular Creek government had ex-

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[9]Be it Enacted by the National Council of the Muskogee Nation That the rate of payment of assistant light horsemen and the 1150 men who served eight days or there about during the late insurrection shall be as follows:

The 1150 men at one dollar per day. The 50 assistant Light Horsemen at $15.00 per month. All persons receiving pay as above mentioned shall be required to make oath to the length of service rendered.

Be it further enacted that there is hereby appropriated for the payment of the 1150 men who serve eight days and the 50 asst. light horsemen for each district, the sum of nineteen thousand seven hundred dollars....

Approved October 19, 1882, Saml. Checote, Princ. Chief, M. N. (Ibid.)

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[10]WHEREAS, "A House Divided against itself cannot stand" and the true policy of all Governments being to establish a perfect union and Love of Country by its citizens

And Whereas we, more than any other People, desire that all of our citizens should act in consort & do all that can be done to advance our People in the Great race of life & make us a nation second to none of our sister nations—Therefore to more surely cement & bind our People together—Be it Enacted by the National Council of the Muskogee Nation—That from & after the passage of this act, a *Full, Free & unconditional* amnesty be & is hereby declared for *all* Political offenses, growing out of the late Disturbance—and for all criminal offences growing out of the late trouble in our Nation.

Be it further Enacted That to receive the benefit of this Amnesty it shall only be necessary for parties charged with violation of Law or Guilty of a Political offense—to appear before the Judge of the, Dist[rict] Court for the Dist[rict] in which he resides & take an oath to support the Constitution & obey the Laws of the Muskogee Nation. P [leasant] Porter, Pres[ident] H[ouse] Kings, Sam Grayson, Clk., Concurred in W. Tiger, Sp[eaker] [House of Warriors], A. P. McKellop, Clk.

Approved Oct. 16, [18]82, Saml. Checote, Prin[cipal] Chief, M[uskogee] N[ation]. (Ibid.)

hausted its efforts, so the Checote administration in the early winter of 1882 began vigorously to take the affair in hand. A mounted force of about six hundred men was fully organized and armed by General Porter in December 1882 and took the field for the purpose of shattering the rebellious Creeks. A scouting party, sent out to ascertain the strength of the party at Nuyaka, came upon them on December 24, 1882, and a skirmish ensued near that place in which seven of the Checote men were killed. In anticipation of bloodshed some of the rebellious Creeks had already fled with their families to the west and were now with the Arapahoe and Cheyenne Indians. General Porter followed the scouting party but upon his arrival found the Nuyaka camp deserted. The rebellious party had moved rapidly west taking their families with them. Porter came upon them at Hillibee Creek in the edge of the Sac and Fox country, but an engagement was prevented by the Sac and Fox Chief and his Indian Agent. The refugees continued their flight westward, unmolested and General Porter returned to Okmulgee. The deluded Indians in due time arrived at Anadarko in the Kiowa reservation, but in a somewhat destitute condition. They had abandoned their homes and farms taking their families with them and were in no condition to undertake the rigors of a winter campaign. An effort was made by them to organize a war party among the Sac and Fox Indians but this was unsuccessful. When they did not return to their homes in the spring of 1883, it became necessary for the United States Troops to remove them from the Kiowa country. They were marched back through the Creek country to Ft. Gibson by troops under command of Captain John C. Bates and held at Ft. Gibson by authority of the War Department until July 1883, when they were disarmed and released with permission to return to their homes but instead of doing so, many of their leaders with Isparhecher again went into camp at Nuyaka.

[11]Isparhecher was not with his band at the fight near

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[11]United States Indian Service, Union Agency, Muskogee, I. T., Dec. 21, 1882 6 P. M. Hon. Saml. Checote, Prin. Chief Muskogee Nation, Okmulgee, I. T. Dear Sir:

Yours of to-day received—I have telegraphed the Arapahoe and Cheyenne Agent for information concerning the Creeks that were there, and will get an answer to-morrow—and if important will send to you by messenger. I am satisfied that if anything was wrong with the wild Indians some of the Agents would know it and notify the Department. If anything was wrong at Sac and Fox Agency, that agent would send me word at once. I have heard nothing from Chief Jumper or any one from the west side. As to Spa he cha who is now in the Cherokee nation, I don't think he will trouble any body or has any idea of doing so.

Chief Bushyhead was here yesterday and stated that he sent a man down to Spa he cha's camp yesterday the, man reported, they were not making arrangements to leave—and that there were not more than sixty over there.

I have found no one yet who knows anything, only what they heard—somebody say, and in my opinion the whole thing is only a scare gotten up by person's who don't care for either party—so they can have a chance to steal horses. The report that so many had left their homes and went over to Spa he cha was caused by about 50 persons, men women and children coming here to make claims for arrears of pay and bounty &c. They have been here about 10 days and left for their homes yesterday with their, women and children. As to the troops, I will send your letter to the Comd'g Officer at Fort Gibson, and if he can find any authority to enable him to take troops to Okmulgee, he will do so. The treaty provides that the Creeks shall be protected from domestic strife—But there must be some evidence that there is domestic strife more than mere rumor before the troops can be used.

Please keep me well informed—and I will report to you anything of interest—and if Spa he cha's men attempt to make trouble troops will be used at once—I will write you again by tomorrows mail. Respectfully, Jno. Q. Tufts, U. S. Indian Agent. (Ibid.)

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Nuyaka in December 1882 and did not participate with them in the flight to the Kiowa country. [12]He was in the Cherokee Nation during the latter part of December 1882 in company with a small force of some sixty of his warriors. About the 1st of January 1883, he was in the office of the Indian Agent at Muskogee laying his troubles before that official. He engaged with the agent to return to his home and appoint a delegation to compose his differences with the Checote party but this he was dilatory in

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[12]United States Indian Service, Union Agency. Muskogee, I. T. Jan. 7, 1883. Hon. Saml Checote, Principal Chief, Creek N. Tahlequah, Ind. T. Dear Sir:

Is par he cher and his "body guard" was at the office yesterday and after a long talk by him, Ho-del-ke and others agreed to go home at once and hold a council and send a delegation to settle the trouble. I explained to him fully the terms agreed upon and he went directly to his home from here with about a doz. men. I think it would be a good idea to see that none of the young men in that country molest them and that he be let entirely alone as agreed upon, by the officers of the Nation until this trouble is entirely settled. I wish this so they may have no excuse for not coming to a final settlement. Is par her cher will send to those men out at Kickapoo to come to the convention at once.

The Creek Orphan payment will be commenced Feb. 1. The towns to be paid first. I will write you by next mail and give date on which each town will be paid. Very respectfully, Jno. Q. Tufts, U. S. In. Agent. (Ibid)

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doing.[13] The months of January and February 1883, cover a period of undue lawlessness in the Creek Nation. The regular civil authorities appeared to be unable to

control the wave of crime which ranged from bootlegging to horsethievery and murder. Isparhecher was defeated but unpenitent and some of his erstwhile adherents engaged in a guerilla warfare of reprisal during those early months of 1883. [14]Fear spread among the peaceful members of the tribe and the schools were closed by order of Chief Checote on February 19, 1883.

With the disarming and dispersion of the armed organized rebellious full bloods, the Green Peach episode came abruptly to an end and only the details of peace terms remained. The affair was farcical from its inception. Isparhecher was the outstanding full blood leader of his

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[13]Okmulgee, I. T. Jan. 15th 1883, Hon. J. Q. Tufts, U. S. Indian Agent Muskogee, I. T. Dear sir: While here the last time, you stated to us, that Isparhechers men were all disbanded & going home in little squads & that we (the Constitutional men) had taken for facts rumors &c & had called our men together and taking you at your word we disbanded our men & they all went home on Saturday last. Now on that same day Issparhecher was in camps on Cane Ck. with fully 100 men, with war signs & had scouts. This seems as if you was not very well posted as to Issparhechers intentions. We learn now (from persons who saw them) Issparhecher with a large body of men going in the direction of his place. A great many who are with him live down near Muskogee & this side. Now if they have disbanded, why do those men who at home join & go on with Isspar. These men promised you that they were going home & keep quiet & await the settlement of this matter, but instead they are calling out men who have never been with them & doing all they can to induce Constitutional men to join them. I would be pleased to know if you know of their present moves or whether they have your permission to do as they are doing. Please answer by return mail. Later: This P. M. Issparhechers men fired on & took one of the Constitutional men & abused him by punching with pistols &c & took him on with them. They claim that you gave them permission to do this which of course we know is false. Haste is required to stop their actions. This is no rumor, but facts. The Constitutional men can't stand & be bullnagged in such manner by people rebelling against the Constitution & Govt.

(unsigned, but written on the stationery of the executive department, Muskogee. Nation) (Ibid)

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[14]Okmulgee, I. T. Feby. 19, 1883. Hon. John McIntosh, Supt. Public Schools & Shops, Dr. sir:

On account of recent troubles caused by Issparhecher & party quite a number of our neighborhood schools have been running without the usual number of pupils required by law and as it is natural to suppose an excited state of affairs will continue for awhile. I have concluded that it would be well to discontinue the neighborhood schools for awhile.

Therefore you are advised to suspend all of the neighborhood schools until the 15 of Aprl next. Very respectfully Your Obt. servt., Saml Checote, Prin. Chief M. N. B. E.

time and yet he was unable to muster them as a class, into his military schemes. The full bloods evidenced great faith in him but had they backed this faith by rallying to his standard of revolt in 1882, instead of a motley array of some three of four hundred followers, he would have had, at his command, an army of sufficient proportions to have accomplished something. It is said that the nucleus of Isparhecher's band consisted of nondescript characters and fugitives from justice, but it must not be inferred that he was unsupported by Indians of the most worthy type. The Indian leaders and their adherents who cast their lot with the old warrior, were well-meaning, faithful but unprogressive members of the tribe. The presence of questionable characters with Isparhecher, must not be permitted to disfigure his cause nor mar the bona fides of his intentions. Many an effort, undertaken with the purest of motives has suffered discredit from unworthy characters who have become vociferous in its support. It was this nondescript element that perpetrated the reign of lawlessness in the spring of 1883.

In the summer of 1883, the United States Government designated a commission to come to the territory and adjust the tribal differences.[15] General Clinton B. Fish and Gen-

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[15]Washington D. C., July 16, 1883, Col. Saml. Checotey Princl. Chief, ,C. N., Okmulgee, I. T., Dear Sir:

Your favor of the 11th inst. is received, and replying to same we have to say we have had the interview with Secty. Teller which in our last letter was mentioned as one of the probabilities. We made our representations much as they are in our official letter to the Dept. which you have to both Mess. Price and Teller together who listened to us courteously and asked several questions. They certainly are favorably impressed with the force of our argument, and we believe had we been here a week sooner and before the issuance of the military order we could have, without much trouble, accomplished our purpose in full. The Secty. however, showed a disposition not to interfere too radically with the plans of the War. Dept. and suggested the plan of sending a commission of two or threes men to go down into the Creek nation and make an investigation of the entire matter from beginning to end, who should report the same together with suggestions for a settlement to the Dept. as probably the course that would give more general satisfaction than any other. The Secty's idea was, that the action and assurances of entirely disinterested persons from here to the contending parties in our country would be more satisfactory to all concerned. We simply replied that if the Dept. did not wish to attempt a settlement by the methods proposed by its, we could of course do no more. As to the investigation proposed, we assured him that the Creek nation never yet dreaded or tried to avoid the fullest scrutiny, and so far as the nation was concerned it could commence any day. On this assurance the Secty. instructed the Commission to authorize Genls. Whittlesy and

Fisk (Clinton B) to take the work in charge. Genl. Whittlesy will go, but Mr. Price has been telegraphing several days for Fisk and cannot find his whereabouts. We have been waiting here desiring to make some further suggestions in the matter of the instructions these investigators are to receive . . . We have been assured by the Secty. in conversation that our laws will be sustained; that the integrity of Creek landed and other interests should be maintained, and that the army was only for the purpose of preventing hostilities . . . Your obt. sevts. G. W. Grayson, James Larney (Ibid)

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eral Eliphelet Whittlesy of this commission met the representatives of the two factions at Muskogee, on August 6, 1883. Fifteen delegates from each faction were in attendance and submitted written statements of their respective positions. [16]The whole matter was ultimately referred to a sub-committee composed of members of both factions in an effort to compose the situation. The Isparhecher party again invited the attention of the commissioners to the loyalty of their people during the Civil War and insisted that they be compensated by having a part of the tribal domain set aside for their exclusive occupancy. The subcommittee reached an adjustment by the terms of which Isparhecher's demands for a separate tribal government were brushed aside but a general amnesty was declared for all crimes growing out of the late troubles and Isparhecher and his adherents were required to take the oath of allegiance to the regular government of the Creek Nation. This agreement was signed by the representatives of both factions, approved by the commissioners and thus the Green Peach War passed into Creek history. Chief Samuel Checote manifested a most pacific disposition by resigning as Principal Chief and calling an election for September 1883, to select a chief to fill the vacancy, thus created.

The election held throughout the Creek Nation on September 3, 1883, was severely contested. Three tickets were in the field but the race narrowed down to a spirited contest between Joseph M. Perryman of the Muskogee Party and Isparhecher candidate of the Loyal Party. The candidacy of Sam Checote of the Pin Party attracted scant support. Isparhecher submitted his position to the Creek

[16]The sub-committee was composed of Samuel Checote, Post Oak Taylor, Pleasant Porter, Coweta Micco, G. W. Graysoal and L. C. Perryman, representing the regular Creek government and Isparhecher, Tuckabatchee Harjo, Ho-tal-eke Fixico, Concharbe Micco, David McQueen, Efa Emahlah and William McIntosh for the Isparhecher party.

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electorate in a well defined platform, in which he and his adherents committed themselves to "the preservation of our nationality; to hold our lands in common, as the treaty of 1866 provides; also protection for life and property, and that impartial justice be meted out to every citizen of our Nation, and that peace and harmony be

maintained." The vindication of the political fortunes of Isparhecher in this campaign was remarkable and evidenced the affection in which he was held by the full blood Indians. He had failed in the realization of his ambitions and of the ambitions of his people in the peace terms at the conclusion of his war, but he had suffered no lapse of favor among them. The result of the election was long in doubt and so convinced was the old warrior of his election that he qualified as Principal Chief of the Nation and served for a few days in December 1883.[17] A spirit of tolerance is manifest in his letter to Perryman written from Washington in February 1884, in which he counsels the holding of a new election.[18] [19]Secretary of the Interior Henry M. Teller took a hand and,

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[17]Be it enacted by the National Council of the Muskogee Nation that the Inspector General is hereby authorized to take charge of all the arms and ammunition now on hands together with those in the possession of our citizens belonging to the Muskogee Nation and sell the same at public sale for cash or national warrants and turn the proceeds into the National Treasury.

Be it further enacted that if the Inspector find any arms belonging to our citizens pressed into service by the Militia he shall be authorized to place them in the hands of the owners.

Approved Dec. 18, 1883, Isparhecher, Prin. Chief M. N. S. B. Callahan, Privt. Secy. pro tem. (Ibid)

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[18]Washington, D. C., Feby. 26th, 1884. To Hon. J. M. Perryman Sir:

As it is evident that no one of the candidates for Principal or Second Chief of the Muskogee Nation was elected by a majority vote, at the general election held in the month of September, 1883, as provided by Art. 2 Sec. 1 of our Constitution, I propose that we both waive our claims to the Chiefship and return to our people and use our best efforts in securing, at as early a day as may be practicable, a new election as provided by Sec. 15, pages 132 & 133 of our laws.

Your early answer to this proposition is respectfully requested. Very resptly, Is pa he che, S. B. Callahan, Privt. Secy. (Ibid)

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[19]Department of the Interior, Washington, February 27, 1884. The Commissioner of Indian Affairs. Sir:

I am in receipt of yours of the 6th instant in relation to the contested election for the position of Principal Chief of the Muscogee Nation of Indians, and all the papers submitted by the parties in interest, and the reports of Inspector Benedict and Special Agent Townsend relative to the same.

After a careful consideration of the facts and arguments presented by attorneys representing Perryman and Ispaheche, and also of the statements of numbers of

citizens of the Nation, including that of Checote, the retiring Chief, I have reached the conclusion that Perryman should be recognized as the Principal Chief of the Muscokee Nation.

I have reached this conclusion for the following reasons:

1. That on the day when the factions or parties agreed to vote for Principal Chief, Perryman received a plurality of the votes cast. In this connection I am convinced that the words "majority" and "plurality" are synonymous ones as understood and used by the Muscogee people. In each case the meaning is something equivalent to "ahead" or to "come out ahead." If the day upon which the election for Principal Chief was held was not the legally established day for that purpose, it was at least accepted as such by nearly the whole voting population of the Nation; and it would be transcending propriety for this Department to interpose objection on the ground that the votes were not polled on the proper day.

2. Perryman was recognized by the Council, and was sworn in by the Chief Justice of the Nation. This Council was composed of adherents of the different parties, and I believe the majority of the members were opposed to Perryman. It is true that Ispaheche was recognized by a subsequent Council—which, under the Muscogee law, had nothing to do with the counting of the votes of that election—and was sworn in. This was without authority, plainly, and can not operate to nullify the expression of the will of the people of the Nation on the first Monday of September, the authoritative recognition of Perryman as Principal Chief, and the due administration of the oath of office to him as such.

There is much in the case that might be discussed, but hardly to advantage, inasmuch as I consider that the two points above referred to are conclusive in the matter.

You are directed to recognize Perryman as Principal Chief of the Muscogee or Creek Nation, and to instruct the U. S. Agent to announce this fact, and in all official acts to give due effect to the views herein express. Very respectfully, H. M. Teller, Secretary. (Ibid)

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on February 27, 1884 instructed the Indian Agent at Muskogee to recognize Perryman as the Principal Chief. Isparhecher took this turn of affairs against him gracefully and remained in Washington as the representative of the new Perryman administration. As we now depart from the aftermath scenes of the Green Peach War, significant is the fact that on October 31, 1885, J. M. Perryman as Principal Chief of the Nation, approved an[20] act of the Creek National Council appropriating the sum of $1227.25 for the benefit of Isparhecher to reimburse him for loss of property and money during the late trouble.

The shattered hopes of the disappointed chief perhaps

[20]Be it enacted by National Council of the Muskogee Nation that the sum of $1227.25 dollars be and is hereby appropriated for the benefit of Isparhecher in payment of loss of property & money during this last trouble and this out of any funds in Treasury not otherwise appropriated.

Adopted Henry Thompson Pres[ident] H[ouse] of K[ings], S. B. C[allahan], Clerk. Concurred in T. J. Adams, Sp[eaker], H[ouse] of W[arriors]. A. P. McK[ellop], Clk.

Approved Oct. 31, 1885, J. M. Perryman, Prin[cipal] Chief, ,M[uskogee] N[ation]. (Ibid)

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were molified, in a measure, by his appointment as delegate to Washington, by the Creek Council on January 8, 1884. Isparhecher departed for the National capital very shortly thereafter accompanied by S. B. Callahan who had been designated as his interpreter. The exciting drama through which he had so recently passed in the Territory, imparted an added interest to his presence in Washington at that time. It was upon this occasion that Isparhecher met and wedded Miss Alma Harrover, a young white woman, after a brief, hectic courtship in which Callahan must have played a delicate role. The lady neither could speak nor understand the Creek tongue and Isparhecher equally was delinquent in the use and understanding of the English. Isparhecher had been married twice before. His first spouse was Pollkissut a daughter of Poskofa, whom he married some years before the Civil War, died leaving a son who bore the name of Washington and who died before the allotment days. Subsequently he married Lucy Barnett, by whom he had four children, Sarwarhee, Annie, Gabreil and Kizzie. Sarwarhee and Kizzie survived the old chief, the former dying on July 10, 1910. Lucy died on August 31, 1886 but it seems that she and Isparhecher had become estranged some years prior to her demise and had probably recognized a divorce by voluntary separation according to the Creek Indian customs. At any rate, Isparhecher felt himself, "heart whole and fancy free,' when he arrived in Washington in the early spring of 1884, because he straightway became involved in an affair of the heart with the young white woman who had engaged herself to perform the laundry work for the old warrior and his companion. He was married to Alma Harrover at Washington, on June 4, 1884, the service being performed by the Rev. W. A. Bartlett, a Presbyterian clergyman, through Callahan acting as interpreter. Upon the conclusion of his mission in Washington, Isparhecher brought has bride to his cabin home in the Salt Creek country near Beggs. The new wife rapidly adjusted herself to her new invironments and acquired an understanding of the Creek language which she learned to speak fluently. Sad to relate, the true course of Isparhecher's love took a painful detour. In the summer of 1891 his matrimonial barque headed for the rocky coast. A triangle developed

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in which one J. M. Heston, a young white man and an employee on the old warrior's farm, became the disturbing factor. About July 1, 1891, Alma, abjured Isparhecher's

bed and board and fled with Heston to greener pastures.[21] A divorce was obtained by Isparhecher in the court of Judge James M. Shackleford at Muskogee on November 28, 1891. On March 26, 1896 he married Cindoche Sixkiller, a young Indian woman, some 36 years his junior and who survived him, dying on June 14, 1931.

At the general election held in the Nation on September 6, 1887, Isparhecher was again a candidate for Principal Chief and again his political ambitions "missed fire" and Legus C. Perryman was chosen to the position. He was appointed as delegate to Washington, for the tribe on December 2, 1887 and again in October 1888. When Perryman was reelected as Principal Chief on September 1, 1891, Isparhecher was once more a candidate and once more faced defeat. In October 1893 and also in 1895, he was chief justice of the supreme court of the Nation. He seemed to rise triumphantly as he was precipitated from one defeat to another. The old warrior gained in the esteem and affection of the Indians, whose vision of things he perhaps better understood than any other Indian leader of his times.

The Dawes Commission was appointed by President Cleveland on November 1, 1893. This commission was authorized to negotiate for the "extinguishment of the national or tribal title to any lands now held by any and all such tribes, either by cession of the same part thereof to the United States, or by the allotment and division of the same in severalty among the Indians of such nations or tribes." The commission did not meet with a hearty reception upon its arrival in the Indian Territory. On June 26, 1895, an intertribal council met at Eufaula to consider the proposition offered by the commission. The Creek delegates to this meeting included Isparhecher and after a two

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[21]Court files and depositions in Isparhecher vs. Alma Isparhecher Equity case No. 1172, United States Court for the Indian Territory, First Judicial Division, James. M. Shackleford, Judge, now among the records in the office of the Clerk of the United States District Court for the Eastern District of Oklahoma, at Muskogee.

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days session the council went on record in opposition to the proposed agreements and promptly adjourned. The Creeks, like many of the other tribes, were manifestly opposed to any plan involving a change in their system of communistic land tenure.

In the midst of the initial negotiations by the Dawes Commission, the regular quadrennial election approached and, once more the stormy petrel of Creek Nation politics submitted his candidacy. The old warrior was now bent with the weight of sixty-six years of a life which for the most part, had been strenuous. When the canvass of votes was concluded after the election held on September 3, 1895, it was disclosed that like Ben Adem, "his name led all the rest." The elevation of Isparhecher to the position of Principal Chief at this particular time clearly indicated the posture of the Creek Indians toward the allotment of their lands and the extinguishment of their tribal government. The campaign for his election had been pitched upon these issues and

quite naturally, Isparhecher construed his election as a mandate from his people, touching these all engrossing questions. He assumed the office with a feeling that nothing within the range of his powers as a chief executive should be omitted to accomplish the defeat of the allotment schemes of the government and which also involved the destruction of the political autonomy of the Creeks. The Nuyaka dreams were approaching a realization, or at least, he thought so. On January 29, 1896 Chief Isparhecher was summoned to Washington for a conference, touching these allotment matters.

In the face of this declaration of sentiment by the Creeks evidenced by the election of Isparhecher, the United States Government moved consistently forward and the Act of June 7, 1897 had the effect of convincing the Creeks that further resistance to the plans of the government was inadvisable. Isparhecher designated a committee consisting of Pleasant Porter, Joseph Mingo, David N. Hodge, George A. Alexander, Rolland Brown, William A. Sapulpa and Concharte Micco to negotiate with the Dawes Commission. This commission concluded an agreement which was embodied as Section 30 of the Curtis Act of June 28, 1898. A

complete change of attitude was manifest from the terms of this agreement which provided for its submission to a vote of the Creek people to be held before September 1, 1898 and should be ineffective unless ratified by such vote. Isparhecher was not in sympathy with this agreement and deferred calling the election until after the Council met in October, explaining as reasons for his delay that he desired the Council to prescribe rules and regulations and to afford the people an opportunity for a thorough discussion of the question involved. He caused the agreement to be translated into the Creek Language. Certainly he would have been remiss had he exercised less discretion toward the interests of his people. The matter was one of grave concern to a people many of whom were unused to and ill adapted for the individualistic order of life and affairs of the white race. The election was called for and held on November 1, 1898, just two months late and the returns failed to show a majority of votes to accomplish the ratification of the agreement. Isparhecher is not subject to adverse criticism because he delayed calling this all important election, but he probably missed the opportunity of a lifetime. History would have approved his course had he thrown his influence and the power of his office into the campaign favoring the agreement and its ratification. Although his attitude defeated the agreement, the Dawes Commission, on April 1, 1899 opened its Land Office at Muskogee and began alloting the use and occupancy of the surface of the tribal lands among the individual members of the tribe. The followers of the old chief now began falling away from him and the Muskogee office was crowded with Indians seeking these surface allotments. A great change of feeling became prevalent throughout the Nation and to a casual observer, it would seem patent that steps should be taken at once to conserve the individual rights of the Indian, by the inauguration of a new agreement. Isparhecher now became a pitiable figure as he bravely stood out against the tide which he was unable to stem. He refused further attempts to revive the defeated agreement or to countenance a new one. He now faced the closing year of his ad-

ministration and at the tribal election held on September 6, 1899, the aged chief went down in defeat and General Pleasant Porter was chosen Principal Chief of the Nation. The old warrior had fought a good fight, but in the end it seemed that he alone had kept the faith of his people. He drank deep of the cup of ingratitude. The advent of General Porter established the influence of progressivism in the affairs of the Creek people. The original and supplemental Creek Agreements were adopted, the allotment of tribal lands was accomplished and the Creek Nation as a political entity with its years of tragedy, was concluded. The Quixotic Isparhecher who had come riding so morbidly down the Highroad of Romance of Creek history, interrupting the true course of tribal progress, now became "only a lone sentry guarding a vacant and dismantled fortress." The old order of things had passed.

After the retirement of Isparhecher, he was appointed by Chief Porter as a member of the commission which framed the Original Creek Agreement and this act concluded his public service. He adjusted himself to the new order of things by enrolling himself on the approved government rolls of the tribe and making a selection of his distributive share of the tribal lands. Isparhecher spent the few remaining years of his life upon his farm where he suffered a paralytic stroke from which after a two weeks illness he died on December 22, 1902. He rests in a family burying ground on the homestead allotment of his wife, Cindoche, being on the northeast quarter of the northwest quarter of Section Thirty-four in Township Fifteen North and Range Eleven East, in Okmulgee County, Oklahoma. A plain marble slab stands to mark the end of the trail. Even in death, repose for his tired body was denied. Some five or six years after the interment of his body, it was surreptitiously exhumed by vandal hands, his corpse and casket robbed and the remains thrown indifferently back into the grave and covered up.

Isparhecher belonged to the Tiger clan and to Cussetah town. His name appears opposite roll number 1226 on the approved rolls of the Creek tribe, census card number 376 evidencing these facts. In personal appearance, the old

warrior was tall and well proportioned but in later years became somewhat stooped in carriage. He was a consistent member of the South Methodist Church but belonged to no fraternal organizations. An old violin hung on the walls of his cabin home and Isparhecher entertained himself and his friends with its use. Isparhecher was a fair type of the full blood Creek Indian of his time, morose, morbid, secretive and sullen. His straight ebon locks, which he wore long, hung about his shoulders.

To this old chieftain of the Creeks, much credit is due as he is buffeted from one adventure to another. His career zigzagged from the depths of defeat to the heights of attainment, but the full blood Creek Indians believed in his judgment and rugged honesty through it all. Let us measure Isparhecher by the times in which he lived and the semi-cultured environs in which he moved, giving due account to the entire lack of any scholastic training which naturally circumscribed his judgment.

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CHIEF PLEASANT PORTER

by John Bartlett Meserve.

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The initial years of adjustment by the Creek Indians in their new homes in the Indian Territory, were interrupted by difficulties with adjoining tribes and by domestic troubles. The cleavage between the Upper and Lower Creeks constituted a source of many painful experiences. Reckless leadership, at times, inflamed to animosity and passion, a people to whom war was a reasonable and logical affair.

As the years passed, the Creeks became reconciled to their new environments and wholeheartedly and under capable leadership began to work out their own destiny. Progress in social, educational and political affairs was very rapid. The leaders of the two factions, in 1860, united in the draft of the first written constitution under which a Principal Chief was elected by the members of the tribe. The Civil War again rent the tribe and little or no responsible government existed in the Creek Nation until the war was concluded. A new and more serviceable constitution was framed by the progressive leaders in 1867 and under this instrument, the political affairs of the reunited tribe were administered until the United States Government assumed active control of all functions of government. The Creek constituion of 1867 may be said to be the initial gesture by the tribe toward intelligent, responsible government. From that time forward, it became a matter of capable, honest and unselfish administration. Fortunate indeed was the nation to possess at this particular time, the leadership of honest, capable and intelligent men.

During this era of transition in the social and political life of the Creek Nation, no name stands out with finer luster than that of Pleasant Porter, Principal Chief of the nation from the year 1899 until his death in 1907. Safe, conservative and trusted in counsel, unremitting in fidelity to the best concerns of his tribe, dignified and courteous in association with men, he enjoyed the well merited supreme

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confidence of the members of his race and the public officials of the United States

Government from the President down to its humblest official connected with the Indian service. His paternal forebears had entered the Creek tribe by adoption back in 1814, and shared with its members, the chastening phases of their enforced removal from Alabama to the west. The complete story of the life of Pleasant Porter and of his paternal ancestry is linked with the story of the Creek people from the days of the Creek War of 1813-14 down to their absorption into the political life of the State of Oklahoma. His own public service to the tribe reaches back to the early post bellum days and becomes more conspicuous with the years until death terminated his most useful career. The high qualities of his statesmanship were emphasied by the patriotic service which he rendered during the days when tribal relationship gradually lapsed and its membership became merged into the body politic of American Life.

[1]John Snodgrass Porter was a soldier of fortune—a son of Andrew Porter, an Irishman of Norristown, Pennsylvania, where he was born sometime during the concluding decades of the eighteenth century. The vast unmeasured west continually beckoned the restless settler and land surveying became the inviting profession for young men during those formative days of the republic. Young Porter became a surveyor which would indicate that he had received at least the rudiments of an education before departing from his home in Pennsylvania for the southwest. His Bohemian instincts led him across the Alleganies about 1810, into eastern Tennessee where he married and settled down among the rugged hills.

The fearful massacre of white settlers at Ft. Mimms, in Alabama, in the fall of 1813 by members of the Creek tribes, inspired the punitive expedition by Gen. Andrew Jackson and his Tennessee riflemen into the Indian country in the following spring. John Snodgrass Porter shouldered his rifle and marched away with Jackson to the south to fight the Creek Indians. He seems to have acquired the

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[1]Data as to John Snodgrass Porter and Benjamin Edward Porter, obtained from:
History of Indian Territroy, by Gideon, and
Personal interviews with William Adair Porter, son of Gen. Porter.

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title of Captain during this campaign, which would suggest that he commanded a company of eastern Tennessee mountaineers in this expedition. The measures of retribution and punishment visited upon the recalcitrant Creeks by General Jackson were harsh and merciless. The Creek confederacy was well nigh exterminated by the bloody reprisals exacted by the troops and the settlers revengful of the terrible holocaust at Ft. Mimms. Captain Porter was in vigorous opposition to the merciless sacrifice of the subdued and unarmed savages undertook to mediate between the armed settlers and the Creek chiefs to accomplish a cessation of the horrors of the campaign. He contributed in a substantial manner in saving the remnants of the tribes. In grateful recognition of this service, the Creek tribe adopted Captain Porter into its membership and from thereforth he lived among the Creek Indians. He removed his family to the Creek Nation and settled near Ft. Mitchell in what is now Russell County,

Alabama, near the Georgia line. In due time, information of the adoption of Captain Porter into the Creek tribe, reached his old home in Pennsylvania, causing much chagrin to the members of his father's family. They proceeded to forget him and deplore in silence the disgrace which they felt he had brought upon the family.

After the treaty of January 24, 1826, and probably in February 1828, Captain Porter removed with the firs contingent of the Lower Creeks to the west and settled on lands near the north bank of the Arkansas River in the proximity of the present village of Clarksville and in what is now Wagoner County, Oklahoma. Here he built a log cabin, surveyed a plantation and engaged in farming and stock-raising. During these pioneer days he formed the acquaintance of Sam Houston.

Tales of adventure in Texas where Gen. Sam Houston was gallantly leading for independence, slowly crept into the Indian country and again the spirit of adventure seized upon the restless captain. Sometime about 1833 or 34, Captain Porter leaving his family of children and taking his wife, departed for the frontiers of Texas to join Sam Houston. The children, many of them of tender age, were raised by the Creek Indian neighbors. Whether or not the captain joined the military forces of Gen. Houston, is not preserved

for us to know. That he engaged in land surveying in Texas is an acknowledged fact. About the time of the outbreak of the Mexican War, the captain, now bent with age and broken in health, returned from Texas to his cabin home on the Arkansas River to pass the closing years of his eventful life. He brought home with him as an evidence of his activities in Texas, numerous certificates for lands granted to him in the lone star Republic. These certificates were destroyed after his death by his daughter Betsey and the lands reverted through lack of recorded title. The postponement of the Captain's death was not delayed many months after his return from Texas and occurred about 1847, at the old home on the Arkansas. As he lay dying, the members of the household were gathered to his bedside to receive his final benediction. Bending near his couch was a dark eyed boy of six or seven summers with skin darker than the others, betraying more clearly, the Indian blood coursing through his veins. As the dying grandfather placed his hand upon the head of this lad, he solemnly said, "He will do more than any of you." No words were more prophetically spoken. Captain Porter was laid to his final rest in an old family burying ground upon the plantation near Clarksville.

Benjamin Edward Porter, son of Captain Porter, was born at the old home in the Creek Nation back in Alabama about 1818 and came as a child with his parents to the west. He lived until his death upon the old plantation and was a farmer and stockman. He married Phoebe, a daughter of Tah-lo-pee Tust-a-nuk-kee, a Creek Indian town chief. He died sometime shortly before the Civil War and was buried by the side of his father in the old burying ground near Clarksville. His wife died June 6, 1883, aged 63 years and is buried in the family burying ground at Wealaka, in the southeastern part of what is now Tulsa County, Oklahoma.

It is a sad commentary to note that the graves of both Captain Porter and Benjamin Porter are now unknown. The crude markings were removed years ago and time has wholly effaced the ancient burying ground where they rest. The old plantation was segregated into allotments and the plow has furrowed the soil where they sleep. Tall corn

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waves in the warm summer air above their forgotten graves—but in the thought of Victor Hugo, "God knows where to find the soul."

The years of childhood and of adolesence of Pleasant Porter, oldest child and son of Benjamin Edward and Phoebe Porter, were spent upon the old plantation near Clarksville, where he was born September 26, 1840. His life appears to have been eventful from its inception. When a small child, he and a little cousin poisoned themselves by eating wild stromonium, the cousin dying and young Pleasant's recovery being very long and precarious. Later, when swimming with other lads, he was bitten by a water moccasin snake. Scarcely had he recovered from this adventure with the snake when he was thrown from a wagon and his leg fractured in three places. In later years he was given up as hopelessly ill with fever; he was hunted by avengers of blood for a crime committed by another man; he was shot through the head during his service in the Civil War.

Pleasant Porter was a member of the bird clan and early in life received the somewhat euphoneous Indian name of Talof Harjo a name which means Crazy Bear. The enrolling officers placed number 6220 opposite his name on the approved rolls of the Creek tribe. He spent five years in the Presbyterian Mission School at Tullahassee, receiving there a common school education which was to be the foundation upon which his own habit of home study built a finished structure of learning. After leaving school, he clerked in a store for a brief period and in 1860, together with Sam Brown, drove cattle in New Mexico During his absence in New Mexico, war between the states was brewing and, learning of impending hostilities, he hastened home and on August 19, at the Creek Agency, enlisted as a private in the Confederate Army in Company A of the First Creek regiment under command of Col. D. N. McIntosh. This regiment was attacked to the brigade commanded by Col. Douglas H. Cooper.

Colonel Cooper, having the Indian regiments with him, fought Opothleyahola on November 19, 1861 at Round Mountain near the mouth of the Cimarron and again on November 29th on Bird Creek, north of Tulsa and finally

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routed him and his forces at Chustenahleh on December 26th, driving him across the line into Kansas. Cooper had his Indian regiments with him again at Pea Ridge, Arkansas, on March 7-8, 1862, when the confederates were defeated. Cooper was again defeated at Honey Springs near Oktaha on July 17, 1863, after which the Indian regiments fled to the Red River country and finally surrendered on June 23, 1865. Records disclose that Pleasant Porter held the rank of Quartermaster Sergeant. He

was wounded three times, once in the thigh which caused him ever to limp slightly, and twice in the head. His record as a soldier was one of unflinching courage. Upon the conclusion of his military service, Young Porter returned to the Clarksville plantation and resumed his farming operations. He was now without means, the plantation slaves had been freed, the ravages of war had denuded the farm of its stock and the improvements were devastated. He set bravely to work rebuilding the log cabin and splitting rails in the nearby forests with which to fence the farm which he plowed and tilled. Upon his young shoulders rested the responsibility of caring for his widowed mother and sisters and brother. His labors were interrupted in September 1865 when he accompanied the Creek Indian commissioners, as a guard, to Ft. Smith, Ark., when they went to meet the envoys of the United States to open negotiations for terms of peace. These initial parleys culminated in the peace treaty at Washington in the spring of 1866. The shadow years during and succeeding the Civil War had almost completely demoralized the schools in the Creek country. The farm life of young Porter was again stayed when he was called upon to assume charge as Superintendent of the school affair's of the nation. To this task, he gave his first public effort and the zealous, clearsighted service which he rendered, characterized his long life of public service to his people. He reorganized the schools of the nation in 1871, was reelected to the task in 1872 but declined the reelection.

In the fall of 1872, Pleasant Porter made his initial trip to Washington as a representative of his people. It was on this occasion that he married Mary Ellen Keys, at St. Louis, Mo., on November 25, 1872. She was a daughter of

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Judge Riley Keys, who for twenty-five years was chief justice of the courts of the Cherokee Nation. She was born in the Cherokee Nation on April 6, 1854 and died at Wealaka, Indian Territory of January 15, 1886. Three children were born of this union, William Adair, Pleasant and Annetta Mary, the latter two of whom are now deceased. The son William Adair Porter resides with his family at Tulsa, Oklahoma. On May 26, 1886, Pleasant Porter married Mattie Leonora Bertholf, a cousin of his first wife. She was born August 18, 1861, and died July 10, 1829, leaving a daughter, Leonora, now the wife of Ed. C. Bothwell of Pittsburgh, Pennsylvania.

Early in life Pleasant Porter exhibited a remarkable capacity for business and became prosperous. He ran a store at Hillabee for a brief time, afterward establishing a general store at Okmulgee which he sold out in 1869. He soon thereafter removed from Okmulgee to Wealaka where he built a home and where he continued to reside until 1889, when he again removed to Muskogee which remained his home until his death.

The so-called "Sands Rebellion" occurred in 1871. Sentiments of bitterness between the Creek factions growing out of their division during the Civil War remained unabated and were provocative of this as well as of later disruptions in the political life of the Creek Nation. The Sands troubles culminated in October 1871, when Chief Checote attempted to convene the council at Okmulgee. Sands with some three hundred of his adherents marched upon the Creek capital and dissipated the meeting.

Pleasant Porter was placed in command of the light horsemen and with the aid of Federal agents succeeded in quelling the insurrection without loss of life. The high esteem and respect accorded him by the Sands followers, enabled him to effect a peaceable solution of the difficulty and persuade them to lay down their arms and return to their homes.

In the fall of 1872, Pleasant Porter was dispatched to Washington as the official representative of the Creek Nation and thus came the inception of a long period of diplomatic service, so ably and faithfully rendered to his tribe

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and people. [2]He spent much of his time from this time forward until his death, pressing the interests of his people on the attention of the authorities at the Nation's capital. In Washington, he became a well known and highly esteemed character. He enjoyed the confidence of senators, congressmen and of presidents. The late President McKinley when a member of the House, referred to Pleasant Porter as "the greatest living Indian." In the United States Senate, a distinguished member of that body spoke of him "as the peer of any man upon this floor." He became the personal friend and acquaintance of Theodore Roosevelt. The crude Indian boy from the cabin on the Arkansas River by dint of his own personal efforts drew to himself the admiration and appreciation of official Washington and rendered an unequalled diplomatic service to his people.

It was during the four year service of Pleasant Porter as a member of the Creek House of Warriors, that the Lachar Haijo insurrection engrossed the attention of the Creek leaders. Lachar Haijo had been elected principal chief of the Creek Nation in 1875 over Sam Checote who had held the position since 1867. The Checote adherents were in control of both houses of the legislative body and for some reason, political or otherwise, Lachar Haijo was impeached, removed from office and Ward Couchman of the Checote party appointed to serve the remainder of Haijo's term. As might be expected, Haijo went on the war path and the

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[2]A careful search of the pay rolls of the Creek Council discloses that Pleasant Porter was a member of the House of Warriors for the October 1875 session. In December 1875, he was sent to Washington as a Delegate of the Creek Nation and again served in the same capacity in December 1876. He was a member of the House of Kings during the October 1877 session and was sent to Washington in November 1877 and in December 1878. He was president of the House of Kings for the session ending December 4, 1879. From January to October 1880, he was again in Washington, as a delegate. He served as president of the house of Kings in October 1880 and was in Washington again in January 1881. He again presided over the House of Kings in October 1881, the records showing that he represented Big Spring Town. In December 1881, he was again in Washington, remaining until August 1888 and presided over the House of Kings during the sessions of October 1882 and October and December 1883. The records are silent as to his political activities during the years 1884 and 1885, but in December 1888 and January 1889, he was again in

Washington and was a member of the House of Kings for the session from November 17 to December 3, 1891. He was in Washington during February, March and October 1893 and June 1894. In October 1888, an appropriation was made to defray his expenses as a Delegate to "Grand Council" of Indians.

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situation became tense. Pleasant Porter was again placed in command of the light horsemen, but succeeded in composing the situation without bloodshed. Both factions respected him and were willing to abide his judgment and the Haijo followers returned to their homes to await the call of the colorful Isperhecher seven years later. For eight years Pleasant Porter sat as a member of the Creek House of Kings, during the last four years of which he was its presiding officer.

In 1882, Isperhecher, a judge in the Okmulgee District, was charged with seditious utterances, impeached and removed from office.[3] He immediately allied himself with the holdover factions of the Sands and Haijo troubles and established a military camp with some three hundred and fifty of his followers at Nuyaka, twelve miles west of Okmulgee. Here a pronouncement was made of the purpose to restore the Creek Indians to their primitive government and social status. A quasi government was set up and light horse companies formed and provided with arms and munitions. Pleasant Porter was absent in Washington at this time but was dispatched for, by Checote, who was again the Principal Chief. Porter returned and took the field in command of about seven hundred troops and began an offensive campaign.

Isparhecher was driven with his followers from Creek territory by Porter in February 1883, who marched into the Sac and Fox country. An asylum was sought by Isparchecher with his remnant among the Kiowas at Anadarko, but they were returned by the United States, troops to Ft. Gibson in the spring of 1883. There were perhaps seven or eight casualties during the "war," including the killing of a brother of Porter. The insurrectionists were disarmed, released and sent home by the Ft. Gibson military authorities in July 1883. The Creeks refer to this war as the Green Peach War. Porter was highly instrumental in promoting a final adjustment of this trouble and was largely the inspiration of the tolerant attitude assumed by the officers of the United States and the Creek Nation in making a final disposition of the belligerants. By this time Pleasant

[3]30 Stat. Laws, 495.

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Porter had acquired the title of General, a title by which he became so well and affectionately known.

Under the conditions and stipulations of the peace treatly of 1866, the Creeks had ceded to the United States the western portion of their domain. This land was to be

used by the government for the location of "other Indians and freedmen." It was obviously the intent of the tribal representatives signatory to the treaty, that no portion of the ceded lands should be used for settlement by citizens of the United States. In January, 1889 a delegation headed by Gen. Porter went to Washington and while there offered to relinquish to the government, all Creek claims to that part of the ceded territory which was still unassigned to "other Indians and freedmen." An agreement was entered into on January 31, 1889, by which the Creeks for a consideration approximating two and a quarter millions of dollars, released the United States from all restrictions on the use of the entire Creek cession of 1866. Opinion was very much divided among the Creeks as to the wisdom of this agreement and sale and Gen. Porter, with others, came in for some considerable criticism for the part they played in the transaction.

Gen. Porter was before the electorate as a candidate for Principal Chief of the tribe at the election held September 3, 1895, but was defeated by Isparhecher his ancient foe of the days of the Green Peach War. Isparhecher died December 22, 1902.

The Creeks, at first were little disposed to look with favor upon any plan involving a change in their system of land tenure. It early became manifest, however, that further resistance to the allotment plans of the government was futile and inadvisable. A commission headed by Gen. Porter, on September 27, 1897, reached an agreement with the Dawes Commission, which agreement was embodied in Section Thirty of the Curtis Act of June 28, 1898. This compact was submitted to a vote of the members of the tribe and rejected by them at a general election held on November 1, 1898. However, under the provisions of the Curtis Act, the Dawes Commission began allotting the lands in so far as the surface was concerned, in 1899. This precipitate action by the Dawes Commission awoke the responsible

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officials of the Creek Nation to the necessity for immediate action.

Events had been moving rapidly toward the breaking up of the ancient tribal governments and the segregation of the tribal domain of the Creeks among its individual members. General Porter had seen it coming. He had sensed the attitude of the government officials many years before the contemplated change in policy had dawned upon the Creek people. General Porter became Principal Chief of the Creek Nation at the general election held on September 5, 1899, and at a time when the interests of the Creek people required strong, capable leadership. When he came to the executive chair, he faced a situation somewhat chaotic because of the rejection of the Creek treaty of September 27, 1897. The retiring chief, had given it scant support. The people were divided, although as individuals they were crowding the land office at Muskogee to make selections of land for themselves. Immediate action was required upon the part of the Creek authorities, if the interests of the tribal members were to be properly conserved. Chief Porter, at once summoned the Creek Council in session at Okmulgee and laid before them with dramatic emphasis, the entire situation and charged them with the duty of designating a new commission to treat with the Dawes Commission. The Creek Council meeting at the old Council House at Okmulgee on

October 2, 1899 received the stirring message from its Chief. After a dignified delineation of conditions, the burden of immediate action was laid upon the hearts of the legislators in the language of a statesman. The concluding words of Chief Porter, from which quotation is made, will adorn the pages of Creek history "as long as the grass grows and rivers run."

"Having thus briefly called your attention to the conduct of affairs of the Nation from the time of my taking office, and other matters and things that have had a bearing upon the administration of those affairs, I now deem it incumbent upon me to offer such advisory suggestions as have in the meantime presented themselves to me. More especially do feel it my duty to do this when I appreciate the fact that I am not permitted to exercise the functions of an executive power except to assent and dissent from the

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methods proposed and pursued by the departments of the government of the United States in the administration of our affairs.

The effort to recuscitate and reestablish a government administered by ourselves thus far has proved futile, and the outlook is extremely unfavorable to success in ever again recovering even the most limited form of tribal government.

Assuming this to be true, it behooves us to cast about and find what is best for us to do. In determining this question it would be best for us to note the immediate conditions and environments and what is transpiring today. Government over us is administered by the United States; our lands patented to us as a tribe or nation are being allotted to the individual members of the tribe under the authority of a law of Congress. It is true and it is admitted that the title to the lands cannot be segregated without an agreement with us so to do. The lands of the tribe were patented to the nation in fulfillment of treaties mutally agreed upon by and between the United States and the Creek Nation and their partition cannot be lawfully made except by mutual agreement of the contracting parties; therefore a treaty or agreement in this usual manner will be seen to be of the highest importance.

Attention has been called to the fact that more than two-thirds of the Creek people have made selections of allotments of the use of the surface of the land, under the provisions of the Curtis Act and have received certificates from the Dawes Commission for such selections. This conclusively shows that the Creek people have assented to and accepted the allotment and partition of their lands and in so doing it cannot be doubted but that they were guided by the unfailing light of events in advance of any positive agreement—as it were by intuition, grasping the conclusion or end to be reached and acting upon it so far as it is possible for them so to do. And it now only remains for the proper authorities of the nation through the methods required by law, by agreement in the usual form, to arrange definitely the terms and conditions which shall be the rule in the division of our lands and other property.

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In the light of the facts above stated, it became your bounden duty to the people you represent to expedite the registering in the form of an agreement the spontaneous act of the people, accepting with supreme trust that which a majority of the people have determined upon and acted upon, with study deliberation, as the will of the people and recognize the principle that law, as a matter of fact, is only the changing will of the people.

The vitality of our race still persists. We have not lived for naught. We are the original discoverers of this continent and the conquerors of it from the animal kingdom and on it first taught the arts of peace and war and first planted the institutions of virtue, truth and liberty. The European Nations found us here and were made aware that it was possible for men to exist and subsist here. We have given to the European people on this continent, our thought forces. The best blood of our ancestors has been intermingled with the best statesmen and leading citizens. We have made ourselves an indestructable element in their national history. We have shown that what they believed to be arid and desert places were habitable and capable of sustaining millions of people. We have led the vanguard of civilization in our conflicts with them for tribal existence from ocean to ocean. The race that has rendered this service to the other races of mankind cannot perish utterly.

Though our tribal organization is fading away, we will be transformed as a potent factor, an element within the body of Christian civilization The philosophy of history of the future shall trace many principles of governments and institutions so dear to them, to those found among us.

Trusting that you will appreciate and fulfill the demands and obligations placed upon you by civilization and your people and that you will perform the duties now incumbent upon you as legislators and that harmony and goodwill will characterize your deliberations, let us commit ourselves unto Almighty God and implore His divine guidance and with unmovable faith and courage enter upon the work wherein Christian civilization warrants us the right of way."

With quick response to Chief Porter's insistence, a commission was appointed, with the Chief at its head and this

commission gave to the Creeks the detailed plan as set forth in the Original Creek Treaty. [4]This agreement was adopted by Congress on March 1, 1901 and ratified by vote of the Creek Nation on May 25, 1901. A supplemental treaty by Chief Porter and the members of a new commission was Embodied in an Act of Congress, of June 30, 1902,[5] ratified by the Creek Nation on July 26, 1902 and proclaimed by the President on August 8, 1902. These two agreements constitute the scheme of allotment of the lands of the Creek Nation Bench and bar in Oklahoma today recognize in these agreements, many terms and conditions more elastic toward the rights of the Creek allottees, than those found in any of the agreements made with other tribes. The rights of allotment of the individual member of the tribe, were conserved against the recognized rules of limitation and estoppel of the white man. The unerring mind of

General Porter guided the hand that indicted the language of the Creek allottment agreements. In those deciding moments, he stood like Saul among his people, towering above the multitude.

The fourth and last insurrection against the organized government of the Creeks occurred in the spring of 1901 and is known as the Crazy Snake Uprising. Chitto Harjo (Crazy Snake) was a typical representative of an expiring race of full blood Indians. In October, 1900, he and his full blood adherents instituted a government of their own with Hickory Ground as their capital. Little significance was attached to this action at its inception but as the movement gathered strength among a class of Indians who were opposing allotment, Chief Porter, on November 2, 1900, appealed to the United States Government for protection against the "snake" Indians. In response to this appeal, a troop of United States Cavalry arrived from Ft. Reno in January, 1901, and the leaders of the movement were placed under arrest. Several of them including Crazy Snake were indicted in the United States court for seditious conspiracy, to which, pleas of guilty were made. After an extended lecture from the judge, John R. Thomas, the pass-

[4]31 Stat. Laws, 861.

[5]32 Stat. Laws, 500.

ing of sentence was deferred during good behavior and the culprits sent home.

In 1903, General Porter was reelected Principal Chief. The powers of his office had been almost entirely shorn by the substitution therefor, of the laws of Congress. Government was now administered by officials imported from the states. A situation was rapidly forming which was calculated to stimulate the demands for state government for the Indian tribes in the territory. General Porter now became a strong advocate of statehood for his people. The movement crystalized in the meeting of a constitutional convention called by the chiefs of the various Indian tribes which met at Muskogee on August 21, 1905. Delegates were in attendance from each of the tribes and among the names of the participants may be recognized the names of men who in later years fashioned the constitution of the State of Oklahoma and who guided its destinies in its inceptive days. The Muskogee convention did not lack leadership. With unerring judgment, General Porter was chosen permanent chairman of the convention and presided with dignity. The convention framed a constitution for the State of Sequoyah which was to embrace the old Indian Territory. This constitution when submitted to a vote of the people was adopted by a large vote, only to be rejected by Congress. The Sequoyah movement was most heartily supported by General Porter, who, during the latter days of his life, urged forward the sentiments of statehood for his people.

The duties of the Chief were now perfunctory and with clerical exactness General Porter attached his signature to the thousands of allotment deeds which evidenced to the individual member, his distributive share of the public domain of the tribe.

The declining years of the life of General Porter were spent in the management of his personal affairs. The autumn of life found him in comfortable circumstances and in the full enjoyment of the confidence, esteem and respect of all men and of all races. He was charitable to the degree of recklessness toward the unfortunate members of the old tribe and expended largely to relieve the distressed Indian who appealed to him.

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General Porter was a man of commanding presence, standing six feet and weighing perhaps 225 pounds. He was polished in dress and clean in thought and habit. His spiritual affiliations were with the Presbyterian Church. He was a member of the Masonic fraternities, including the 33rd degree. A gracious personality enriched his life with the charm of a wide circle of personal friendships. He was a fluent speaker in both the Creek and English languages. He was well read in the classics, was familiar with the standard philosophical writers, kept abreast of the development of thought, progress and literature and modestly with a soft pleasing voice and excellent diction, could discourse entertainingly by the hour on a wide range of subjects.

Pleasant Porter was a natural born leader of men. This leadership was of the tolerant and generous type. He dealt sympathetically with the misguided conservative members of the tribe and reverenced their every conscientious difference of thought. The full blood Indian of that period was disposed to face the past. The stage of his aboriginal life of simplicity, was narrow. He dramatized every situation in which he found himself. General Porter was patient toward the warlike excesses of these people and employed few measures of coercion. Dignity and firmness characterized his posture toward them. He permitted no infraction to weigh against his higher obligation to serve his people and sought to inspire them with the thought that human relationships rest upon faith and confidence. The numerous uprisings among the emotional full blood members of the tribe, were quelled by unrepressive measures. It was by moral suasion, that he influenced them to abandon the paths of internecive strife. To him, it would seem, fate had committed the task of leading a race from archaic rites and primitive violence forth into the clear sunlight of Christian civilization. He easily ranks as one of the most distingushed and influential Indian leaders of all time.

It was his ambition that his people might assume their place as full participants in the glory of United States citizenship. His last efforts were directed toward seeing them invested with the high privileges of statehood and self gov-

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ernment. His dream in that behalf was approaching realization. When death closed the eventful service of General Pleasant Porter at Vinita, on September 3, 1907, statehood for his people stood at the threshold.[6] He rests in the old family burying

ground at Wealaka.

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[6]On September 2, 1907, Gen. Porter accompanied by Judge John R. Thomas and M. L. Mott, Creek National Attorney, left Muskogee for Missouri, to attend to some matters of litigation connected with tribal affairs. The party arrived at Vinita in the evening where a change of trains was to be effected and, during the interim, rooms were taken at the Cobb Hotel. Early in the evening, feeling somewhat indisposed, the General with Mr. Mott, retired to his room. He suffered a stroke shortly thereafter, lapsed into unconsciousness and passed away on the morning of Septmeber 3. Realizing the approach of death, he said to those about him, "I'm not afraid to die." These were his parting words before he passed into a state of coma from which he never recovered.

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CHIEF OPOTHLEYAHOLA

By John Bartlett Meserve.

The social and political differences between the Upper and Lower Creeks were accentuated by the treaty of February 12, 1825[1]. This treaty was promoted by William McIntosh a chief of the Lower faction and operated to fully divest the Creeks of the remaining portion of their tribal lands in Georgia. The terms of the treaty were vigorously protested by a delegation of the Upper Creeks which attended a conference with McIntosh and his adherents at Indians Springs, Georgia early in February 1825, which delegation of Upper Creeks was led by Opothleyahola, a young orator of that faction and who was then speaker of the Upper Creek Council. The youthful leader became dramatic as he challenged the power of the Lower Creek chiefs to cede any portion of the tribal domain without the consent of the entire Nation, concluding his protest with words of solemn warning to McIntosh, should he sign the treaty. McIntosh signed the treaty, however, as did also a number of the Lower town chiefs under his domination, although it was repudiated and unsigned by a majority of the Indian representatives. McIntosh was subsequently tried before the Creek Council under the Creek law of 1824 and sentenced to be shot, the order for his execution being given by Little Prince, Principal Chief of the Confederacy. The death penalty was exacted on May 1, 1825 by a chosen company of one hundred Upper Creeks led by Menewa.

The young Opothleyahola closed his stirring address to the commissioners at Indian Springs, in language which left little doubt as to the attitude of the Indians toward a further disposition of their lands although the suggestion of another meeting was made,

"We met you at the Broken Arrow and then told you we had no land to sell. I heard then of no claim against our Nation, nor have I heard of any since. We have met you here upon a very short notice and I do not think the

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[1]7 Stat. L. 237. Kappler, Vol. II, 214.

chiefs present have any authority to treat. Gen. McIntosh knows that we are bound by our laws and that what is not done in public council is not binding. Can the council be public if all the chiefs have not had notice and many of them are absent? I am, therefore, under the necessity of repeating what I told you at the Broken Arrow, that we have no lands to sell. No part of our lands can be sold except in full council and by consent of the whole Nation. There is not a full council; there are but a few here from the Upper towns and of the chiefs of the Lower towns, many are absent. From what you told us yesterday, I am inclined to think it would be best for us to remove; but we must have time to think of it and to consult our people. Should the chiefs now here undertake to sell our country, it would cause dissention and ill blood among ourselves, for there are many who do not know that we have been invited here for that purpose and many who would not consent to it, if they were here. I have received a message from my head chief, the Big Warrior, directing me to listen to what the commissioners have to say—to meet and part with them in peace—but not to sell any land. I am also instructed to invite you to meet us at the Broken Arrow three months hence, where a treaty may be finally made. I gave you but one speech at the Broken Arrow and I give you but one here. Tomorrow, I return home. I have delivered the message of my head chief and have no more to say. I shall listen to whatever you may think proper to communicate but shall make no further answer."

Then turning toward McIntosh, the ill fated chief, with an eye full of meaning, he extended his arm toward him and in a low, bitter tone of prophetic menace, added, "I have told you, your fate if you sign that paper. I once more say, beware."

The cleavage between the Upper and Lower Creeks, which were now known as the McIntosh faction, became one of lasting proportions which continued for many eventful years and the bitter animosities which were engendered were never to yield to a better understanding, until all semblance of tribal government was taken over by the United States, some seventy years later.

The young orator, Opothleyahola (Hu-pui-hilth Yahola) was born in the Creek Nation about the year 1798 and is believed to have fought with Chief Weatherford, against the whites in the Creek War of 1813-14 and seen service at Horseshoe Bend when the recalcitrant Creek tribes were all but extinguished by General Jackson. He lived at Tuckabatchee town, where lived Big Warrior, chief of the Upper Creeks and where the council house was situated. He became principal counsellor or speaker of the Upper Creek council and exercised much influence over their deliberations.

Under the treaty of January 24, 1826,[2] the Lower Creeks or McIntosh faction removed to the lands west of the Mississippi and thus passed out of the picture in so far as further controversies between the Government and the Creeks in Alabama, were concerned. The first contingent of the Lower Creeks arrived in February 1828 and

subsequent arrivals in November of the same year. They settled along the banks of the Arkansas River with headquarters near the mouth of the Verdigris River. Their removal was voluntary.

The signing of the treaty of February 12, 1825, inspired the journey of Opothleyahola and John Stidham to Washington, to protest against the terms of the treaty and to insist upon the removal of white intruders who were invading the Creek lands. This visit was made in January 1826 and resulted in the signing of the treaty of January 24, 1826, by Opothleyahola and others representing the Creek tribes. The Creek representatives declined to enter into negotiations with the Government until the terms of the treaty of February 12, 1825, were abrogated. The new treaty divested the Creeks of all of their lands in Georgia but through a technical error, a strip of land was not included although it lay within the limits of Georgia. Opothleyahola bowed to the inevitable and signed this treaty but later stood out for the claim to this strip of land for his people. This controversy provoked the treaty of November

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[2]7 Stat. L. 286. Kappler, Vol. II, 264.

15, 1827,[3] in which all of the lands of the Creeks in Georgia were surrendered. Georgia being now satisfied, the State of Alabama began to irritate the Creeks and insist upon their removal from the state. The Creek representatives were cajoled and urged into the signing of the treaty at Washington on March 24, 1832,[4] by the terms of which the tribe relinquished all of its lands east of the Mississippi River for lands in the west. Opothleyahola most reluctantly signed this treaty. The brave Indian leader was in vigorous opposition to the removal of his people from their ancient lands in the East. He was apprehensive for them and feared a renewal of contact with the McIntosh faction which was already in the West. The terms of the treaty of 1832 gave the Creeks five years to abdicate their homes in Alabama and to reestablish themselves between the Arkansas and Canadian rivers in the West. It was during the negotiations of this treaty that Gen. Lewis Cass, Secretary of War, in a message to the Creeks in January 1832, promised them lands in the West, to be theirs "as long as the grass grows and the rivers run." This phrase thus coined, became a slogan of challenge against a further invasion of their tribal domain, in future years.

In 1834, Opothleyahola and one Benjamin Hawkins, influenced undoubtedly by Gen. Sam Houston, went to Nacogdoches, Texas, and negotiated for lands to accomodate the Alabama Creeks. General Houston had abandoned his life among the Cherokees, north of the Arkansas and removed to Nacogdoches. Here, he began the practice of law and represented the Galveston Bay and Texas Land Company, a New York corporation which had obtained a large grant of lands from the legislature of Coahuilla and Texas. The Mexican government disavowed this grant, imprisoned Gov. Visera and undertook to arrest the members of the legislature and others implicated in the grant. Through the wily Houston, Opothleyahola was induced to enter into negotiations for the purchase of a large tract of this land north of Nacogdoches. A

preliminary payment of $20,000 was made by the Indians, the balance of the

[3]7 Stat. L. 307. Kappler, Vol. II, 284.

[4]7 Stat. L. 366. Kappler, Vol. II, 341.

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$80,000 purchase price to be paid later. In the meantime, the report of this project having gone abroad and been made public, both the Mexican and American governments interfered and the matter was abandoned.

In 1836 some of the Creek towns in Alabama prepared to join the insurgent Seminoles. Opothleyahola marched at the head of his Tuckabatchee warriors, captured some of the young men of a neighboring village who had donned the war paint to start a revolt and delivered them to the military authorities to expiate the crimes they had committed against travelers and settlers. After holding a council of warriors, he led 1500 of them against the rebellious towns, receiving a commission as colonel and when the regular troops with their Indian allies appeared at Hatchechubbee, the hostiles surrendered. The United States authorities then took advantage of the Creek warriors to begin the enforced emigration of the tribe to the west. Under a strict military convoy, the first contingent of the reluctant Creeks were forcibly removed to the west in 1836, ninety of their town chiefs being chained in pairs during the journey. In the following year, Opothleyahola led some 8,000 of his people from their ancient homes in Alabama to lands north of the Canadian river. He was now chief of the Upper Creeks and most highly revered and respected by them.

The plans of conquest, in contemplation by Sam Houston in Texas undoubtedly had in mind the use of certain of his Indian friends among the Cherokees and Creeks. Through Lieut. Peter Harper a white man who had married a Cherokee woman, he undertook to get in touch with the Indian chiefs to the north. Opothleyahola, who probably was not altogether satisfied with his new surroundings, in 1837 communicated with Houston through Harper. On February 9, 1837, Houston wrote to Harper, acknowledging the receipt of this communication and tells him to advise the Creek chiefs: "Tell them I will take them warmly by the hand. They will be welcome." The Harper letter turns up in the hands of Opothleyahola as Houston probably intended it should, the Indian Superintendant gets hold of it and transmits a copy to the Commissioner of Indian

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Affairs at Washington, with a letter dated May 10, 1837, about what is going on in the West. This was the last gesture by the Creeks to remove to Texas.

The Upper and Lower Creek factions in the beginning, rarely came in contact with

each other in the new country. Roley McIntosh, a brother of the ill-fated William McIntosh was chief of the Lower Creeks and Opothleyahola chief of the Upper faction. The influence of Opothleyahola over his people became a fixed factor in their lives. He was cool, cautious and sagacious and displayed talents of a superior order. His fidelity to the best concerns of his people, was unquestioned. No one ever bribed or corrupted Opothleyahola, although he may have been cajoled and threatened and was compelled to yield through stress of circumstances. He was a party signatory for his tribe to the treaty of January 4, 1845[5] and to the treaty of June 13, 1854.[6]

On an occasion, during an intertribal council held at Asbury Mission on the North Fork in November, 1859, Opothleyahola delivered an impassioned address favoring education for the young people of the tribe and said, in part,

"My brothers, many, many years ago, when I was a child, there was a beautiful island in the Chattahoochee River. It was covered with stately trees and carpeted with green grass. When the Indian was hungry and could not find game elsewhere, he could always go to that island and kill a deer. An unwritten law forbade the killing of more than one deer, and, even then, the hunter might resort to the island only when he had failed elsewhere. But the banks of that island were of sandy soil. As the floods of the river rolled on this side and on that, the banks wore away and the island shrunk in size. When our people left the country, the island had become so small that there was only room for two or three of the great trees and most of the green grass was gone. The deer, once so plentiful there, had entirely disappeared.

"I have since learned that there is a kind of grass which, if it had been planted on the banks of that beautiful island, might have saved it. This grass strikes its roots

[5] 9 Stat. L. 821. Kappler, Vol. II, 550.

[6] 11 Stat. L. 599. Kappler, Vol. II, 647.

deeply into the sandy soil and binds it so firmly that the waters of the flood cannot wear it away.

"My brothers, we Indians are like that island in the middle of the river. The white man comes upon us as a flood. We crumble and fall, even as the sandy banks of that beautiful island in the Chattahoochee. The Great Spirit knows, as you know, that I would stay that flood which comes thus to wear us away, if we could. As well might we try to push back the flood of the river itself.

"As the island in the river might have been saved by planting the long rooted grass upon its banks, so let us save our people by educating our boys and girls and young men and young women in the ways of the white man. Then they may be planted and

deeply rooted about us and our people may stand unmoved in the flood of the white man."

[7]The Civil War wrought havoc among the Creeks in the Indian Territory, opening old tribal wounds and fanning into flames, the smoldering embers of their ancient factional antagonisms. They were drawn into the conflict between the North and the South before they had time fully to recover from the economic and political chaos into which they were cast by their enforced removal to the west. The two factions were, as yet, not reunited although a preliminary gesture had been made by the progressive leaders of both factions in 1860, by the adoption of a written constitution and the popular election of a Principal Chief. During the Civil War little responsible government existed in the Creek Nation. They were at a disadvantage of being unable to present a united front against a common foe. Bitter rival factions seemed eager to draw the sword against each other upon the question of secession which was one about which they knew little. The war, as a matter of fact, was no affair of the Indians and their wiser leaders, in the beginning, counselled strict neutrality between the warring factions of the Government. Opothleyahola and Chief John Ross of the Cherokees called a General Council of all the tribes which met at Antelope Hills, now in Roger Mill Co., Okla., in July, 1861 and urged an agreement on neutrality. In the end, however, the Indians were forced by a combination of circumstances, to ally themselves with whichever side could assure them the greatest measure of protection against the other warring faction in their own tribe. The

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[7]Article by Rachel Caroline Eaton in Tulsa World, January 11, 1931, to which the writer is greatly indebted for much information.

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Civil War among the Indians in the Territory resolved itself into a war of self extermination.

In the summer of 1861, Gen. Albert Pike, representing the Confederate Government met the Creek chiefs and representatives near Eufaula and concluded with them, a treaty of alliance. Opothleyahola leading his delegation of Upper Creeks, bitterly fought this treaty of alliance and urged that neutrality be preserved. After its adoption, he and his followers retired from the conference and returned to their homes. The Upper Creeks, now driven to declare a positive position, under the leadership of Opothleyahola, steadfastly remained loyal to the Union and persistenly refused to join the McIntosh faction in any alliance with the Confederacy. Perhaps in this decided course, one may detect a lingering resentment against the States of Georgia and Alabama, rather than sentiments of attachment to the Federal Union. Opothleyahola and his adherents were not concerned with the slavery question, because many of them were slave holders. In fact, as far back as 1838, Chief Opothleyahola is credited with having made claim to and carried off, seven negro slaves, belonging to the estate of the late Col. A. P. Chouteau. Be that as it may, the fact remains that Opothleyahola mobilized at his encampment near the junction of the North Fork and the Deep Fork of

the Canadian River, near the present town of Eufaula, about 2000 warriors, consisting of full-blood Creeks and a band of Seminoles under Halex Tustenuggee. The contingent was illy armed and accompanied by a large number of women, children and old men, all inured to hardship. This band of Loyal Upper Creeks and Seminoles was not composed of renegades and outlaws fleeing from justice, but of self respecting, prosperous farmers and their families, who, compelled to flee for safety, were taking their household goods and flocks and herds with them, together with two or three hundred negroes, mostly slaves. Finding his position threatened by Col. Douglass H. Cooper in command of the Indian regiments enlisted in the Confederate cause to which was added a Texas cavalry regiment, Opothleyahola broke camp on November 5, 1861 and began his movement north toward the Kansas line to join the Union forces and to seek protection for the women and children. It was a colorful

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cavalcade as it moved forward and consisted of armed warriors, covered wagons, ox teams, carriages, buggies, droves of live stock and was followed by scouts. Ten days later Colonel Cooper finding the camp deserted, hastened in pursuit and came upon the refugees at Round Mountain, near the mouth of the Cimarron River and where an indecisive battle was fought on November 19, from which both parties were compelled to retire at nightfall. There seems to be some indecision as to the precise location of this battlefield, whether near Yale or at a place about a mile north of the present town of Keystone, in Pawnee County, Oklahoma. Colonel Cooper reported that his troops had killed and wounded 110 and took a number of prisoners although the Union report makes the loss of Opothleyahola, much less.

The intrepid leader led his exiles under cover of night along the north bank of the Arkansas and encamped on Bird Creek, some seven miles northeast of the present city of Tulsa, where he hoped to replenish his supplies and secure reenforcements among the neutral Creeks and Cherokees assembled at Camp McDaniel. Camp McDaniel was located near what is now the town of Owasso. Colonel Cooper was unable to resume his pursuit of the refugees at once and it was early in December before he again started. Colonel Cooper was apprised on December 8, that Opothleyahola was ready to negotiate for peace. Major Pegg with three companies of full blood Cherokee Indians was dispatched by Cooper to treat with the refugee leader. The Confederate colonel was evidently not advised that many of the Cherokees were quite sympathetic to the loyal Creeks. Major Pegg found Opothleyahola not an humble supplicant, but a superb stately chieftain, who, seizing the initiative as if by natural right, extended greetings to the Cherokees and called them friends. Then came from the lips of the aged orator of the Creeks, words of compelling influence to the Cherokees. Tactfully he recalled to their minds the time when they dwelt side by side in the valleys of their native streams back in the East and the path between the two nations was the white path of peace and the chain of friendship that bound the tribes together was kept bright and shining with deeds of brotherly kindness and

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good will. He addressed them in his figurative style at length and at his conclusion, a leading Cherokee spoke the word which signified agreement. After several of the Cherokees had spoken, the Cherokee Indians deserted Colonel Cooper and flatly refused to fight against their Creek brothers, led by Opothleyahola. Major Pegg and a handful of followers rode back to camp in the evening and on the following day occurred the battle of Chusto-Talasah or Caving Bank.[8] This engagement is described by Colonel Cooper in his report to the Confederate War Department as follows;—

"The position taken up by the enemy presented almost insurmountable obstacles. The creek made up to the prairie on the side of our approach in an abrupt, precipitious bank some 30 feet in height, in places cut into steps reaching near the top and forming a parapet, while the creek, being deep, was fordable but at certain points known only to the enemy.

"The approach side, which was occupied by hostile forces, was densely covered with heavy timber, matted underbrush and thickets and fortified additionally by pros-

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[8]The site where this battle was fought is on the southwest quarter of Section Twenty (20) in Township Twenty-one (21) North and Range Thirteen (13) East. This location has been quite definitely made and steps should be taken to mark the same.

As a part of the forces of Colonel Cooper, was the 1st Creek Regiment under command of Col. D. N. McIntosh, who was a son of the ill fated Chief William McIntosh. As a private soldier in the regiment of Colonel McIntosh, was a young Creek Indian by the name of Pleasant Porter, who afterwards became a character of great prominence and Principal Chief of the Creek Nation.

Colonel Cooper was Indian Agent to the Choctaws and Chickasaws when the Civil War broke.

At the outbreak of the Civil War, the Indians in the Territory were disturbed by the apparent abandonment of them by the Federal government while the Confederate representatives became busy among them. They were further perturbed by the statement attributed to Sen. Wm. H. Seward made during the campaign of 1860 in a speech at Chicago in which he is reputed to have said, "The Indian Territory, also, south of Kansas, must be vacated by the Indians." This language appeared ominous to them and seemed tentatively to augur the policy of the new administration.

After the day's fighting at Round Mountain, the Confederates retired and camped for the night among the tall grass, expecting to renew the battle in the morning. About 1 o'clock at night, they were awakened by the flames of a prairie fire bearing rapidly down upon them and fanned by a stiff north wind. They abandoned their wagon trains and supplies, having barely time to escape with their lives. After firing the prairies, Opothleyahola, took up his march toward Bird Creek in the early morning hours.

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trate logs. Near the center of the enemy's lines was a dwelling, a small corn crib and a rail fence situated in a recess of the prairie at the gorge at the bend of the creek of horseshoe form, about 400 or about 500 yards in length. This bend was thickly wooded and covered in front near the house with long interwoven weeds and grass extending to a bench behind which the enemy could lie and pour upon the advancing line his deadly fire in comparative safety, while the creek banks on either side covered the house by flank and reverse. Forcing their way under hot fire across the creek and meeting the enemy in a hand-to-hand encounter over the rough and tangled ground, through thickets and tall grass, the Confederate forces, composed of both Indian and white regiments, drove the refugees back and they, in turn compelled their antagonists to give ground.

"For three or four hours the fighting continued, the advantage shifting from side to side until sundown the loyal Creeks suddenly ceased firing and were gone from the line of attacks, disappearing almost as if by magic; and the Confederate troops extracted themselves from the underbrush and matted swamp grass and marched back to camp, suspecting the enemy of strategy."

This battle fought on December 9, 1861 was fought approximately two miles north and one mile east of Turley, in what is now Tulsa County, Oklahoma. Its location has been quite definitely made. No report was made by either side as to the casualities and the presumption is that they were not great. The loyal Creeks were holding off the Confederates until their women and children and wagon trains and supplies could be well on the way to Kansas. Colonel Cooper was fearful of a direct charge because he was not exactly certain of the loyalty of his Indian allies.

Again, under cover of darkness, Opothleyahola led his refugees from the scenes of the battlefield and retreated to the northwest, encamping at or near Hominy Falls in what is now Osage County, Oklahoma. Here he entrenched his troops and awaited the advance of the Confederates and their allies. His delay here was almost fatal and was occasioned, that his force might be augmented by the arrival of other loyal bands who were en route to join him. Colonel

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Cooper returned to Fort Gibson and the further pursuit of the refugees was intrusted to Col. James McIntosh. After forced marches with his trained and well disciplined troops, Colonel McIntosh came upon the fortified Creeks late in the forenoon of December 26. He found them entrenched on a rugged hill covered with scrub oak and underbrush. The Seminoles under Halex Tustennuggee were in the front protected by trees and rocks and were drawn up in battle line near the top of the hill. Opothleyahola's mounted troops occupied a place in the rear as reserves. Fragments of other tribes held strong stragetic positions as outposts. Every tree and thicket sheltered a warrior determined to sell his life in defense of this last stronghold. Colonel McIntosh launched his attack at 12 o'clock and hurled his troops upon the hill with such force that they swept all before them. Short of arms and ammunition and weakened by protracted privations, the refugees, unable to withstand the fierce onslaught fell back from cover to cover. Their last stand in an effort to protect their

women and children was in vain. The victorious Confederates drove them in headlong flight. Women and children fled in terror and wild confusion. Horses and wagons were left behind and the scanty stores of provisions abandoned. A northern blizzard from the northwest blew sleet in their faces as they fled over the snow covered ground, their bodies thinly clad, as they had no time to snatch any warm clothing they may have had. Some were even without shoes and destitute of the simplest necessities. Thus the vanquished refugees traveled from four o'clock in the afternoon, all night and the next day, making their way across the Kansas line near the Walnut River. The dauntless old chieftain who had led his tribesmen toward the setting sun, now tottered as he led them into the frozen north pursued by Standwaite and his band of intrepid followers who, in the running fire, shot down men, women and children whose bodies were left uncovered, save by the snow.

The survivors arriving in Kansas in dead of winter, suffered hardships inconceivable. Within two months after their arrival 240 Creeks alone had died of famine, pestilence and exposure and more than 100 frozen limbs were ampu-

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tated. The United States Army unprepared for such an emergency, did what it could to relieve the suffering. From time to time, other loyal Indians from the Territory joined them until their number reached 10,000 souls who pitched their tents at and contiguous to the Sac and Fox Agency in Osage County, Kansas and up and down the Neosho valley.[9] In the midst of dire poverty and suffering, they spent the winter and spring of 1862. Opothleyahola, now broken in health but dauntless in spirit, mounted his lean pony and rode weary miles over the wind swept prairies of Kansas, to interview Federal officers for the relief of his people. He offered to lead a regiment of Indians back into the Territory in an attempt to clear his country of the Confederates in order that his people might return to their homes. But this was not to be. With the coming of the summer, his heroic soul passed to the Spirit Land and his worn out body was laid to rest in an unknown and unmarked grave at or near the Sac and Fox Agency at Quenemo, Osage County, Kansas.

In days to come, the tide of fortune changed and the loyal Indians returned to their homes in the Territory. But they were loth to forget that the breach between the factions in the Creek Nation was slow to heal.

Opothleyahola did not adopt the dress of the white man. His form was draped in a blanket which hung grace-

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[9]Col. W. F. Coffin was appointed, by the Lincoln administration in 1861, Superintendent of Indian Affairs for the Southern Superintendantcy, with headquarters at Tahlequah. Finding himself unable to reach that place because of the activities of the Confederates, he secured the removal of his headquarters to Le Roy, Coffey County, Kansas. Opothleyahola and his refugees first established themselves on the Verdigris, near the present town of Coyville, in the northwest corner of Wilson County, Kansas. They were immediately removed by Colonel Coffin to his newly established

agency at Le Roy, the Kansas farmers being employed with their teams and wagons to remove the women, children and such household effects as the Indians had. The new camps were established along the Neosho valley from about two miles above Le Roy south to Neosho Falls. Attempts to remove them again further north to the Sac and Fox reservation at Quenemo, in Osage County, were opposed by Opothleyahola. His consent was later secured through the influence of his friend Colonel Carruth and the removal again made in the summer of 1862. Opothleyahola died shortly after the removal to Quenemo. See "*Indian Refugees in Coffey County*," by J. P. Hamilton Sr., in 1880 and republished by Glick Fockele in the *Le Roy Reporter* of Le Roy, Kansas, in its issues of August 14 and 21, 1931. Mr. Hamilton, now deceased, was one of the teamsters who assisted in removing the Indian women and children.

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fully as the toga of a Roman senator. A bright colored shawl encircled his head like a turban. He was a man of large and imposing frame. Although the members of his tribe recognized poligamy, Opothleyahola seems to have had but one wife. He had, at least two daughters and one son. The son graduated from the Choctaw academy in Kentucky, and took the name of Richard M. Johnson. The chief was unlettered and could speak only in the Creek tongue. The only likeness of the old chieftain, now known, is the oil painting of him in Washington, made, perhaps about 1832 and which now adorns the gallery of the War Department at the capital. Copies of this celebrated painting are frequently seen.[10] The old chief was quite prosperous and at the outbreak of the Civil War, was considered to be the richest member of the Creek tribes. His estate consisted of herds and flocks which were entirely dissipated by the campaign into Kansas and the ravages of the war.

Opothleyahola enjoyed an uninterrupted leadership of the Upper Creeks for 40 years. No man in their history so touched the hearts of his people. In him, they saw a reflection of themselves. They knew he sympathized with their sorrows and understood their aspirations. He surpassed all others in those attributes which the Indians felt common to them all. He possessed an unsurpassed power to express himself to there in terms which they understood. Undoubtedly, he was the outstanding Creek leader of the full blood, after the days of the Creek War. Opothleyahola was wholly in sympathy with the full blood Indian, who he believed, should be permitted to enjoy his social and political life according to his own notion. He was, in every instinct, a natural communist. This fact shared alike by his people, carried with it the necessary implication of the incapacity of the Indian as an individual. to compete in the white man's socal and economic order. Group life was the unit of his political thought and understanding. No situation arose in hs lifetime to challenge him to recede from the communal ownership of the tribal lands. He was never disturbed by the question of the allotment of the lands in sev-

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[7]History of the Indian Tribes, by Thomas L. McKenney and James Hall, 1842, Vol. II, 7.

eralty and just what would have been his attitude later, cannot be conjectured. He was progressive, strongly favored the education of his people and encouraged them in the productive arts and in thrift. He might have accepted the allotment scheme as a logical consequence and favored it.

The McIntosh faction remained a source of apprehension to him and seemed to color many of his activities. He never appeared to reach a stage where he would trust the differences between the Upper and Lower Creeks to be accomodated. Many of the Indians fought on both sides during the Civil War, apparently seeking to be allied with the winning party, but not so with Opothleyahola. He took his punishment, but not lying down. Prejudice may have warped and impaired his life service to his people. Happier would have been the concerns of the Creek people, as a whole, had Opothleyahola cast his influence and efforts toward reuniting the factions, as was accomplished after his death. The Upper and Lower Creeks were drawn together by the adoption of the written constitution in 1867. The embers of discord were extinguished only to be revived, but feebly, in later years, under the dynastic pretensions of Ok-tars-sars-har-jo, Lacher Haijo, Isparhecher and Chitto Harjo, each professing to be the successor of Opothleyahola, but none of whom was worthy to unlace the strings of his moccasins.

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EXECUTIVE BRANCH INFORMATION

Principal Chief A.D. Ellis

A.D. Ellis was born December 18, 1935 at the Pawnee Indian Hospital, Pawnee, OK. His parents were Doolie Ellis and Nellie Bruner Ellis of Concharty, Twin Hills Community. He graduated from Twin Hills High School in 1953 and then attended Tulsa Business College. He enlisted in the United States Air Force and later served in the Oklahoma National Air Guard.

A.D. was elected to the National Council from the Okmulgee District for four consecutive terms beginning in 1991 through 1995. He served four years as the Second Chief. He retired from International Teamsters Union in 1989 after 35 years of service.

A.D. is married to the former Gail Billings of Morris, OK. He has four daughters and three sons. A.D. and Gail reside at A.D.'s lifelong home on his Mother's original allotment on Bixby Road, Concharty, Twin Hills Community. He is a member of the Turtle Clan and Locupoku Tribal Town and a lifetime member of Concharty Methodist Church.

Second Chief Alfred Berryhill

Alfred grew up on the Tallahassee Indian Methodist Church grounds, north of Okmulgee. His parents, the late Lilly Belle Starr (King) and Toga Mekka Berryhill, raised Alfred on and around the church on Celia Berryhill road. His father was a minister. According to Berryhill, both parents made sure he did his chores at home and at church.

His dad instilled the value of education in him and encouraged him to attend college. He attended Preston school until his freshman year, then went on to Sequoyah High School in Tahlequah. From there he attended Haskel Junior College in Lawrence, Kansas and Oklahoma State University in Stillwater, where he majored in business.

In November of 1998, he was ordained as a deacon. His wish is to revive that old way, the traditional way of worship, as his parents and grandparents did. Alfred believes those very spiritual values instilled in him at a young age helped him enjoy success and change his life.

"I give credit to God, My campaign manager," said Berryhill. "At one point in my life I felt as though I was at a threshold, not sure to go on in or take a step back. But God opens the door nobody can close, he closes a door nobody can open."

Chiefs during the Civil War:

Sands (Oktarhars Harjo) the Upper Creeks allied with the Union (1861 – 1867)
Samuel Checote the Lower Creeks allied with CSA (1861 – 1867)

Chiefs under the 1987 Creek Constitution:

Samuel Checote	1886 – 1975
Locher Jarjo	1887 – 1876
Ward Coachman	1876 – 1879
Samuel Checote	1879 – 1883
Joseph Perryman	1883 – 1887
Legus C. Perryman	1887 – 1895
Edward Bullette	1895
Isparhechar	1895 – 1899
Pleasant Porter	1899 – 1907
Moty Tiger	1907 – 1917 (Appointed)
George W. Grayson	1917 – 1920 (Appointed)
Washington Grayson	1921 – 1923 (Appointed)
George Hill	1923 – 1928 (Appointed)
Henry Harjo	1930 (Appointed – 1 day)
Peter Ewings	1931 (Appointed – 1 day)
Roley Canard	1943 – 1951 (Appointed)
John Davis	1951 – 1955 (Appointed)
Roley Buck	1955 – 1957 (Appointed)
Turner Bear	1957 – 1961 (Appointed)
W.E. "Dode" McIntosh	1961 – 1971 (Last Appointed Chief)

In 1971 the Muscogee people, for the first time since the partial dismantling of their National government, freely elected a Principal Chief without Presidential approval.

Claude Cox	1971 – 1991 (First Elected)
Bill Fife	1992 – 1995
R. Perry Beaver	1996 – 2003
A.D. Ellis	2004 – present

PRINCIPAL CHIEFS & CHIEFS OF CREEK NATION
1828 to Present

Opothle Yahola	Upper Creek	1828 to 1863
Roley McIntosh	Lower Creek	1828 to 1859
Motey Canard	Lower Creek	1859 to 1863
Echo Harjo	Upper Creek	1859 to 1867
Samuel Checote		1867 to 1875
Locher Harjo		1875 to 1876
Ward Coachman		1876 to 1879
Samuel Checote		1879 to 1883
Joseph M. Perryman		1883 to 1887
Legus C. Perryman		1887 to 1895
Edward Bullette (Hotulke Emarthla)		1895
Isparhecher		1895 to 1899
Pleasant Porter		1899 to 1907
Moty Tiger		1907 to 1917
G. W. Grayson		1917 to 1920
Washington Grayson		1921 to 1923
George Hill		1923 to 1928
Henry Harjo		1930
Peter Ewing		1931
Roley Canard		1935 to 1939
Alex Noon		1939 to 1943
Roley Canard		1943 to 1950
John F. Davis		1951 to 1955
Roley Buck		1955 to 1957
Turner Bear		1957 to 1961
W. E. "Dode" McIntosh		1961 to 1971
Claude Cox		1971 to 1991
Bill S. Fife		1992 to present

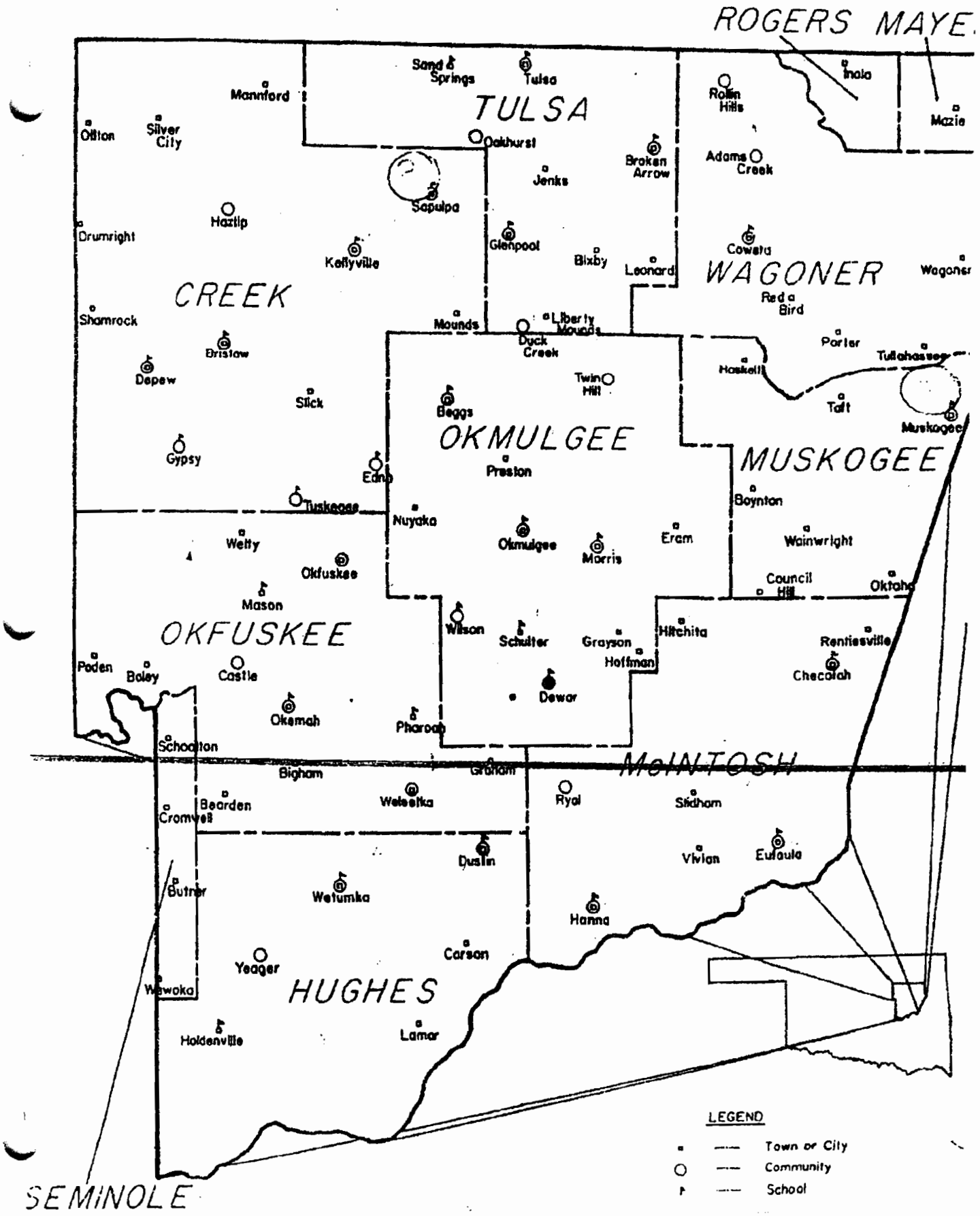
Michael Flud
Tribal Town - Thloptlocco
Clan - Nokosvlke

Justice Michael Flud, who is 1/2 Creek, was born on March 9, 1947 in Okmulgee, Oklahoma. He attended Twin Hills Grade School and graduated from Preston High School in 1964. Justice Flud earned a Bachelor of Arts degree and two Masters of Education degrees from Northeastern State University in Tahlequah, Oklahoma. He is a life long resident of Okmulgee County. Justice Flud retired from the education field in August 1998 after thirty-one years of teaching as a school counselor, coach and athletic director.

He was nominated and confirmed to the first Muscogee (Creek) Nation Supreme Court in 1979. He is the only remaining member of the first court having been re-nominated and confirmed in 1998 to his fourth consecutive 6-year term. He is presently serving as Chief of Staff at Muscogee (Creek) Nation.

MAPS

CREEK NATION of OKLA.



18. HOMELANDS OF OKLAHOMA INDIANS

Oklahoma became the residence of many Indian tribes by the process of removal, a policy of the United States government. The mobility of Indians—particularly after they became acquainted with Spanish horses—and the absence of specific boundaries among the native tribes, made definitive location of tribes impossible. However, Indian groups—not in every case united primarily by the fact of common linguistic stock—did regard certain regions as their respective homes. Acquaintance with those areas in connection with the tribes which claimed them is useful in the study of historic migrations and settlements.

Authorities have presented a variety of views in regard to the "homeland" of Indian tribes. A considerable part of the controversy involved in ascribing locations to the tribes is due to the fact that Indians were mobile even before the horse became known among them. For example, the Cherokees were relatives of the other Iroquoian Indians of New York, and we find evidence of their presence in Virginia, North Carolina, and Tennessee before a major part of the tribe moved to Georgia. The Chickasaws (Muskhogean) lived in Kentucky and Tennessee before the period of their removal from northern Mississippi to Oklahoma.

Most useful for the study of the tribes that came to Oklahoma is Muriel H. Wright's *A Guide to the Indian Tribes of Oklahoma*. Miss Wright lists alphabetically and discusses sixty-five tribes. The *Handbook of American Indians North of Mexico* (2 vols., 1907–10), edited by F. W. Hodge, has the advantages of wide coverage and scholarly expertise.

20. REMOVAL OF THE FIVE TRIBES

Removal of the Five Civilized Tribes to Oklahoma was a process which lasted more than twenty years, beginning with the Choctaw treaties of 1816, 1820, and 1825 and the Cherokee treaties of 1817 and 1828. The movement ended with the efforts to comb the Seminoles out of the Florida swamps in the 1840's. Some small bands of southeastern Indians went west before the removal treaties, and many Indian hunters regularly crossed the Arkansas country to reach the buffalo plains.

In exchange for their land in Mississippi and Alabama the Choctaws were to receive a large tract south of the Arkansas and Canadian rivers. The Treaty of Doak's Stand, 1820, provided an eastern boundary for the Choctaw settlements on a line extending north from the mouth of Little River to the Arkansas. Because of white squatters in the area, however, a new treaty in 1825 moved the boundary west approximately to the present border of Arkansas from the Red River to the Arkansas River.

In a series of removals the Choctaws traveled west by various routes, in some instances using riverboats for a part of the journey. Although they endured great hardships on the road west, their travail was, perhaps, less painful than the suffering of tribes that moved a longer distance.

Most of the Chickasaws traveled across Arkansas by wagon, at least for part of the way. Riverboats on the Mississippi, St. Francis, and Arkansas rivers provided a part of the removal facilities.

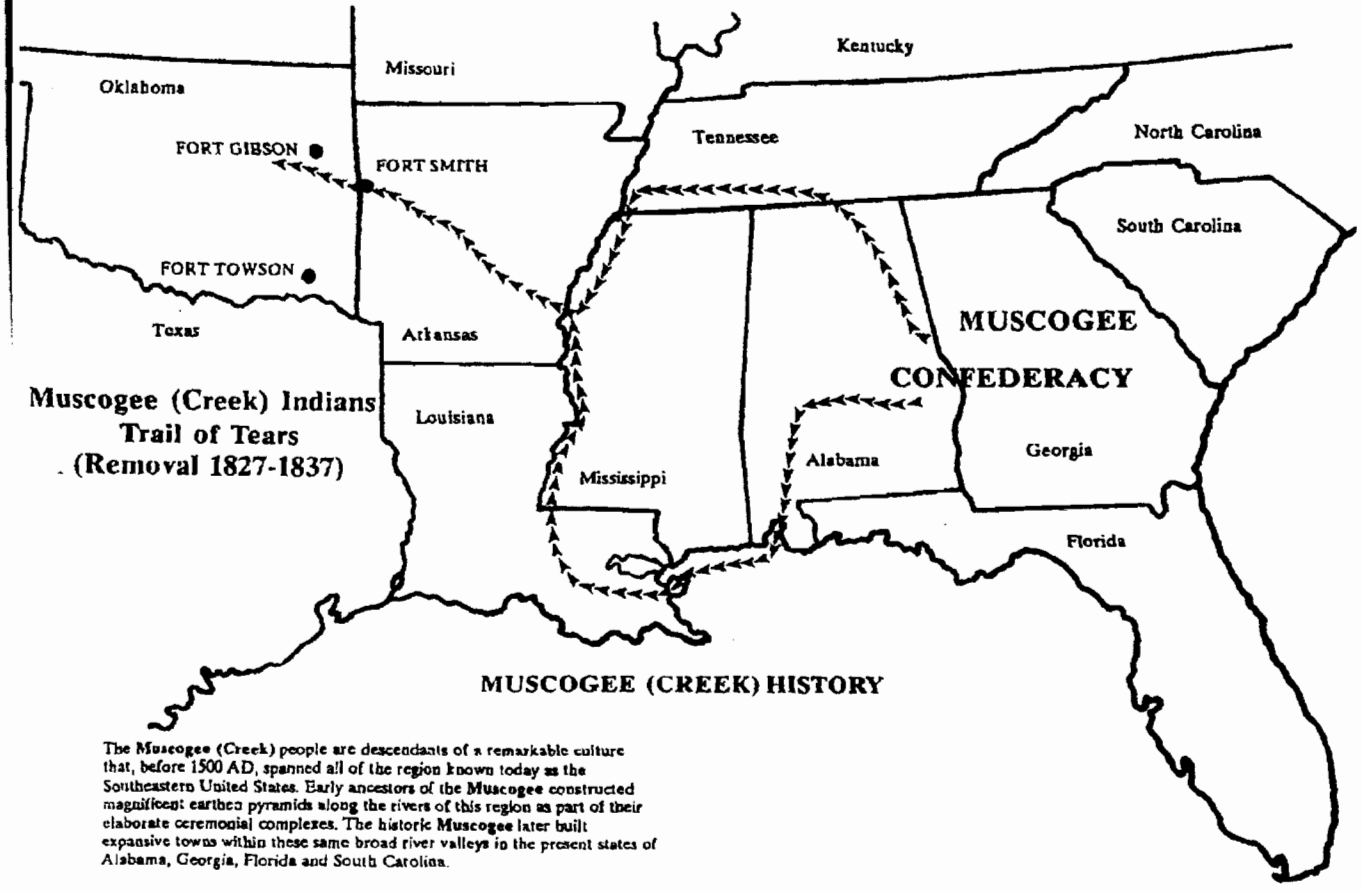
Cherokee removal parties usually crossed western Kentucky to Golconda on the Ohio, and moved across southern Illinois to the Cape Girardeau ferry on the Mississippi. The "Trail of Tears" was the overland passage across Missouri and Arkansas. Many of the people, especially infants and the elderly, died and were buried along one or another of the trails. One of the fourteen wagon trains went west across central Arkansas from Chickasaw Bluff (Memphis), and a few bands moved west from Cape Girardeau to southwestern Missouri before turning south to the Cherokee lands in the Indian territory.

Creek migration was complicated by warfare, since some bands resisted the process of removal. Like the Cherokees, the Creeks suffered because of bitter controversy within the tribe over removal.

Perhaps Seminole removal was the most costly of all. For seven years this least "civilized" of the five tribes fought against the government's order to leave Florida. Most bands traveled by boat from the Florida coast to New Orleans and by river steamers to Little Rock or farther upstream. The final stage was accomplished by wagon. The tribe was reduced by one-third as a result of the war and the hardships of the long journey.

Stemerketv Nenne (Road of Suffering)

Mvskoke Etvlwv



MUSCOGEE (CREEK) HISTORY

The Muscogee (Creek) people are descendants of a remarkable culture that, before 1500 AD, spanned all of the region known today as the Southeastern United States. Early ancestors of the Muscogee constructed magnificent earthen pyramids along the rivers of this region as part of their elaborate ceremonial complexes. The historic Muscogee later built expansive towns within these same broad river valleys in the present states of Alabama, Georgia, Florida and South Carolina.

23. INDIAN TERRITORY, 1830–1855

By the Treaty of Dancing Rabbit Creek in 1830, the Choctaws ceded all their land east of the Mississippi to the United States. In exchange they received the land between the western border of Arkansas and the 100th meridian, with the Red River as the southern boundary and the Canadian-Arkansas rivers as their northern limit.

The Choctaws agreed to arrange for moving as many members of the tribe as possible "during the falls of 1831 and 1832," and the rest during the fall of 1833. After three years, about 7,000 Choctaws remained in Mississippi. In January, 1837, Chickasaw and Choctaw commissioners met at Doaksville on the lower Kiamichi and agreed upon terms of Chickasaw removal.

The Treaty of Doaksville provided that the Chickasaws should move into a district west of the Choctaw settlements. The two governments were to be combined, and members of both tribes were to have the right to settle in any part of the Choctaw Nation. Separate tribal annuities were to be continued, but all other privileges were equal.

By the end of 1840 most of the Chickasaws had moved into their district. The Kiowas and some other western tribes resented the presence of Chickasaws on land which the Plains Indians regarded as their own. Raids by Kiowas and Comanches were frequent, and the Chickasaws were forced to maintain a constant guard over their livestock and other property. Also, they could not obtain an equal voice in united tribal affairs.

Fort Washita, established in 1842 about fifteen miles from the Texas border, provided protection against raids; and a new treaty in 1855 gave the Chickasaws relief from the frustration of representative government in which their votes had little weight.

Creek removal was marked by war within the tribe and terrible suffering during migration. Chief William McIntosh was executed in 1825 for ceding land without tribal consent. The Treaty of Washington in 1832 provided for the cession of all Creek land east of the Mississippi and settlement of the tribe west of Arkansas. Another treaty in 1833 defined the boundaries of Creek lands.

The northern line, which was also a Cherokee boundary, began at a distance of twenty-five miles from the Arkansas River and extended west to the 100th meridian. The western line lay along the Mexican boundary, and the southern limit was the Canadian River. The eastern line was the result of compromise with the Cherokees, negotiated by the Stokes Commission in 1833.

James Gadsden reached an agreement with a party of Seminoles at Payne's Landing, Florida, in 1832. The "treaty" provided that the Seminoles should send an exploring party to the Creek lands in the West, and if the explorers should be satisfied with the country and "the favorable disposition of the Creeks to reunite with the Seminoles as one people," the removal agreement should be binding.

At Fort Gibson reluctant consent of the Seminole explorers was incorporated in a brief "treaty" which purported to be a completion of the Payne's Landing agreement. In Florida, Seminole tribal leaders objected strongly to migration, and the attempt to remove them by force resulted in a costly war. Most of the Seminoles were moved west between 1836 and 1842.

26. INDIAN TERRITORY, 1855–1866

Major changes in the condition of the Chickasaws and Seminoles resulted from new treaties with the United States in 1855 and 1856. Secretary of the Interior Robert McClelland and Commissioner of Indian Affairs George W. Manypenny recognized the principle of self-government in dealing with the two smaller tribes.

By the terms of the Choctaw-Chickasaw agreement in June, 1855, Choctaw land west of the 98th meridian was leased to the United States to provide a home for the Wichitas and "such other tribes of Indians as the Government may desire to locate therein." For the lease, the United States agreed to pay $600,000 to the Choctaws and $200,000 to the Chickasaws.

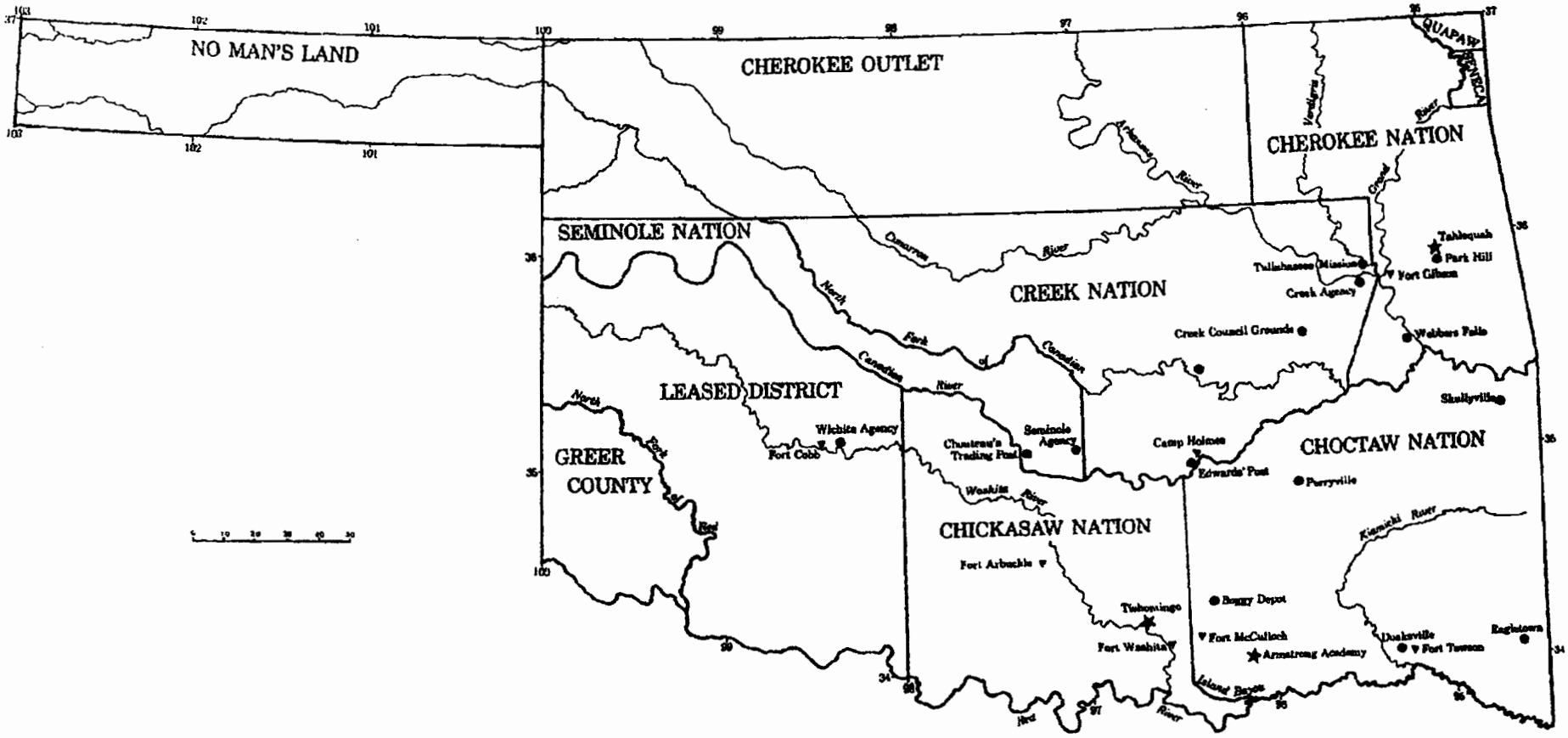
In consideration of the establishment of a separate Chickasaw Nation, the tribe agreed to pay the Choctaws $150,000. The Chickasaw western boundary was the 98th meridian from the Canadian to the Red; and the eastern boundary followed Island Bayou from its mouth to the source of its eastern branch, thence due north to the Canadian River.

Each tribe was "secured in the unrestricted right of self-government, and full jurisdiction over persons and property within their respective limits," with the proviso that the Constitution of the United States should be recognized as the final authority.

The Seminole-Creek agreement in 1856 to maintain separate tribal organizations was a parallel movement toward self-government. The Seminole lands began with a line extending due north from the mouth of Pond Creek (Ock-hi-appo) on the Canadian to the North Fork of the Canadian; thence up that stream to the southern line of the Cherokee Outlet and west along that line to the 100th meridian; thence down the Canadian to the point of beginning.

Of great importance to the Seminoles was the provision for separate tribal government, which relieved them from the domination of the Creek majority. The United States agreed to construct an agency building for the Seminoles and to pay the tribe $90,000 to cover the losses involved in moving to the new location. The contract for the new agency building and council house was awarded to Henry Pope of Arkansas, and the buildings were constructed "one mile west of the eastern boundary of the Seminole country, and about two miles north of the road recently laid out by Lieutenant Beale."

The rectangle between the 100th meridian and the 103d meridian, from 36°30′ north latitude to the 37th parallel, was not claimed by any of the adjacent states or territories. The Texas Panhandle extended north to 36°30′; the state of Kansas had the 37th parallel as its southern boundary; the Cherokee Outlet extended west to the 100th meridian; and the eastern boundary of New Mexico was along the 103d meridian. Therefore, the rectangle that became the seventh county of the original Oklahoma Territory was frequently called "No Man's Land."



INDIAN TERRITORY, 1855–1866

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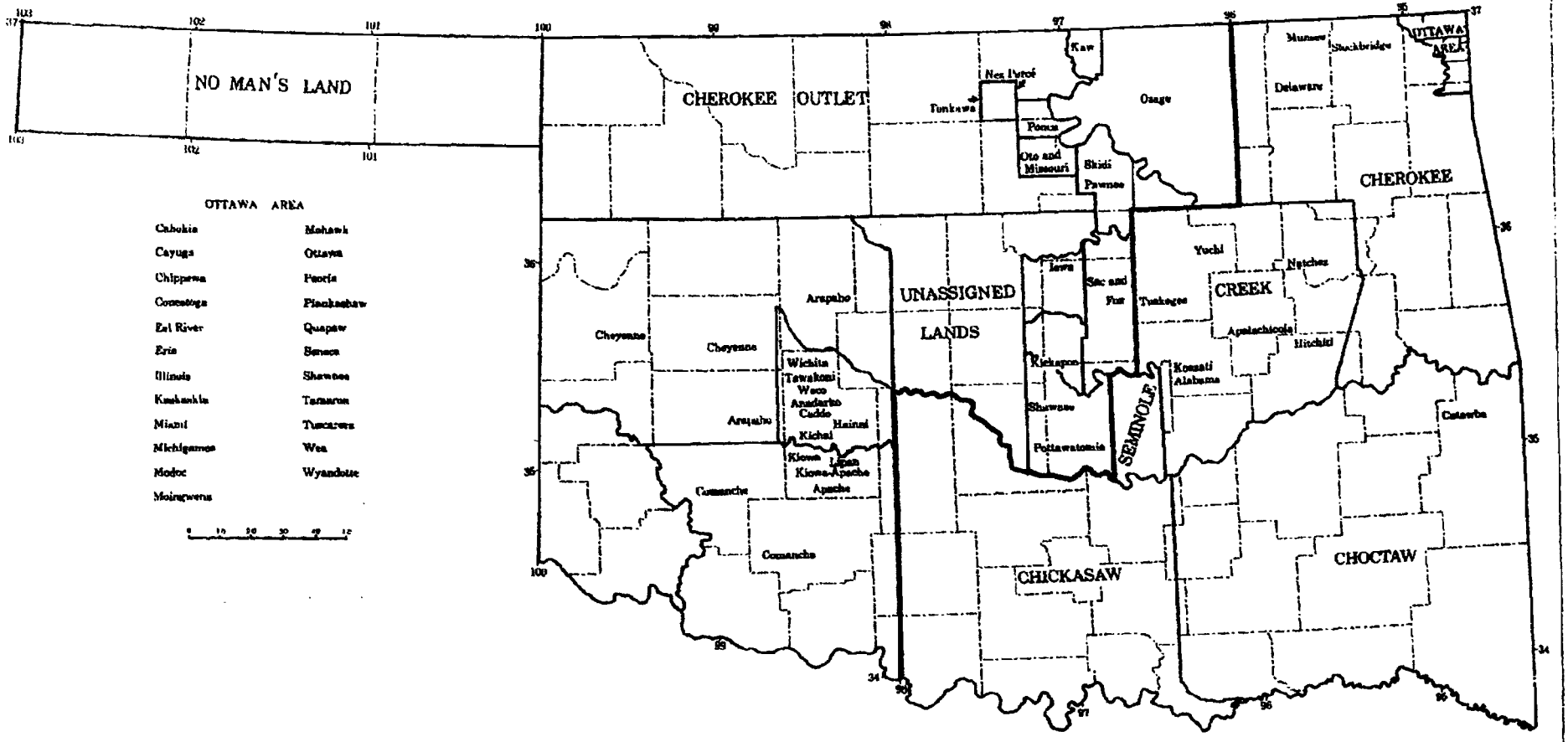

TRIBAL LOCATIONS IN OKLAHOMA

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William McIntosh had begun the compilation of Creek laws before the tribe removed from Georgia. As early as 1840 the two districts in the West attempted united action in a General Council, with Roley McIntosh presiding as chief of the Arkansas District and Opothle Yahola sitting with him as chief of the Canadian District. The years 1859 and 1860 saw a number of interesting constitutional experiments, but the internal conflict of the era put an end to all legal progress.

On October 12, 1867, a brief written constitution was adopted by a vote of the Creek people. The National Council, composed of the House of Kings and the House of Warriors, was given the power to formulate and pass laws. Each town was entitled to elect one member of the House of Kings, while members of the lower house were apportioned among the towns roughly on the basis of population. The principal chief, with his appointed private secretary, was given the function of law enforcement. The erudite messages of semiliterate chiefs are to be explained only by their skill in the selection of secretaries.

The constitution of 1867 divided the Creek Nation into six districts. The National Council elected a judge for each district, the principal chief appointed six district attorneys with the approval of the Council, and the voters of each district elected a captain and four privates to serve as a light-horse police force. District officers were chosen for a term of two years. The principal chief, a second chief to succeed him in the event of his death in office, and members of the National Council were elected, each to serve for four years in his office.

Trial by jury was provided for civil and criminal cases. All suits at law in which the amount in dispute was more than $100 were tried by the Supreme Court, composed of five justices named by the National Council for terms of four years.

Perhaps the most distinctive feature of the Creek government was its use of the town as the unit of elections and administration. After the Creeks removed to the West, the people no longer restricted their residence to the towns, but the older system of governmental units was preserved.

Principal Chiefs of the Creek Nation, 1867–1907

1867–75	Samuel Chocote
1875–76	Locher Harjo
1876–79	Ward Coachman
1879–83	Samuel Chocote
1883–87	Joseph M. Perryman
1887–95	Legus Perryman
1895	Edward Bullette
1895–99	Isparhecher
1899–1907	Pleasant Porter

41. CREEK NATION: IMPORTANT PLACES

The earliest Creek settlements were determined by the Texas Road and certain areas of fertile land that attracted wild game as well as farmers to the Three Forks area and the forks of the Canadian. The McIntosh Creeks—Chilly McIntosh, William's son; Jane Hawkins, the old chief's daughter-in-law; and other adherents of the Cowetan who headed the removal party—occupied land near Three Forks and along the Verdigris River to the north. Here the Creek immigrants settled with their families and slaves and contested the Cherokees for the western half of the lower Grand River valley.

A second region of dense settlement spread westward from North Fork Town, occupying the deep, black soil of the Canadian, North Canadian, and Deep Fork bottoms. At the forks of the Canadian an important mission school was established in 1847—Asbury Mission—and several towns grew up and flourished in the vicinity. North Fork Town was important until the Missouri, Kansas and Texas railroad was built through the area in 1871. A station was constructed at Eufaula, and the older towns moved to the railroad. North Fork Town and Micco Post Office vanished completely, and Eufaula prospered.

The substantial four-story building of the Eufaula Boarding School, rebuilt on the site of Asbury after the Civil War and again after the school was burned in 1888, was to remain in use until the 1950's, when most of the Creek children were enrolled in the public schools of the area.

The federal census of 1890 recorded a population of 1,200 in Muskogee, 500 in Eufaula, and 136 in Okmulgee. At that time, 9,291 Creek Indians, 462 Cherokees, 172 Seminoles, 3,289 white citizens, and 4,621 Negroes—Creek freedmen and others—resided in the Creek Nation. The census also listed three Chinese residents.

The St. Louis and San Francisco Railroad (successor of the Atlantic and Pacific) extended its line to Tulsa in 1882 and to Sapulpa in 1886. The Arkansas Valley Railroad crossed the Missouri, Kansas and Texas at Wagoner.

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Tribe breaks ground for Koweta Health Facility

COWETA — The Muscogee (Creek) Nation furthered its progress of serving tribal citizens by holding a groundbreaking ceremony for the construction of the Koweta Health and Dental Facility on Saturday, December 11.

The facility has been the desire and hope of Wagoner/Rogers/Mayes/ District Representatives Richard Berryhill and Barbara Gillespie. Berryhill and Gillespie represent the Coweta area.

"Prayers do get answered," said an excited Gillespie at the ceremony. "Tribal citizens will now have top of the line health services available to them directly instead of having to travel to farther locations."

Berryhill echoed the comments of Gillespie, and mentioned that the facility was actually in the planning process for some time. "We've worked on this for many years, twelve years to get this facility started. I know its taken a lot of people, a lot of time, a lot of effort, a lot of prayers to help move our Nation forward." Berryhill is excited that the operation of the facility will also allow working closer with the Indian Health Service (IHS) to provide even more services.

Bulldozers and other construction were already in use during the ceremony which is expected to be 56,000 square feet and is planning to be opened on October 1, 2005.

Dignitaries in attendance for the ceremony included Muscogee (Creek) Principal Chief A.D. Ellis, former Chief R. Perry Beaver, National Council Speaker Thomas Yahola and the Mayor of Coweta, Bill Osborne. Osborne was looking forward to the development of the facility, as well as the relationship between the city and the tribe.

Chief Ellis told Tulsa television station FOX-NEWS that the tribe is diversifying nation wide and wanted the public to know that the Creek Nation is much more than tribal casinos. "We're expanding. We don't depend on gaming for everything. We're expanding in the business industry and medical care."

City of Okmulgee and Tribal Officials begin Industrial Complex development with ground breaking ceremony

Muscogee (Creek) Nation and the City of Okmulgee officials broke ground Friday, December 10, on the Creek Nation Light Industrial Complex located on U.S. Highway 75 in Okmulgee to kickoff its development.

Principal Chief A.D. Ellis, Second Chief Alfred Berryhill, National Council Speaker Thomas Yahola, City of Okmulgee Mayor Everett Horn, and City Manager Bob Baxter, performed a ceremonial ground breaking with short rousing speeches.

Muscogee Nation Business Enterprises erected a large sign depicting the "home" of the new complex. Muscogee Nation Trade and Commerce Director, Danny Wesley, who will manage the property, spoke of the future businesses scheduled for the 40-acre location. He reported that a tire and auto service center, tribal transit authority headquarters and other retail businesses have agreed to locate on this property. Wesley added that negotiations are proceeding for several light manufacturing businesses to join this tribal venture. He offered (918) 732-7765 as his contact information for other interested business.

Pictured above, holding shovels, from left to right, are Second Chief Berryhill, Speaker Thomas Yahola, Principal Chief Ellis, Okmulgee City Manager Bob Baxter, and Delta Cherry, Deputy Director Community Development, along with other tribal and city officials. *by Denise Jacobs*

Mike Flud, Human Development Director, coordinated the groundbreaking and coordinates all efforts to obtain permits, approvals and contracts with City and County of Okmulgee, State offices and Federal agencies to complete utility and access infrastructure. Several members of the Muscogee National Council and many staff attended the ceremony. Chief Ellis and Mayor Horn both announced that economic growth through full community cooperation will be the continuing theme for development in the Okmulgee area.

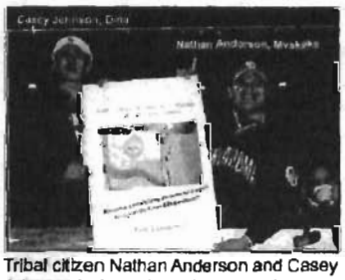
Soldier receives special message during Big 12 Championship

By Jay Senter, Journal-World staff writer

KANSAS CITY — Haskell Indian Nations University employee Nathan Anderson admitted he was a bit reluctant to haul the sign to Arrowhead Stadium for the Big 12 Championship game between Oklahoma and Colorado.

"I don't usually try to be a highlight," he said. "I just wanted to go and enjoy the game."

But a call from his sister-in-law convinced him that the Dec. 4 game in Kansas City, Mo., might offer an opportunity to send a special message to a member of the armed forces: Anderson's niece, Pfc. Leslie Montemayor, a member of the Army National Guard who is stationed at Camp Taqaddum in Iraq.



Tribal citizen Nathan Anderson and Casey Johnson hold a sign with a special message for Pfc. Leslie Montemayor.

Sure, it was a long shot. First, Anderson would have to get a cameraman to focus on the sign, which had a greeting with a picture of Montemayor standing next to the Creek tribal flag. And even if he managed to get the sign on screen, there wasn't much hope that Montemayor would see the game live — it didn't come on in Iraq until 4 a.m.

"She told us that it was going to be on really early in the morning, and didn't think she'd

please see SOLDIER..., page 13

Tulsa Creek Indian Community hosts 18th Annual Council Oak Tree Ceremony

by Ruth Bible

TULSA — The Tulsa Creek Indian Community hosted the 18th Annual Council Oak Tree ceremony at 18th and Cheyenne on November 6.

Miss Muscogee Victoria Mills was the Mistress of Ceremony. Second Chief Alfred L. Berryhill had the honor of lighting the fire. Reverend Harry Long of Salt Creek Methodist gave the invocation and led a Muscogee Hymn.

Cherrah Ridge-Quiett, Tulsa District Representative, introduced the Muscogee Nation Royalty: Little Miss I Angel Johnson, Little Miss II Cassandra Cole, Junior Miss Alyssa Bear, Miss Muscogee Victoria Mills and Senior Miss Fannie Barnett. Eunice Hill of Nuyaka Ceremonial Ground introduced the ten of sixteen grounds that were represented by their Mekko, Poktv, Heneha, Tvstvnvke or ground designee.

Loca'Pokv descendent Robert Trepp, gave a brief history of the original town. "They are the leaders of the oldest political institutions in North America," said Trepp. "A great history we should share with everyone."

According to Trepp, during the removal, six hundred people started out on the trail of tears there, and only four hundred of our ancestors survived. They settled in the hills of this area, like every other ceremonial ground they brought the living embers of their sacred fire with them along that journey. Once here, they fasted, prayed, and selected this spot to be their Ceremonial ground. This became the first church, as well as the first political institution in what is now called Tulsa. This tree marked the special spot of which was the ceremonial ground until just after statehood. Because of the growth of Tulsa and the things that happened during that time period, the ceremonial ground was closed and the embers of that fire were taken to our closest relative, a sister ground near Spaulding, called Cedar River New Tulsa. We are closely related to Old Tvlse near Eufaula, Hickory Ground, Tulmochussee and Okfuskee. We are especially proud of our grounds that are able to endure and carry on the ceremonies and traditions.

Second Chief Berryhill gave a history of our Mekkos. "They hold a vast knowledge of our traditions," said Berryhill. "Some things aren't allowed to be spoken of. They are very sacred to our people." He talked about at the Tribal complex, our mound building's structure. According to Berryhill, it's like a burial mound not a temple mound. Upon entering the mound from the west entrance you will see a design inlaid on the floor, a round circle with four quadrants; red, yellow, black and white. These are the four types of fire that constitute our fires.

"I've often thought, the Olympics honor the Olympians with an eternal flame," said Berryhill. "We as Muscogee Creek should have a eternal flame of our own at tribal headquarters. The fire is to represent our people. A fire is what held our people together. Everyone participated from each ground they used to come to the main town they would take a part of that fire and go back to start their own fire. That is where the fires began, everybody became of one fire. We are one, we are one body. That's who we are, Este Cate."

The tradition was among the Mekkos that ran the tribe before the constitution took effect. You had to prove what ground we came from. It was important then and still just as important today.

"Who is to say in the future that someone came up to you and ask what makes you so unique," said Berryhill. "You go to the same school I do, you dress the same as I do, you eat the same food as I do, what makes you different from us? These Mekkos make us different. The grounds what they represent make us different, ceremonial grounds make us different, our religion, our first beliefs, our answers. I am a deacon. I believe in Jesus Christ. I believe these men came to this sacred tree. They had all the knowledge of our ancestors."

Berryhill mentioned a book he was once given. In it was a interview in 1938. One of our elders made the comment about our youth today don't know nothing, they know nothing about our history, our history, our past, our language. What is Okfvnkv? What is Hesaketvmese? The same statements echo today.

"A lot of traditions are being lost as our elders leave us," said Second Chief Berryhill. "I saw a big billboard that said, tradition, pass it on."

Berryhill also shared a childhood story about when he and others we would try to dance outside the Sequoyah dorm. The boys advisor would make them stop dancing and tell them they were no longer Indians in the back woods. But when they went to the classroom, the teachers would tell them to keep their traditions alive. So, they would just go further into the woods and stomp dance.

"We sang songs, creek songs," said Berryhill. "I always think about a period of time when our ancestors who walked fifteen-hundred miles. They didn't have time to bury their loved ones, they would just drape a blanket over them. If Muscogee Creeks died off and in a couple of hundred years later an anthropologist tried to prove that there was Muscogee Creek in this area, he couldn't prove it. We need to keep trying to retain our tradition. I admire these men (Mekkos) and what they do a lot of times."

Eunice Hill of Nuyaka believes in supporting our ceremonial leaders. However, this support is sometimes lost. "I remember the late Russell Thompson, Mekko of Nuyaka Ceremonial Ground, telling his groundspeople the president of the United states serves a four-year term. His people support him and protect him. They look out for and follow him everywhere. At times Russell didn't feel that from his people. He also wanted someone to step up and learn the old ways. He warned them that one day he would not be around to teach them and share with them the ways of our people.

A Mekko's term is for life. They hold the responsibility of taking care of and continuing the traditions. Helisaya also are a vital part of the grounds. They take care of the people. They have to be careful about the preparation and plants used.

"We need to support our Mekkos," said Hill. "They are the leaders of our people. They hold a great deal of responsibility for our people."

According to Hill, in the 1970's, Public Services of Oklahoma sent a crew to the Council Oak area to cut down every tree, including the sacred oak tree.

"I was one of the crew sent here,' said Hill. "The crew included myself, the late Chapman Cloud, the late Tom Johnson, and the late George McNac. We were all Muscogee Creek and knew the history of this tree. We backed off and told our supervisors we are not cutting this tree and if you want to fire us, go ahead. The PSO supervisor got mad and asked us why we would not touch the tree. We told him to contact the City of Tulsa and the Mayor's office. They verified the landmark. We saved this tree. That was quite a while back and we never thought that this would continue year after year, but we are glad."

Hill encourages all Muscogee Creek to explore their history, their ancestors and to attend all cultural events and functions.

Spotlight

Bridging the gap for our veterans

by Gerald Wofford

It has always been a top priority of the Muscogee (Creek) Nation to serve its citizens to the best of its ability. The Elderly Nutrition Center, Children and Family Services and Housing Development are fine examples of this statement. However, Principal Chief A.D. Ellis felt their was one important group that might just have been overlooked, the military veterans of the tribe. So Chief Ellis created an office and selected a spokesman to serve our veterans. Ken Davis is that person looking to serve our tribal veterans.

"It has been a high priority of mine to establish a Veterans office since I was Second Chief," says Ellis. "Our tribe has a lot of men and women that have served honorably, proudly, and bravely. We will do all we can to help our veterans receive the services and benefits guaranteed to them."

Davis is the director of the newly created Muscogee (Creek) Nation Veterans Affairs Services Office. Davis is a former Major in the United States Marine Corps Reserve. Major Davis served on active duty from 1981 to 1985 and the Marine Reserves from 1987 to 1993. Davis is a combat veteran of the war for Kuwait in 1991. During his combat duty Davis was a Platoon Commander for antitank missiles (TOW). "Leading Marines in combat was and is the highest honor I will ever have," says Davis. "I will always remember and revere their sacrifices and courage."

Davis is a military man through and through and looks at the new department as a good challenge. Davis even moved his family from Grove, located in far northeast Oklahoma, to be more committed.

"First," states Davis, "mission assigned. The mission of the Muscogee Nation Veterans Affairs Services Office is to assist in the planning, organizing, submission, tracking/monitoring, and fulfillment of the Muscogee Veteran's administrative requirements and evidence needed documentation for benefits rendered through the United States Department of Veterans Affairs and the Oklahoma Department of Veterans Affairs."

Director of Veterans Affairs Services Major Ken Davis

photo by Gerald Wofford

As mentioned earlier, Davis is a military man through and through, realized the need for an office to assist Muscogee (Creek) Veterans who sometimes do not always look for help and services. Davis said he has noticed this characteristic in veterans, especially right after they have fulfilled their terms in the military. He describes it as a lack of knowledge and understanding of what they (veterans) have secured through their service to our country.

"I remember before leaving for both active duty and the reserves the lack of information that was passed to me," says Davis. "And more importantly, my men, about what exactly we rated through our service. In all, United States Department of Veterans Affairs benefits and services available to us was a mystery. Secondly, veterans are somewhat reluctant to ask."

It is the reluctancy of veterans to seek help that somewhat bothers Davis. "Veterans, the answer will always be no if you do not seek or ask," says Davis. "It is very important to note what has been set aside from a grateful country and the State of Oklahoma is not, I repeat, is not, to be considered by Muscogee veterans and all veterans as an entitlement, grant, or give away. Everything that is available to Muscogee veterans has been earned! Muscogee veterans, you have earned and secured benefits through your blood, sweat, and tears in honorable service to our great and appreciative country and the State of Oklahoma."

Davis is dedicated to seeing that Creek Veterans get attention and their just benefits. Some of those benefits include: disability benefits, education and training benefits, and vocational rehabilitation and employment as well. Davis also looks at home loans, dependent's and survivor's benefits, life insurance and overall health care as being part of the care and service to veterans of the tribe.

One important benefit that Davis is looking closely at right now is burial assistance. Burial assistance in the sense of making sure a female veteran of the tribe who died long ago is given a proper head stone. "For our past veterans, we need a permanent honor roll with all of their military particulars and a cemetery headstone provided by the United States Department of Veterans Affairs honoring their service, if their families have not already secured one, ," says Davis. "For our present veterans, we need to prepare them for their return to civilian life and assist them in securing the benefits and services they have earned due to their honorable and courageous service."

Davis says he has had nothing but 100% support from the US Department of Veterans Affairs and the Oklahoma Department of Veterans Affairs. Davis works as a liaison solely through the Oklahoma Department of Veterans Affairs in Muskogee.

One act of present service that Davis is definitely preparing for is care packages to Creek military personnel serving in the Middle East.

"On or about November 10 of this year, this office will begin shipping care packages directly from our tribe to our Muscogee citizens in the military stationed in Iraq or Afghanistan," says Davis. "The care packages will contain nonperishable food items and reading literature. I ask the families and Creek communities of military personnel on duty in Iraq or Afghanistan to please contact me with the name, rank, unit, and overseas military mailing address so this office can prepare, pack, and send the care packages to your loved ones stationed in war zones."

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Classes begin at the newly created Tribal College

by Lucas Taylor

OKMULGEE — Classes officially began at the newly created Tribal College on the campus of OSU-Okmulgee on Sept. 1.

"We believe this is the beginning of something very special," said Mike Flud, Division of Human Development Deputy Director. "Four of the five largest tribes in the Nation reside in eastern Oklahoma. Our institution of higher learning will be a great resource for educating and preserving our future generations and act as a model for other educational institutions to follow."

A total of 38 students enrolled in Creek Language, Native American History, or one of the 13 general education classes offered at the Tribal College Pilot Project.

Muscogee (Creek) Nation District Judge Patrick Moore will be teaching the history class and Supreme Court Justice Amos McNac will teach the language class.

"By utilizing Native American instructors and offering Native American based courses, we hope to have a favorable retention rate," said Flud. "A higher retention rate will create a stronger workforce and help rebuild a struggling economy."

Classes were open to everyone, however, special consideration was given to tribal employees who were encouraged by Principal Chief A.D. Ellis to become more efficient at serving Creek citizens.

Enrollment for next semester will begin in late Nov. or early Dec. For more information about the Tribal College contact the Division of Human Development at (918) 732-7600 or (800) 482-1979.

Ocmulgee National Monument undergoes changes

The Ocmulgee National Monument in Macon, Georgia is currently undergoing changes to the Funeral Mound. Steps that lead to the top of the mound are being removed and will be replaced with new sod.

"We are removing the steps that were placed here back in the 1960's," said Jim David, Ocmulgee National Monument Superintendent. "This mound is one of the most sacred mounds here at Ocmulgee."

According to David, there have been children and teenagers that have climbed the steps and used pieces of cardboards to slide down the mound. They had no idea of the significance of the sacred mound. David also plans on constructing a low picket fence on the outside perimeter of the Funeral Mound as a visual barrier.

The Ocmulgee Indian Celebration is scheduled to begin on Sept. 18. *(See page 10 for more details)*

photo by Lucas Taylor

Trade and Commerce assists the town of Dustin with water shortage

by Wilma Murphy

DUSTIN — Principal Chief A.D. Ellis, Second Chief Alfred Berryhill, and Danny Wesley, Director of Trade and Commerce, assisted the city of Dustin and its citizens with a water shortage problem due to a fire emergency.

Due to the extent of the fire, it required all of the City's water to be used to consume the fire. Cleo Robinson, Mayor of Dustin, phoned Chief Ellis and asked for emergency assistance. Trade and Commerce employees, Eastman Whitlow and Walter Jones transported 60 cases of bottled water for the people to drink and a 250 gallon buffalo barrel of water for the people to use.

"Creek Nation was very willing to give back to their community," said Whitlow. "The citizens of Dustin were very grateful for the Tribe's help."

An anonymous caller notified Barbara Crawford, town clerk, that there was a fire on 107 N. Broadway. This was where the City kept all of their equipment, such as lawnmowers, weed eaters, meters, and air compressors. Crawford notified the Robinson and the Dustin Fire Department.

When the Dustin Fire Department seen that the fire was getting out of control, they called surroundings communities for assistance. The Wetumka, Salem and Plain View Fire Department graciously came to their rescue. The fire started around noon on Monday, Sept. 6 and the Firemen worked until midnight to put the fire out.

Robinson has estimated the damage to be approximately $10,000 for the storage building and $25,000 for its contents. Dustin had already had a history of water problems. Now they plan to take steps toward getting a new water pump to solve future water shortages.

County workers came in to help finish knocking down the remaining residue that was left standing. The cause of the fire is not yet determined.

Housing Authority to begin construction of new homes

OKMULGEE — The Muscogee (Creek) Nation Housing Division will begin construction on a fifty-six unit Home Ownership project within the next few weeks. Geri Berryhill, Manager of the Development Department, who plans and develops new construction projects, said the contracts for the units have been awarded and are awaiting the Notice to Proceed . This is the next step in the contracting process.

Development presently has 10 houses under construction and has purchased 14 acquisition homes since April of this year. In addition to the 56 unit turnkey project, Development expects to purchase 13 more homes by the end of October and has 2 clients scheduled for closing and 10 pre-approved clients for the recently restarted Mortgage Assistance Program. The MAP program recently helped one client with closing costs and down payment.

For more information, contact: Housing Authority of the Creek Nation; P.O. Box 297; Okmulgee, OK 74447 or (918) 756-8504 or 1-800-259-5050.

DEPARTMENT OF DEVELOPMENT PERSONNEL

GERI BERRYHILL
Manager

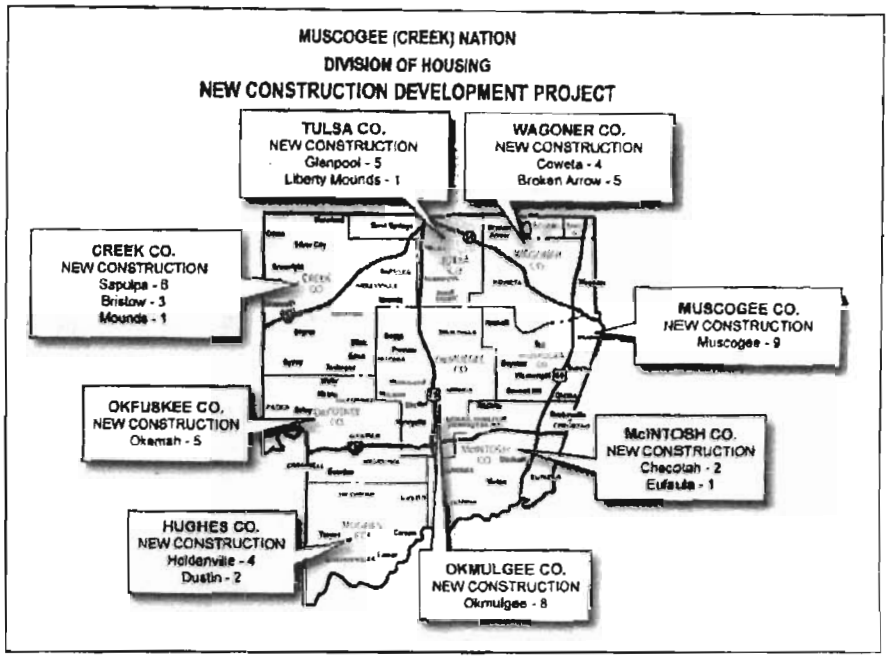
STACEY SETTLEMYRE
Development Specialist (Vacant Sites)

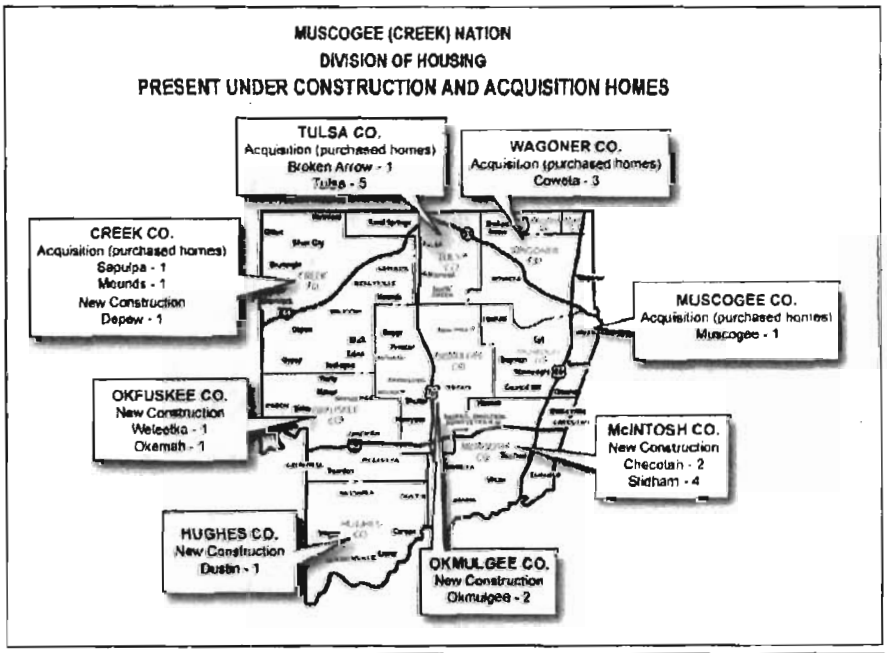
THOMASENE OSBORN
Development Specialist (Donated Sites)

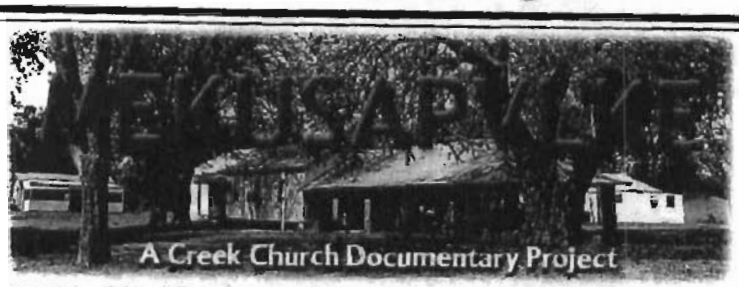
IVAN PULLIAM
Acquisition Specialist

BARBARA LANE
Mortgage Assistance Program

Pictured above is one of the 10 new construction homes presently under construction by the Housing Authority. This house is located in Hughes County.







"An artist collaboration between a writer, a photographer, and the Muscogee people."

MEKUSAPVLKE is a photo documentary project using narrative and text to support the photographs. It is not a history project per-se. The goals are to document the Muscogee Creek churches and the unique Christian culture of the Muscogee people.

Tulmochussee Baptist Church 2003, Photo courtesy: Tom Fields

The research and fieldwork will be within the lands of the Oklahoma Creek people and will include several denominations. The early focus of this project will be with the older traditional churches and their events and rites, the families and communities, the elders, the key leaders, hymns and song, food and feast, and the youth of today.

"I have seen the people of the church culture change with time," says Tom Fields, coordinator of *MEKUSAPVLKE*. "The Creek churches (and our tribe) are at a point in time when the elders are passing away, and when they go we will be left with only doctrine and customs, without the personal historical thread to the past to guide us. I want to photograph those elders who have personal knowledge and experience with that past so the next generation will be able to see and read about their lives, the traditions, and the unique customs of the church culture as it is today."

Alabama-Coushatta Baptist Church 2002, Photo courtesy: Tom Fields

Born in Tahlequah and the son of a Creek minister, Tom has attended film school in Santa Fe, New Mexico and photography school in Tulsa.

His exhibiting career began when two of his photographs were accepted at Tulsa's Philbrook Museums Annual Indian Art show in 1979, the first photographs ever accepted into the show. Recently his work is part of the contemporary art exhibit, *Who Stole the Teepee*, at the National Museum of the American Indian, New York City.

Fields work is most influenced by his surroundings. "I've learned to photograph what's close to me, physically, and spiritually," said Fields.

He has wanted to do this project for several years. Being a photographer and video producer, he considers himself an artist who believes in the educational and historical importance of this work.

Tom has formed an advisory board to guide the project and assist in selecting the final body of work for the exhibition. They also make recommendations for further use of the information gathered.

Salt Creek UMC 2002, Photo courtesy: Tom Fields

The plan is to develop a traveling museum exhibit during Oklahoma's centennial in 2007, with a book, CD and other relevant educational materials.

He has another project in the future. Fields says, "I would like the next photo project to be about people of the tribal towns. I have visited some of the younger tribal town mekkos, and they do appreciate the importance of documenting their town."

Tom has a website he has created for his work on this project. The website includes a few selected photographs of churches and some members. If you would like to see the pictures or submit individual narratives, stories about experiences, or any other relevant information about the Creek Church experience, go to http://www.nativefields.com/creekchurchproject/index.htm.

Church Events

Church showing Passion of Christ movie

HENRYETTA — Hickory Ground Baptist Church will be hosting a free showing The Passion of the Christ on Sept. 18 or Oct. 2. The movie begins at 7:30 p.m. and seating is limited. Concession will be available.

The church is located from the junction of Main Street and Lake Road in Henryetta, go south 4 1/4 miles, then the road will curve and go east 2 1/2 miles to Salem Baptist Church, then go south approximately 3 1/2 miles and this road will curve eastward to the Hickory Ground #1 Indian Baptist Church sign. For more information, contact Lucas Taylor at (918) 650-0388.

High Springs Fall Revival

OKEMAH — High Springs Baptist Church will be having a Fall Revival September 20 through 24. Services begin at 7 p.m. with different churches giving devotionals nightly. The church is located five miles south of Okemah on Highway 27.

Greenleaf Church S.S. Promotion/Fun Day

OKEMAH — Greenleaf Baptist Church is having a Sunday School Promotion/Fun Day on September 25 from 8 a.m. until 4 p.m.

The focus of this fun day is to increase their Sunday school attendance of mainly ages three to fourteen and our outreach.

Activities include: turtle race (bring your own turtle); scavenger hunt (bring a bible); sack race; tug-a-war; cake walk; water balloons; basketball throw and tricycle race (ages 3 to 5). Everyone welcome.

Greenleaf Church is located two miles west of Okemah on Highway 56 and a quarter mile south.

Oklahoma Indian Missionary Conference Superintendent appreciates road work

PRESTON — The Oklahoma Indian Missionary Conference of the United Methodist Church recently held their 162nd session at the Northeast District Center.

One of the many things the delegates and members of the churches appreciated about the event was the presence of the new paved roads leading to the Center. Muscogee (Creek) Nation and the Okmulgee County commissioners worked jointly on this project.

"On behalf of the 89 Native American churches of the Okahoma Indian Missionary Conference, I would like to express our appreciation to the Muscogee Creek Nation and the Okmulgee County Commissioners for providing the funds and manpower for the paving of this road," said David Wilson Conference Superintendent. It is refreshing to see our tribes and local agencies working together on projects that benefit so many people."

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Philpot selected for elite Naval fighter training

OKMULGEE — On June 11, David Philpot was sworn into the United States Navy, specifically into the Naval Air Academy. Philpot will begin his training on December 4 of this year.

Once Philpot enters the Naval base in Pensacola, Florida, he will train with the best in the Nation. Philpot was one of only eight candidates selected nationwide for flight training in the United States. He will also enter Officer Candidate School (OCS) and undergo 13 weeks of intensive physical training at OCS before entering Navy flight school for one and a half years.

"Where I will be placed all depends on where they (Navy Officials) decide I will best be used," says Philpot. "And it depends on what they decide to train me in specifically."

Personally Philpot hopes to be given the orders of a fighter pilot. Of course the responsibilities of the fighter pilot are very difficult and very critical for the Nation's defense and not everyone chooses this type of work. But this is nothing new to the 23 year old who grew up in the tiny community of Fairland, Oklahoma. He always seemed to have a plan for what he wanted to do.

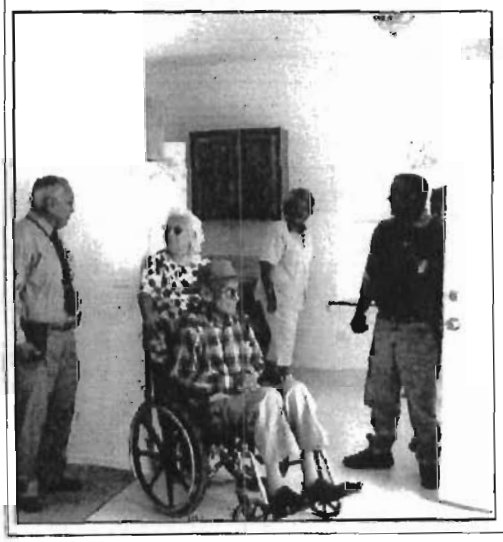
"I love a good challenge," says Philpot. "Usually the harder something is to do, the more I like trying to do it."

This from someone who completed and passed very highly all the physical regiments of a Navy Seal. Philpot could have gone in the Navy as a Seal. The Navy had only accepted the top 5 officers. "I could have went in as an enlisted man, but that just wasn't the way I wanted to go," said Philpot.

The Navy was still impressed with Philpot who had received his degree in Aviation Management from Spartan School of Aeronautics in Tulsa. Not long after the Navy Seal test, an Instructor from the Navy Flight School called and said they were interested in recruiting Philpot in their flight school. "The Naval Flight called him (David) and said that was the first time that he had called anyone for recruitment into their flight school," said proud father Bill Philpot. Bill is also acquainted with flight, having served in the Army where he flew helicopters in Vietnam.

The son also brags on his Father. "Dad flew helicopters in Vietnam and received the Distinguished Flying Cross Medal," says Philpot. "If you have seen the movie *Pearl Harbor* at the end of the movie when the pilots are receiving their medals after Doolittle's raid, that is the same medal my dad received."

Housing Authority assists elderly tribal couple



The Muscogee (Creek) Nation is constantly seeking new ways to help tribal citizens. One of the ways it does so is through the Housing Authority, now under the direction of Creek Nation. An example of this assistance is the full metal house they provided to Mr. and Mrs. Gooden. This house was the first full metal house to be presented in this pilot program designed to assist the elderly who need new houses. Mr. and Mrs. Gooden were very pleased, saying, "We're going to have to be like the Japanese, taking our shoes off and washing our hands to come into the house." According to tribal administration, this is only a glimpse of the good things to come for the Housing Authority and the entire Creek Nation. For more information about the Creek Nation Housing Authority and its programs, contact them at 756-8504 or (800) 259-5050.

photo by Greg Holuby

Chief Ellis plans to meet with Creek religious leaders

OKMULGEE — Principal Chief A.D. Ellis plans on having a meeting to bridge the gap between the Tribal Administration and the Creek churches and leaders on Saturday, August 14 in the Mound Auditorium.

During his state of the nation address, Ellis stated, "There are two kinds of politicians. There's politicians that make decision that benefit themselves and certain groups of people. There's another group that's called statesmen that make decisions that benefit the tribe as a whole regardless of what happens. I'd like to think all of us sitting here are statesmen." That's the basis for the above mentioned meeting, to make decisions that will benefit the Muscogee (Creek) Nation and all parties involved.

Pictured above is Chief Ellis and 13 Mekkos who attended the ceremonial leaders meeting earlier this year.

"If a Nation is to prosper, we must observe all factions that comprise the Nation," stated Second Chief Alfred Berryhill. "We are truly spiritual people and consulting with both ceremonial and religious leaders will beneift all."

As with the meeting with the ceremonial leaders, a round table discussion will be held with every representative given time to voice their concerns and needs of the religious communities. A traditional lunch will be served after the meeting.

For more information about the meeting, contact the Office of the Principal Chief at (918) 732-7605.

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Creek girls are fashionably sporty • Page 20

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President Bush appoints two tribal employees to serve on Indian education advisory council

WASHINGTON, D.C. — President George W. Bush appointed Greg Anderson, Eufaula Dormitory Administrator, and Virginia Thomas, JOM Program Manager, to serve on his 13 member National Advisory Council on Indian Education.

President Bush signed their commissions on April 29. They were sworn in by Secretary of Education Rod Paige the following day at the U.S. Department of Education in Washington, D.C. They were present at the White House as President Bush signed the Executive Order on American Indian and Alaska Native Education.

Greg Anderson is the Administrator of the Eufaula Dormitory. He has been with program for 19 years, 13 as an administrator. He has been involved in education issues at many levels and has served on several federal committees for improvements for education.

He currently serves as co-chairman of the BIA Negotiated Rulemaking Committee for the No Child Left Behind Education Reform Act, which was enacted by President Bush and Congress in 2001. Anderson earned a B.A. Degree in journalism from the University of Oklahoma and a Master's Degree in Education Administration from East Central Oklahoma University.

Virginia Thomas is the manager of the Johnson O' Malley Program for the Muscogee (Creek) Nation, which serves 45 school districts and approximately 13, 700 students. Thomas is a founding member of the National Johnson O' Malley Association.

She has been involved with JOM for the past 32 years as a tutor, counselor, home school coordinator, teacher, program coordinator, and other positions. She also serves as the Treasurer of the Executive Council for the Okmulgee Indian Community. She earned a B.A. in Elementary from San Diego State University.

For more information contact: Greg Anderson at (918) 689-2522; Virginia Thomas at (918) 732-7839; or Bernard Garcia, U.S. Department of Education, at (202) 260-1454 or visit www.whitehouse.gov.

Chief Ellis, Housing Authority help boy realize dream

During his State of the Nation Address on January 31, Chief Ellis read a letter from tribal citizen Michael Long. Long described in detail the present living conditions his family was having to endure at the time. He wrote the letter without his mother having any knowledge of his request. His dream was to be able to have living conditions that would allow him and his brother to have their friends come over. Chief Ellis and the Forced Account department at the Housing Authority of the Creek Nation formulated a plan to have this boy's dream come true. At the National Council's April meeting, Chief Ellis announced that work was completed on the Long family's home. "I commend Michael for his courage of writing this letter," stated Chief Ellis. Michael and his mother were in attendance during the Chief Ellis' address. Michael wasn't much for words, but his smile spoke loud and clear.

photo by Ruth Bible

Tribe and Weleetka city officials partner to build parking lot

WELEETKA — In 1998, the Weleetka community accepted the keys to a new building, but the parking lot was never completed. After several meetings and inquiries, the Indian community went to the City of Weleetka to discuss working together. With the help of several people in the different departments, an agreeement was was made between the city of Weleetka and the Muscogee (Creek) Nation.

This was very beneficial for the City of Weleetka, because they can now use this as a springboard to complete for more federal dollars for a spring project. Tribal legislation was passed in 2003 and the work began in April of this year.

"Chief Ellis has been a constant supporter of this project, monitoring the progress and adminstering the involvement of the Nation's employees," stated National Council Representative Sandi Golden. "For the past three years he has attended and spoke at the annual community banquet for graduates."

Jack Chaney, Manager of Tribal Roads and Patrick Freeman, Construction Engineer, have been working diligently with the coontractor that was hired by the City of Weleetka. The city council and city clerk conducted the bidding and all requirements for obtaining a contractor. At this time the completion date for the parking lot is scheduled for sometime in May.

"The Indian Community is very proud of the working relationship that has developed with the Muscogee (Creek) Nation and the City of Weleetka," stated Golden.

Last of the Original

by Gerald Wofford

OKMULGEE -Martha Berryhill has seen it all, and that's not an exaggeration in the least. On the July 12, 20, she celebrated her one-hundred and third birthday. Berryhill acknowledged the special date with close friends and family. Those closest to her easily profess how special she is and how much she means to them, so does the entire Muscogee (Creek) Nation.

With the recent passing of California Fixico, Berryhill is one of the two only known living Original Allottees that is a member of the tribe. There are reports that there may be two more Muscogee (Creek) allottees still living, but that information has yet to be absolutely confirmed. Original Allottee is a term given to individuals who were alive at the time when the government was beginning to give allotted, or marked land, to American Indians that enrolled as members of a Federally recognized tribe. The Dawes Commission from the time of 1893 to 1914 was the name of the program responsible for this. The plan of the distribution of real estate was to make the Indian more individual and not as communal as he once had been. According to the book, *The Dawes Commission* by Ken Carter, of the 300 American Indians that applied for enrollment, almost two thirds were rejected.

Harrison Berryhill

Berryhill was accepted, and sees the government attempt at land distribution as just a part of life. Land allotment was nothing that really meant nothing to her," says daughter Ruby Mauk, who now lives and cares for her Mother.

Berryhill no longer owns her allotted land, which was sold off a long time ago, but the very active and deeply religious Creek lady smiles brightly when she thinks about how things used to be.

Papa would read the newspaper to us kids," said Berryhill. 'One day he was telling us about a bad shipwreck. He told us about all the people that died." Berryhill explained that the catastrophe her father was describing was the sinking of the *Titanic*, the year was 1912.

Berryhill also talks about the first World War and how it affected her family. The 'war to end all wars" was fought from 1914 to 1918 and Berryhill remembers when her husband John was all prepared to be sent off to battle in the fields of Europe. But the

MUSCOGEE (CREEK) HISTORY

In the late 1800s the **Dawes Commission** began negotiating with the **Muscogee Nation** for the allotment of the national domain. In 1898, the United States Congress passed the Curtis Act which made the dismantling of the National governments of the Five Civilized Tribes and the allotment of collectively-held tribal domains inevitable. In 1890, the noted statesman **Chitto Harjo** helped lead organized opposition to the dissolution of **Muscogee** National government and allotment of collectively-held lands. In his efforts he epitomized the view of all **Muscogee** people that they possessed an inherent right to govern themselves. For individuals like Chitto Harjo it was unimaginable that the Nation could be dissolved by the action of a foreign government. This perception proved to be correct.

The end of the **Muscogee Nation** as envisioned by its architects within the United States Congress did not occur. In the early 20th century, the process of allotment of the National domain to individual citizens was completed. However, the perceived dismantling of the **Muscogee** government was never fully executed. The Nation maintained a Principal Chief throughout this stormy period.

armistice was signed and thousands of young men like John were immediately sent home. The war was over.

Berryhill's father, the Rev. Harrison Berryhill, was a Methodist preacher. He, as well Martha and the rest of the family, attended Tullabassee Church in the early 190. We would have all-night services, everyone would come together. I was just a little girl then so sometimes I would fall asleep,"laughs Berryhill. There was a big pew in the back row and sometimes I would go to sleep there."

Berryhill never really knew her mother Betty. She passed away when Berryhill was only four years old. When her father was away preaching at other churches, Berryhill was often cared for by other members of the family, such as her Aunt Martha, who owned a restaurant in Okmulgee. There was a man who went to our church back then, his name was Scott Gentry,"recalls Berryhill. He wasnt Indian, but he would take care of me when Papa was preaching. He was a nice man."

Betty Berryhill

Berryhill fondly recalls the family loading up the horses and buggy for the trips to Church or to the store. She also remembers how much prestige and respect her father received by being a member of the clergy.

When we would go into town (Okmulgee) the people knew Papa was a preacher,"says Berryhill. They would be real nice to him, especially in restaurants. Whenever we went in to sit down and they knew who he was they wouldnt let him pay. They would tell him you and your family can eat here anytime and you dont have to pay."

Berryhill laughs a little when she remembers going into restaurants, especially a Chinese restaurant that once was in Okmulgee. She couldnt remember the name of it, but recalls how eager the Chinese restaurant owners were to serve Papa. Papa never felt comfortable about everyone offering him things like that,"explains Berryhill. He wouldnt go back to very many restaurants after that and he would tell us kids not too either because they knew we were his kids and would feed us free too. We would try to sneak back there, but papa wouldnt let us go," chuckles Berryhill.

Pictured above were three living original allottees honored at a special ceremony held last last summer: Martha Berryhill; California Fixico; and Lucy Condren. photo by Lucas Taylor

Berryhill emphasizes how wonderful life was like in the city of Okmulgee in those days. We would all go down and sit on the benches by the Council House. A lot of Indians would go down there and visit one another."

Berryhill's family not only ministered in word, but in service also. We were the only ones who had a telephone, so people who lived nearby would ask to use the phone,"says Berryhill. You had to crank it to use it."

When the family would entertain they would get out the old RCA Victorola, or in more modern electronic terminology, the record player. We were the only ones who had a record player too,"says Berryhill. But papa made sure we only listened to Christian music on it."And just like the telephone, the musical device would only work by cranking it.

Another thing of the past that you wont find today that Berryhill remembers is the personal house calls made by medical doctors. Our family doctor was Dr. Milroy,"recalls Berryhill. He would come out to the house and take care of us. He would also bring us some oranges, apples and bananas. He was real nice."

Often people who live to such a grand age are asked what is their secret to such a long and happy life. Berryhill doesnt try to keep any secrets of her long life. The Lord has really blessed me, I cant begin to tell you how much!" proclaims Berryhill. Ruby also states that her Mother often stays up real late and then gets up real early.

At one time Berryhill even had a ministry where she prayed and read scriptures to nursing home patients. She would go to all these nursing homes in the area and cook food and wash their clothes for them,"explains Ruby. With her religious upbringing, Berryhill has made it a point to always get a lot of God's word through the passage of the Holy Bible and from preachers near and far.

When I worked in Tulsa, Mama would come up there and stay with me to go to the Kenneth Hagin Campmeetings,"says Ruby. Just like a long time ago, we would stay all day until it was all over."The religious event is held each year and hosts people from all around the world.

Ruby and her Mother were featured in the Kenneth Hagin Campmeeting magazine. According to *The Word Of Faith* Magazine published in October 20 Martha had been attending the camp meeting for the past nine years. During her interview Martha stated that she was saved in 1910and she believed the camp meeting was a lifesaver. Many people who attended would just want to come up and talk to mama,"said Ruby. They wanted to know all about her. She got a lot of attention!"

Martha and Ruby at camp meeting 2000.

It seems these days the last of the Original Allottees continues to garner a lot of attention. Chief A.D. Ellis, Second Chief Alfred Berryhill and the Muscogee Nation Business Enterprise are making sure Berryhill and her family are well taken care of. Home improvements are being made at her residence in Okmulgee. In a way it is the deepest gratitude of a grateful Nation, for this is truly one of the last of the original.

Other notes of congratulations have also been sent to Martha, especially for her 10th birthday celebration. Oklahoma Senator Frank Shurden, US. Senator Don Nickles, and former President Bill Clinton and First-Lady Hillary Rodham Clinton also sent their acknowledgments.

Historically, their parents were ones who came on the removal and these people got the allotments,"says Second Chief of the Muscogee (Creek) Nation Alfred Berryhill when describing the Original Allottees. They were young at that time and now they represent the old becoming the new. And she (Martha) is a part of that transitional stage. She speaks both English and Creek. She is a part of the old becoming the new."

Housing Authority offers various housing programs

OKMULGEE -The Housing Authority of the Creek Nation (HACN) has various programs designed to help eligible Muscogee (Creek) Citizens obtain safe, efficient, and affordable living conditions.

As one of the largest Indian housing authorities in the nation, HACN maintains over 1100 home ownership units and approximately 300 rental units. HACN provides services to Muscogee (Creek) people and realize that the housing need is significant. HACN continues to try to meet the ever growing need by providing housing opportunities through Home Ownership, Rental, and Modernization Programs. One of HACN's main goals is to inform Creek citizens about the programs offered and to show results of HACN's ongoing progress.

HOUSING PROGRAMS

HOME OWNERSHIP

The Lease with Option to Purchase Program offers Native American families affordable housing with an opportunity for home ownership.

When participating in the Lease with Option to Purchase Program, the homebuyer enters into a lease agreement with HACN and agrees to meet all financial and maintenance obligations as stated in the lease. Upon meeting all the financial obligations required by the Lease With Option to Purchase agreement, the home becomes sole property of the homebuyer.

LOW RENT

The Rental Housing Program provides low cost rental housing in the cities of Okmulgee, Okemah, Checotah, and Eufaula. Overall, HACN has a total of over 300 living units with each rental site having approximately 75 units (duplexes). The Rental program is presently renovating over 25 units at Okmulgee and plan approximately 20 more renovations at the other rental site locations in the near future.

MODERNIZATION

The Modernization of Privately Owned Homes Program is designed to provide safe, sanitary housing to eligible tribal citizens of the Muscogee (Creek) Nation through housing rehabilitation.

Specific items covered under this program are those that affect health and safety, handicap accessibility, and basic structural soundness. General maintenance or cosmetic repairs are not included under the program.

To participate in the maintenance program, applicants must show proof of ownership and documentation of occupancy for three years prior to date of application.

All eligible houses must be within the boundaries of the Muscogee (Creek) Nation.

FREQUENTLY ASKED QUESTIONS

How do I know if I am eligible for any services?
Although each program has its own specific requirements here are some of the basic eligibility requirements.

•Qualify as a family.
•Have an annual family income that meets the income requirements as defined in the policy.
•Be 21 years of age or older.
•Provide all requested information, Tribal membership card, Social Security cards, and employment verification for each working family member.
•Agree in writing to participate and fully cooperate in the housing authority's counseling and training for the home ownership programs.
•Sign all required forms including the consent for disclosure of information.

How do I apply for services?
Each applicant wishing to participate in any HACN program must first submit a signed and dated written application to the HACN Housing Management Department for processing according to specific program eligibility requirements.

Do I have to live within the Creek Nation boundaries to be eligible for services?
All HACN program services are administered within the Creek Nation boundaries.

How long is the waiting period for the Home Ownership Program?
Generally 3 to 5 years. That period may be affected by your choice of location for housing.

Do I have to already own land to be eligible for a new home?
New construction houses are built on either land acquired by HACN or on land donated by the client.

Does HACN provide any home repair services?
HACN provides housing rehabilitation through the Maintenance of Privately Owned Homes Program. Items included are: items affecting health and safety, handicap accessibility, energy efficiency, and basic structural soundness.

How can I get more information about these programs?
For more information, contact: Housing Authority of the Creek Nation; P.O. Box 297; Okmulgee, OK 74447 or (918) 756-8504 or 1-800-259-5050.

Housing Authority of the Creek Nation
2004 Program Activity Report

CULTURAL

PRESERVATION

A SHORT HISTORY

OF

THE MUSKOKE PEOPLE

Developed by: The Mvskoke (Creek) Nation
Office of Cultural and Historic Preservation

MUSCOGEE (CREEK) NATION

The Muscogee (Creek) people are descendants of a highly evolved culture that, before 1500 AD, spanned all of the region known today as the Southeastern United States. Early ancestors of the Muscogee constructed magnificent earthen pyramids along the rivers of that region as part of their elaborate ceremonial complexes. The historic Muscogee later built expansive towns within these same broad river valleys in the present states of Alabama, Georgia, Florida, Tennessee and South Carolina.

The Muscogee were not one tribe but a union of several. This union evolved into a confederacy that, in the Euro-American described "historic period", was the most sophisticated political organization north of Mexico. Member tribes were called tribal towns. Within this political structure, each tribal town maintained political autonomy and distinct land holdings.

The confederacy was dynamic in its capacity to expand. New Tribal towns were born of "Mother Towns" as populations increased. The confederation was also expanded by the addition of tribes conquered by towns of the confederacy, and, in time, by the incorporation of tribes and fragments of tribes devastated by the European imperial powers. Within this confederacy, the language and the culture of the founding tribal towns became dominant.

Throughout the period of contact with Europeans, most of the Muscogee population was concentrated into two geographical areas. The English called the Muscogee peoples occupying the towns on the Coosa and Tallapoosa rivers, Upper Creeks, and those to the southeast, on the Chattahoochee and Flint rivers, the Lower Creeks. The distinction was purely geographical. Due in part by intermarriage and its consequent impact on their political and social order. The Upper towns remained less effected by European influences and continued to maintain distinctly traditional political and social institutions.

In the early 19th century, the United States Indian policy focused on the removal of the Muscogee and the other Southeastern tribes to areas beyond the Mississippi. In the removal treaty of 1832, Muscogee leadership exchanged to last of the cherished Muscogee ancestral homelands for new lands in Indian Territory. Many of the Lower Muscogee (Creek) had settled in the new homeland after the treaty of Washington in 1827. But for the majority of Muscogee people, the process of severing ties to a land they felt so much an impossible. The U. S. Army enforced the removal of over 20,000 Muscogee (Creek) to Indian Territory in 1836-1837.

In the new nation the Lower Muscogee located their farms and plantations on the Arkansas and Verdigris Rivers. The Upper Muscogee re-established their ancient towns on the Canadian River and its northern branches. The tribal towns of both groups continued to send representatives to a National Council which met near High Springs. The Muscogee Nation as a whole began to experience a new prosperity.

The American Civil War was disastrous for the Muscogee people. The first three battles of the war in "Indian Territory occurred when confederate forces attacked a large group of neutral Muscogee (Creek) led by Opothle Yahola. For the majority of the Muscogee citizens fought on both the Union and Confederate sides. The reconstruction treaty of 1866 required the cession of 3.2 million acres approximately half of the Muscogee domain.

In 1867 the Muscogee people adopted a written constitution that provided for a Principal Chief and a Second Chief, a judicial branch, and a bicameral legislature composed of a House of Kings and a House of Warriors. Representation in both houses of this Legislative assembly was determined by tribal town. This "Constitutional" period lasted for the remainder of the 19th century. A new capital was established in 1867 on the Deep Fork of the Canadian at Okmulgee.

In the late 1880's the Dawes Commission began negotiating with the Muscogee Nation for the allotment of the national domain. In 1898 the United States Congress passed the Curtis Act which made the dismantling of the National governments of the Five Civilized Tribes and the allotment of collectively held tribal domains inevitable. In 1900, the noted statesman Chitto Harjo helped lead organized opposition to the dissolution of the Muscogee National government and allotment of collectively held lands. It his efforts he epitomized the view of all Muscogee people that they possessed an inherent right to govern themselves. For individuals like Chitto Harjo it was unimaginable that the Nation could be dissolved by the action of a foreign government. This perception proved to be correct.

The end of the Muscogee Nation as envisioned by its architects within the United States Congress did not occur. In the early 20th century the process of allotment of the National domain to individual citizens was completed. However, the perceived dismantling of the Muscogee government was never fully executed. The Nation maintained a Principal Chief throughout this stormy period, until a revitalization of the National government in the 1970's.

In 1971 the Muscogee people, for the first time since the partial dismantling of their National government, freely elected a Principal Chief without Presidential approval. In the decade of the 1970's the leadership of the Muscogee (Creek) Nation drafted and adopted a new constitution, revitalized the National Council, and began the challenging process of political and economic development. In the 1980's a series of United States Supreme Court decisions affirmed the National's sovereign rights to maintain a National Court system and levy taxes. The federal courts have also consistently re-affirmed the Muscogee Nation's freedom from state jurisdiction.

In the 1990's, almost 100 years after the dark days of the allotment era, the Muscogee (Creek) people are actively engaged in the process of accepting and asserting the rights and responsibilities of a sovereign nation. As a culturally distinct people the Muscogee are also aware of the necessity for knowing and understanding their extraordinary historical and cultural heritage.

MUSCOGEE (CREEK) CUSTOMS AND TRADITIONS

AGRICULTURE

By the time of first contact, the Mvskogean people had developed a highly integrated system of hunting, gathering, and farming. Each of these activities was a communal effort. All individuals within a tribal town were responsible for some portion of the food getting. Older boys and men were responsible for hunting and fishing, while women and girls were responsible for gathering and tending the gardens. Small children and the elderly helped to the best of their abilities. This way, food belonged to the entire community and everyone was fed.

Mvskogean people had been cultivating bottle gourds and squash since approximately 1000BC. Squash was an important food source, while the gourds were used as water vessels, ladles, cups, bowls, rattles, and masks. By AD 200, the Creek were cultivating a variety of wild seed crops. After AD 800, "modern' domesticated corn and beans were common throughout the Southeast.

Methods of getting food varied according to the yearly cycle. Winter was considered the most important hunting season, while fishing was most productive during the spring. The first corps were planted during the spring, tended throughout the summer, and harvested before the coming of fall.

Gathering was important year round, but also followed a seasonal cycle. Spring and summer pickings included wild grapes, blackberries, mulberries, strawberries, apples, and plums. By fall, chestnuts, pecans, hickory nuts, black walnuts, and acorns were ready for gathering. Sunflower seeds were also easy to harvest and store for winter.

Contrary to theories, which trace North American seed crops for a South American source, it is now known that the Southeast was a separate center of domestication. Wild gourds, sunflowers, and seed plants such as marsh elder and chenopod, were among the first southeastern staple crops. "modern" corn, or maize, arrived from Mexico around 200 AD. It quickly became the most important vegetable food in the Creek diet, as they learned to prepare it in many ways and utilize it in dozens of unique dishes.

EARLY HISTORY

According to most traditional legends, the Creek people were born from the navel of the earth, located somewhere within the Rocky Mountains. After a time the Earth became angry, opening up and trying to swallow them back again. They left this land and began to travel towards the rising sun. Their journey let them to the Southeastern region of the United States where they flourished and created complex social structures to govern themselves. The people of the Creek Confederacy were first "encountered" by Europeans during the late 1500's.

According to accounts by early explorers and contemporary archaeologists, the Southeastern Indians had by far the richest culture north of Mexico. Daily life was full of magic and mystery, but the importance of ritual was tempered by an equally strong belief in reason and justice. Harmony and balance have always been two very important concepts among the Creek. They are exemplified even within the earliest social structures as the Creek people combined work and play, religion and politics, and respect for nature as both a teach and supplier of needs.

FAMILIES

Within Creek society, a person is a member of both a *FAMILY* and a *CLAN*. The Creek family is an "extended" one, including more people that the typical "nuclear" family. Each Creek household traditionally consisted of a mother and father, their children (daughters and unmarried sons), the husbands of married daughters, grand children, and grandparents or other elders (from the mother's side). This is called a Matriarchal pattern-female relative stay together and men marry into the household, while sons move away to the household of their wife.

Traditional roles and responsibilities of family members were not unlike those of most tribal or village cultures. Men primarily hunted, acted as disciplinarians, held council meetings, and conducted religious ceremonies. Women primarily gathered and prepared food, conducted household activities, and acted as family caregivers. All members of the family supervised education, each playing a part in teaching children the skills and values necessary for becoming a whole and balanced person.

Today, Creek men and women share many of the responsibilities that were once gender specific. Both are responsible for getting food, caring for children, and acting as disciplinarians. Among traditional Creeks, however, there is still a division of responsibilities during ceremonial activities. Women are excluded from all activities except that which involve women only. The Creek family is still an "extended" one, with strong kinship ties between all blood and clan relations. Family members still function as the primary educators of Creek children, especially concerning aspects of tradition, values, and beliefs.

GREEN CORN CEREMONY

The Green corn Ceremony is a celebration of the new corn and the New Year. It is a time of forgiveness and purification for both the ceremonial grounds and the Creek people. Old ways are cast aside as the new year marks a fresh start and new beginning. Every aspect of the ceremony is in some way symbolic of the purification and cleansing that is taking place.

The name of this ceremony refers to its connection with the annual harvest of the New (Green) Corn. This ripening and harvest usually occurs during July or August, and none is eaten before this time. Such thanksgiving and cerebration of a single crop is not unusual considering its traditional importance. Corn was by far the most dependable food source as it produced even when other crops failed or hunting was unsuccessful. Corn could be prepared in a variety of ways and could be used in numerous dishes. Even today corn remains a primary food source, because of both its nutritional value and traditional symbolism.

The ceremony is also referred to as the "*Posketv*" or Busk which means "to fast". Fasting occurs in two ways; first as the community abstains from eating all new corn until the harvest celebration marked by the Green Corn, an second as participants abstain from all food and consume only a traditional herbal drink, a powerful emetic which serves to cleanse the body both physically and spiritually. According to traditionalists, the purpose of this medicine is to purify the people, so that they will be in an acceptable mental and physical state to receive the blessings of the new year.

Purification is the major them of the ceremony, and participants are expected to lay aside ill feelings forgive wrongs done to them, and forget the conflicts of the previous year. It is the Creek belief that all people should act with the kind of honest motivation, which can only come from a pure heart and mind. By designating this time for cleansing, they ensure such purity for another year, and celebrate life as their ancestors have for thousands of years.

NATURE

All Southeastern tribes possess a rich and complex tradition of looking to nature for guidance and inspiration. The Creek have long been recognized as astute observers of the natural world. Every aspect of their environment, from basic botany to astronomy, was at some point studied and explained. All of creation was viewed as a web, an interwoven network of existence. Each creature was in some way inter-related with other creations, and none could exist alone.

Like other living beings, animals were viewed as having unique abilities ad characteristics, which determined their purpose in life. Some animals, such as wolves and owls, were believed to possess extraordinary powers, which could be used to benefit

or punish human beings, depending on how they had been treated. Other animals, such as the turtle, were used as ceremonial symbols because of their special abilities.

The cycle of life could also be observed in all plants and animals. By noticing changes in their environment, the Creek learned when to hunt, when to plant, and when to begin building shelters for the winter. By studying the world around them, they learned where to find water, how to forecast the weather, and what plants were good to eat. Nature was, and is, a great teacher. Traditionalists say that most people have simply forgotten how to observe.

The ability to forecast the weather was a great asset to the Creek people, as they lived so closely with the land. Only by preparing for inclement weather could they ensure the community's food supply, shelter, and safely. As a result, weather was one of the most studied aspects of nature. Creek men and women observed many signs and omens, which they believed, could help them in predicting the coming weather:

- Geese flying southward indicated the coming of winter, while geese flying northward indicated the return of spring.
- The budding of plants and trees signaled the proper time for planting.
- A flock of sparrows eating off the ground was a sign of cold weather.
  Others believed that:
- Water could be found near trees whose branches grew toward the ground.
- Rain was most likely to occur when the moon was only ¼ full.

NUMBER FOUR

The number four was sacred among many of the early Southeastern cultures. Four was viewed as the most natural and harmonious number, a means of division for both time and space. The universe itself consisted of four cardinal directions (which together composed the realm of earthly space). Time was divided according to the four consecutive seasons (which demonstrated the perpetual cycle of birth, growth, death, and rebirth). The number four thus represented the totality of creation.

Beliefs concerning the number four were not superstitious or folklorish; four was not a "lucky" number. All things consisting of four parts were considered to be especially stable and harmonious.
Even domestic activities were sometimes regulated by a concern for this "rightness". House-posts were used in multiples of four (12 or 16) to make Creek dwelling places balanced and stable in both the physical and spiritual worlds. Ceremonial events were usually planned to include four specific activities, be conducted by four primary leaders, or last for a total of four days. Each instance of "four' lent a special air of harmony to life. In this way, aspects of the sacred blended with every day tasks and responsibilities.

TIME

The Mvskoke people did not traditionally recognize seven "days" per "week". Time was measured according to natural phenomena, with "day" meaning the time from one sunrise to another. The next unit of time, similar to week but not exactly like it, was measured by phases of the moon. Approximately 7-8 days pass between each of the four moon phases.

In studying the Mvskoke terms for months and seasons, we are reminded that long before there were words to describe the cycles of nature, such cycles existed and were experienced and adapted to. Among the Mvskoke, changes in climate influenced many aspects of life including what they wore, what foods were available to eat, which animals, could be hunted, and what types of community activities should take place. The appearance and movement of stellar objects generally determined the scheduling of ceremonies.

Months were designate by the completion of moon phases, each complete cycle lasting 28-30 days. Each month was equal to the time, which passed between one full moon and the next. The Mvskoke term for each of these months describes a natural event, which is occurring during that time of the year. During *Ke Hvse* (May) the mulberries ripen, while the first frost is usually during *Ehole* (November).

Sometimes only two seasons were acknowledged: the cold season and the warm seasons. More often however, reference is made to four seasons generally corresponding to Spring, Summer, Fall, and Winter. There are two primary differences between the Mvskoke and European concepts:

- Traditionally, the Mvskoke year begins with *Hiyuce* (July), the completion of the harvest, and is marked by the Green Corn Ceremony.
- Seasons did not begin and end on specific calendar days. Ex. *Tash'ce* (Spring) began when the days became warmer, the birds began to sing, flowers started growing, and trees became green again. It ended when days became even hotter and berries and fruit began to ripen. (Compare this to current calendars, which designate March 20 to June 21 as "spring".)

TRIBAL TOWNS

Mvskoke people were originally (and remain today) organized by membership in a specific Tribal Town or *Twlwv*. Each *twlwv* acted as both an independent community and a member of the larger "Confederacy" of Mvskoke tribes. Early reports indicated that traditionally only 18 *tvlwv* existed, though this number grew rapidly after European contact. Each town was distinguished as either Red or White (red towns typically addressed issues of war, while white towns were concerned with matters of peace).

Each *twlwv* possessed a "sacred fire" which had been given to them in the beginning, and was kept and rekindled periodically. This fire was considered to be a physical link connecting humankind and the Great Spirit. The fire supplied heat and light for both the households and the community ceremonies, as the sun supplied these things so that all life forms might flourish and continue. For the Mvskoke people, the sun and the sacred fire within the ceremonial ring (paskofv) are the same; both are considered to be male forces and so are parts of the male ritual domain. (The sacred fire is even referred to as poca-grandfather). The fire, like an ancestor or tribal elder, must be treated with respect.

Today there are 16 active ceremonial grounds. Each still maintains a sacred fire, which in many cases was brought from the east during "Removal". The communities associated with these grounds act both independently and as part of Mvskoke (Creek) Nation, and serve many of the same political and spiritual purposes as the original tribal towns.

CREEK COUNCIL HOUSE MUSEUM INFORMATION

"Preserving the past...

Renewing

the Spirit"

Restoring the Creek Council House

CREEK COUNCIL HOUSE HISTORY

The Creek Council House Museum was constructed in 1878. Its original purpose was the Creek National Capital of the Muscogee Creek Nation. It was originally used as a Council House for meetings of the Creek National Council. Later, with the creation of a Supreme Court, the judicial branch of the government was also housed in the building.

After the Creek tribal government was required to dissolve by the United States government in 1907, the building was purchased by the City of Okmulgee in 1919. In 1923, Judge Orlando Swain organized the Creek Indian Memorial Association (CIMA) with the purpose to collect, preserve and exhibit the history and culture of the Muscogee (Creek) Tribe. The CIMA has continued with this goal and has a lease with the City of Okmulgee for an additional sixty-three years for this purpose.

The National Park Service included the Council House on the National Register as a National Historic Landmark in 1961. This is the highest designation of historic properties in the United States. The entire city block, including the grounds are part of the National Register designation.

The Council House Museum is also one of only sixteen places it the United States featured in "Uncommon Places of America" a national traveling photo art exhibit sponsored by Kodak.

Although there are other key museums which also house American Indian collections of great significance, the Creek Council House Museum is recognized nationally for both the historic importance of the building grounds, and also the Creek collection and exhibits which are unique expressions of creative thought by many great Indian artists. Likewise, the CIMA has long been a pioneer in advancing the study of American Indians. Its collection of manuscripts and printed material has allowed unique and rich curricular opportunities for many scholars and interested people from many nations.

The Creek Indian Memorial Association has begun a 1.[illegible] million dollar project to restore the 112 year old Creek Council House to its original condition. The CIMA, through its non-profit status, will be seeking funds for the restoration from federal monies, corporate grants, foundation grants, and a fund-raising campaign.

This restoration project will include not only the interior and exterior shell of the building but also an underground vault for the storage of art and artifacts as well as new casework, cabinetry, displays and historic furnishings.

The CIMA also maintain the Red Stick Gallery which displays for sale local Indian artists painting and crafts for the support of the museum and other functions of the CIMA.

The Council House has been the heart of this region of the country. It comprises a large city block known as the Town Square in the center of the business district of Okmulgee. The prime location of the museum and grounds has been the site for most of the community activities within a forty-mile radius. For example, the Pecan Festival, the Christmas Festival of Lights and the Oklahoma Indian Art Market.

The 1989 Oklahoma Indian Art Market had over forty locally and nationally recognized Native American Artist participating as well as a one person exhibit by nationally known Creek Artist, Dana Tiger.

The Museum has excellent regional accessibility, being located one-half mile form a major artery of transportation that links Tulsa, Oklahoma to Dallas Ft. Worth, Texas. Also, the nation's major east-west thoroughfare, Interstate 40, is only sixteen miles south of the museum.

SYNOPSIS OF COUNCIL HOUSE HISTORY AND CURRENT ORGANIZATIONAL STRUCTURE

The Creek Council House Museum building was built in 1878 by the Muscogee Creek People after their removal from their homelands in Georgia and Alabama. The building was constructed for the purpose of providing a "Capitol Building" in which to conduct their tribal affairs. In 1906, after the sovereignty of the tribes was abolished, the Department of Interior, through an Act of Congress, took possession of the Council House. In 1917, the Department of Interior successfully negotiated the sale of the Council House building and grounds to the City of Okmulgee.

In 1923, Judge Orlando B. Swain formed the Creek Indian Memorial Association Board of Trustees (CIMA) for the purpose of preserving the Indian cultures (specifically the Muscogee(Creek) culture and history) and educating the public about those cultures. The CIMA (15 member volunteer board) in a non-profit, tax exempt organization that leases the Council House from the City of Okmulgee, and oversees operations of the Museum. The Council House Board is a City appointed Board (5 volunteer members) serving as liaison between the City of Okmulgee and the CIMA, and attending to the general needs of the building and grounds.

The Creek Council House Museum currently hosts approximately 9,000 visitors a year, representing every state in the U.S. and over 20 foreign countries. The Creek Council House Museum is used as a research center for the study of Muscogee (Creek) culture and history. We provided assistance and information to almost 300 individual research requests in 1991. Over 200 area public schools requested and received educational programs and "hands on" presentations in 1991. The Red Stick Gallery gift shop is a retail shop owned and operated by the CIMA. All profits generated from the gift shop are used to purchase items for the collection, to provide educational programs, to purchase archival materials for preservation of the collection and for general CIMA operations.

The National Park Service placed the Creek Council House onto the National Register of Historic Places in 1961. The entire city block, including the grounds, is part of the National Register of Historic Landmark designation. In 1993, a year-long restoration project of the Creek Council House was completed. Also in 1993, the CIMA and City of Okmulgee were awarded one of sixteen Honor Awards by the National Trust for Historic Preservation for the Council House Restoration.

HISTORY OF CREEK COUNCIL HOUSE

- Congress approved President Andrew Jackson's policy of Indian removal.

1836-40 After early resistance, most of the Creeks were escorted to Indian Territory over the "Trail of Tears". Resettled in Indian Territory, the Creeks rebuilt settlements, created a General Council, and adopted a written code of laws and a Constitution.

1867 The Creeks revised their Constitution and modeled it after the U.S. Constitution with three branches.
- Executive - Principal Chief and Second Chief
- Legislative - National Council composed of the House of Kings (U.S. Senate) and the House of Warriors (House of Representatives)
- Judicial - Supreme Court

1868 A two-story hewn log structure with a breezeway separating the two legislative chambers was erected as the first capitol building in Okmulgee, newly selected capitol of the Creek Nation.

1877 The capital structure burned.

1878 The current capitol building was built between June 1 and September 1 for $15,000. Deeper excavation was necessary because the "earth was not sufficiently firm at the depth specified in the contract to properly support a building such as that proposed," which added $225 to the original contract. Special furnishings included a bell for the cupola, "of suitable size and tone," and a copper eagle, "5 feet 6 inches spread," both of which remain in place today.

1885 The National Council resolved to establish a National Library in the Capitol building.

1900 Foundation settling caused the building to crack and walls to bulge. 20 stone pilasters were built from the bottom of the footings to the under side of the "plancher"; 4 each on the East and West sides and 6 each on the North and South. 10 tie rods ran through the building to connect the pilasters on either side, each end terminated by a 12-inch star washer.

1900-06 The Intertribal Council, composed of delegates from the Five Civilized Tribes and the Plains Tribes residing in Indian Territory met in the Council House in Okmulgee.

1907 The Five Civilized Tribes were required to dissolve Tribal Government and have the Principal Chief federally appointed instead of elected, which continued until 1971.

1907 Okmulgee County began leasing the Council House from the tribe for $2,000 a year.

1914 A group lead by the Daughters of the American Revolution were formed as a committee to promote preservation of the Council House.

1917 The County moved into the new Court House. The Chamber of Commerce, Red Cross, and Civil Defense subsequently occupied the Council House.

1919 In July under federal order, the Tribe sold the property to the City of

Okmulgee purchased by a $100,000 bond issue. Talk began about tearing the building down to make room for a hotel. Support gathered, but others defended the Council House as a memorial to the Creek Indian Nation.

In Sept., demolition advocates lured officials away and demolished the perimeter stone walls. This vandalism backfired as outraged citizens gathered support for keeping the structure. Stones from the wall were used to construct the piers and gates that stand today at the corners and entrances to the site and the walkways that lead to the building.

1923 Judge Orlando Swain and 14 tribal members and other Okmulgee citizens organized the Creek Indian Memorial Association (CIMA) to collect and protect artifacts and records relating to the history and culture of the Muscogee Creek Tribe. The museum occupied only a part of the building until 1971.

1928 The Sunday Times Democrat of Okmulgee, calling for support of a hotel, deferred to vocal preservation sentiments by suggesting the Council House be moved to another setting, with even the trees transplanted.

Will Rogers appeared locally and provided his own advice:

> "...You can go to any town in the country and find a post office and a hotel, but there is only one town in the world where you can find a Creek National Council House."

1961 The National Park Service included the entire city block - the Council House and the grounds - on the National Register as a National Historic Landmark. This is the highest designation of historic properties in the United States. There are only 11 in Oklahoma in 1989.

1986-87 The Rocky Mountain Regional Office of the National Park Service sponsored an evaluation of the condition of the Creek Council House Museum.

1987 The National Trust for Historic Preservation premiered a photographic exhibit at the Annual Conference of the National Trust in Washington D.C., which celebrated 16 unique examples of the heritage of the constitution and democracy in America. Titled "America's Uncommon Places: The Blessings of Liberty." The Creek Council was designated one of the 16 uncommon places. The exhibit went on to tour major cities.

The City of Okmulgee granted CIMA a 63 year lease on the Council House in commemoration of CIMA's 63 year history of support for the Council House.

Nore' V. Winter, Preservation Consultant and Ray E. Kramer, A.I.A. integrated their evaluation of the Council House into a Creek Council House Museum Master Plan.

1988-89 The CIMA Board of Trustees, Museum Staff, and over 100 community volunteers are working to raise approximately $1.7 million for the restoration and preservation of the Creek Council House.

1989 On September 12, bids for the reconstruction design from five design architects (selected for their experience in historical reconstruction) will be evaluated by the Okmulgee City Council. At that time one firm will be selected to begin the design phase of the project.

HIGH SCHOOL DIVISION

LEGISLATION INFORMATION

HOW A BILL BECOMES LAW

Review and Assign Proposed Legislation:

The speaker shall review and assign proposed legislation to the proper committee of jurisdiction. The Speaker shall consult with each committee chairperson concerning issues pending before their respective committee.

Return Proposed Legislation:

The Speaker shall return proposed legislation not received in proper form and procedurally to any branch or person initiating such legislation. The Speaker shall state the reasons for the return and may make such recommendations as he/she deems appropriate.

Proposed Legislation initiated by a National Council Member:

Proposed legislation shall be submitted to the Legislative Research Specialist or the legislative Research Specialist Assistant, in writing. The Legislative Research Specialist or the Legislative Research Specialist Assistant is responsible to place proposed legislation in bill form.

The Legislative Research Specialist or the Legislative Research Specialist Assistant shall have the authority to make limited changes on proposed legislation. These changes would only involve spelling and punctuation corrections on bills and resolutions. All legislation submitted by the Legislative, Executive and Judicial Branches or any other source are subject to this Rule of Procedure.

All bills shall have a sponsor and/or author listed;

a. Sponsors of legislation must attend the appropriate committee during discussion taken on the sponsor's legislation. Sponsors and authors of legislation must be notified by the Committee Chairman to attend appropriate committees.

b. If a bill has multiple sponsors, at least one sponsor is required to attend the appropriate Committee meeting.

c. If a sponsor or author does not attend the appropriate committee meeting, the bill may not be considered (tabled).

(1) One (1) member shall be designated as the sponsor. All others will be listed as Co-sponsors.

(2) The sponsor has sole authority to amend and/or change the proposed legislation Prior to the numbered bill being assigned to the appropriate Standing Committee.

The bill shall be assigned to a statute designation by the Legislative Research Specialist or the Legislative Research Specialist Assistant.

The Speaker shall assign the numbered bill, accompanied by a cover letter, to the Standing committee with jurisdiction over the matter. All proposed legislation submitted within four days prior to the assignment date shall not be considered for action until the following month.

The Speaker may refer the bill to more than one (1) Committee simultaneously for concurrent consideration.

The Committee Chairman shall place the numbered bill on the committee agenda for consideration within thirty (30) calendar days, but not sooner than four (4) calendar days, after receipt of the assignment letter.

Note: A two-thirds vote of the National Council present may remove an item of legislation from a committee and place it upon the agenda for the next order of business or during the next official meeting.

All bills forwarded to the entire National Council from a Standing Committee should be accompanied by a committee report. Such reports should reference any hearings and provide the legislative intent of such legislation. The sponsor of any legislation should be notified, in writing, regarding action taken on the Sponsor's bill.

All proposed legislation which includes budget items shall be referred to the Business and Governmental Committee prior to submission to the full Council, unless such legislation is acted upon by the "Committee-As-A-Whole".

Sponsors of legislation that "dies in Committee", may re-introduce such legislation with Amendments to the National Council during the agenda item "Other Business." The appropriate motion or motions would include suspending the rules, placing the item on the agenda, and meeting as a "Committee-As-A-whole".

Proposed legislation initiated by person in the Judicial, Executive Branches:

Proposed legislation shall be submitted to the Speaker with a cover letter from the Principal Chief or Chief Justice, if not, legislation shall be returned.

Origin Author(s) of proposed legislation shall be listed.

If a sponsor has not been obtained, the Speaker will attempt to secure a sponsor before the proposed legislation is assigned a statute designation.

Proposed legislation initiated by tribal citizens:

Proposed legislation shall be submitted by a National Council member.

The request maybe mentioned verbally, but it must be submitted in writing by a National Council member.

Statue Designation:

Each statute or law enacted by the National Council shall be designated within the Fiscal Year followed by a hyphen (-) then followed by the sequence in which the bill was enacted.

Example: An act introduced in 2006 would be numbered NCA 06-01.

Items for Consideration:

Proposed legislation reported at the Planning Meeting by a Standing Committee that will be placed under items for Consideration may be acted on as any Regular Meeting Agenda item after receiving majority vote of the Council to place on the Agenda.

Such proposed legislation may be acted upon after receiving the majority vote of the National Council to be placed on the Agenda.

Proposed Legislation Removed from a Standing Committee:

Proposed legislation removed from a standing committee by two-thirds vote of the Council present shall be placed on the Regular Meeting agenda under "Items for Consideration". Legislation shall be acted upon by the National Council while meeting as a "Committee As A Whole."

Vetoed Legislation/Veto Message:

A veto message of the Principal Chief shall be delivered to the National Council office by the Executive Branch. The National Council Secretary or designee shall specify the time and date the "Veto Message" was received. Copies of the veto message shall be made available to all members.

1. At the next official meeting, if a motion is made and the majority approve, the veto message shall be read aloud.

2. Vetoed legislation shall require 2/3 of full membership of the National Council to override.

3. Any Representative, other than the Speaker, may make a motion that the veto be overridden and the legislation adopted as law. Such motion shall be in order only at the meeting where the veto message was read aloud.

4. If a motion to override and adopt the vetoed legislation is not made, the vetoed legislation may not be reconsidered.

5. Vetoed legislation may be amended and again presented to the Principal Chief for their signature, if:

    a. The motion to override the veto and adopt fails to receive a (2/3) vote.

    b. The vetoed message is not read aloud.

6. All members shall vote either "Yes" or "No."

Proposed Legislation Not Adopted by the End of the Calendar Year:

Bills that have not been enacted into law by 12:00 noon January 10, following the end of the calendar year, whether tabled, postponed, not introduced, or other wise, shall have a new statute designation.

Proposed Legislation Not Adopted by the End of Session:

Bills that have not been enacted into law by 12:00 noon January 10, following the end of the National Council Session, whether tabled, postponed, not introduced, or otherwise, shall be reassigned by the newly elected Speaker through the Committee System. The newly elected Speaker shall call a Special Session within (10) days for the purpose of each committee to elect its officers and review and reassigned legislation.

Such proposed legislation may be introduced as new legislation by the newly elected National Council. Such newly introduced legislation shall have a new statute designation.

LEGISLATIVE BRANCH

The National Council was composed of two houses, the House of Warriors and the House of Kings. Each house met annually, with the meetings lasting approximately one month. The House of Warriors was similar to the United States House of Representatives and was the larger of the two bodies. This legislative body was comprised of a representative from each town and one additional representative for each 200 people. The House of Kings was similar to the United States Senate and was composed of one representative from each tribal town. Members of the National Council held office for four years and were paid $4 per day and mileage. The National Council enacted civil and criminal legislation including a new criminal code with standard penalties.

The establishment of the House of Kings and House of Warriors was endorsed by all elected Creek leaders. However, the traditional faction boycotted these two bodies because they saw the National Council as a rubber stamp for United States policy.

One of the greatest changes brought about by the 1867 Constitution was the system of voting by secret ballot. Under the old system, nominations had been made from the floor at council meetings. At that time, nominees stood in different areas of the Council grounds surrounded by their supporters. Hence, openness and responsibility for one's opinions were important elements of traditional Muscogee society. Many Muscogee considered the secret ballot system a serious departure from traditional practice.

NATIONAL COUNCIL

RULES AND PROCEDURES

Rules of Procedures

MUSCOGEE (CREEK) NATION

NATIONAL COUNCIL

ADOPTED

by the
Muscogee (Creek) National Council

in Session on
January 7, 2006

NCR 03-002

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PREAMBLE AND CONSTITUTION

Sec. 101. Supremacy of the Muscogee (Creek) Nation Constitution and Tribal Ordinances

The 1979 Constitution of the Muscogee (Creek) Nation and tribal laws of the Muscogee (Creek) Nation are hereby declared to be supreme to these Rules of Procedures. The National Council shall abide by the Constitution and tribal laws while conducting official business.

Sec. 102. National Council Policy and Procedures

These Rules of Procedures shall reflect the standards of operation for official business conducted by the National Council.

Sec. 103. Non-delegable Powers

The Muscogee (Creek) National Council is entrusted with certain enumerated powers as determined by the 1979 Constitution of the Muscogee (Creek) Nation. The powers so enumerated are non-delegable and it is the duty of the National Council to carry out such powers. Contained in such powers are those powers that are implied and inherent, including but not limited to determining its own Rules of Procedures; the power to investigate; the power to subpoena; and the power to hold in contempt.

Sec. 104. Authority for Rules of Procedures

"The Muscogee (Creek) National Council shall determine the rules of its proceedings"-(*Article VI, Section 4. (B) of the Muscogee (Creek) Nation Constitution).*

Sec. 105. Amendments to Rules of Procedures

These Rules of Procedures may be amended by majority vote of the National Council at any official Regular meeting only, with a quorum present. The motion to amend shall be offered under "Other business." Representatives offering amendments shall announce such intentions during the Pre-Agenda Meeting and have adequate copies available for distribution.

Sec. 106. Suspension of Rules of Procedures

The suspension of any of these Rules of Procedures shall require 2/3 vote of the National Council present with a quorum, and shall specify which rule is to be temporarily suspended for that particular meeting.

Sec. 107. Questions of Rules of Procedures

A. When a question of procedure is raised by a Member and the Speaker determines that these Rules of Procedures are not conclusive the Speaker shall make a ruling.

B. If there remains a disagreement over the Speaker's ruling, a motion to appeal the ruling of the Speaker is in order.

C. The ruling of the Speaker on the ruling in question may be overturned by a 2/3 vote of the National Council present and in quorum. Such vote of the Council on the ruling shall be final for that ruling in question.

Sec. 108. National Council Officers

A. The following officers of the National Council shall be established under these rules of Procedures

1. Speaker
2. Second Speaker
3. Sergeant-at-Arms

B. These officers shall be elected at the first meeting of the National Council which meeting shall be held immediately following the taking of the Oath of Office of the members of the National Council elected during the previous regularly scheduled election. At this first meeting any member of the National Council may make a motion to elect a Chairman Pro Tem to Chair the meeting until Officers are elected by majority vote of the National Council. Upon receiving a second to the motion, the name of the Council member to be considered for Chairman Pro Tem shall be placed before the National Council but not yet to be voted upon until all motions and seconds are made by any Member of the

National Council for names to be considered for Chairman Pro Tem. After the first motion and second, any Member may make a motion to close the nominations, and upon receiving a second to the motion to close nominations, a vote shall be taken and recorded for any names nominated for Chairman Pro Tem. After the election of the Chairman Pro Tem, nominations and vote shall be taken for the Speaker of the National Council. The Chairman Pro Tem may only vote on the election of the Speaker in case of a tie vote of the National Council. Upon the election of the Speaker, the authority of the Chairman Pro Tem shall end, and the Speaker shall thereafter preside on the election of the Second Speaker and the Sergeant at Arms.

C. The officers of the National Council shall serve the entire term of the Council Session and until after the next regularly scheduled election of the National Council and until the end of the term of the elected office of the entire National Council, or until: (1) removal from the National Council as a Member; (2) resignation; or (3) death.

Sec. 109. Removal of National Council Member

A. Pursuant to Article VIII of the Constitution of the Muscogee (Creek) Nation, the National Council shall enact an ordinance outlining procedures and causes for removal. Such procedures shall contain, but not limited to, the certification of the required petition, as provided in Section 2 and 3 of Article VIII and a show of cause for removal, giving the accused an impartial, hearing and allowance of time to answer to notice of such hearing.

B. Pursuant to Section 2 of Article VIII of the Constitution of the Muscogee (Creek) Nation removal of a National Council member shall require a signed petition showing cause of removal containing twenty (20) per cent of the registered voters in a district.

C. The Ordinance on Removal of National Council Members shall comply with the rules as set out in Article VIII of the Constitution of the Muscogee (Creek) Nation and shall specify what constitutes "for cause" for removal. Such Ordinance shall

supercede these National Council Rules except for parliamentary procedure. A vote of three-fourths (3/4) of the National Council present in a quorum for removal from office will be taken to achieve removal, pursuant to the Ordinance.

Sec. 110. Replacement of the Speaker

Upon vacancy of the Office of Speaker, the Second Speaker shall assume the duties of the Speaker to fulfill the unexpired term. At the next Regular or Special meeting a vote shall be taken to elect a Second Speaker.

Sec. 111. Replacement of National Council Officers

The election to replace an officer shall be conducted in the same manner as the election of National Council Officers. An election to replace an officer shall not occur during the last calendar month of any Session of the National Council.

Sec. 112. Duties of the Speaker/Second Speaker

A. Conduct Business on Behalf of the National Council

The Speaker shall have the authority to conduct business on behalf of the National Council as set forth by law and these Rules of Procedures. The Speaker shall, with the advice and consent of the National Council, represent the National Council and conduct business at intertribal and intra-governmental functions as deemed necessary.

At the discretion of the Speaker, or in his absence, the Second Speaker shall assume the authorities of the Speaker as set forth by law and these Rules of Procedures.

B. Preside

The Speaker shall preside over National Council meetings. The Speaker will decide or rule on "points of order." The Speaker will not preside over Committee meetings, except the Fact-Finding Committee if he/she is the duly elected Chairperson.

C. Maintain Order and Decorum in Regard to National Council Members Conduct

A Member must conduct themselves in such a manner so as to bring honor and dignity to the position for which the Muscogee citizens have elected them. A Member shall not disrupt the decorum of the Council.

The Speaker will preserve order and decorum.

1. A Member is out of order who:

   a. Directly addresses another Member instead of the Speaker;

   b. Fails to confine their remarks to the merits of the motion;

   c. Engages in disruptive activity;

   d. Speaks more than twice on an item;

   e. Speaks before being recognized by the Speaker;

   f. Slanders another;

   g. Speaks in a loud and abusive manner;

   h. Conducts themselves in a less than respectful manner;

   i. Excuses themselves from any meeting without acknowledgment from the Speaker.

   j. Knowingly states, conveys, expresses, and/or repeats false information, facts, figures, or data, or refers to such false material.

2. A member of the National Council may be removed from a meeting for disorderly conduct. The vote to remove a

National Council member from a meeting shall be two-thirds (2/3) of the National Council present.

D. Set Agenda

1. The Speaker shall prepare or have prepared the agenda for National Council meetings.

2. Items reported from a standing committee at the Planning Meeting shall be placed upon the Regular Meeting agenda.

3. Items not reported from a standing committee at the Planning Meeting may be placed on the Regular meeting agenda under, "Items for Consideration", if such items are presented at the Planning meeting. Such items presented must be met upon by the appropriate standing committee prior to the Regular Meeting.

4. Items not reported from a standing committee at the Planning Meeting or not placed on the agenda under "Items for Consideration" may be placed upon the agenda when a motion is adopted suspending the rules and placing the item on the agenda. Motion shall state to suspend Rule 116, Paragraph F to pull Bill No. _____ from Committee to be placed on the agenda for consideration under Items for Consideration and meet as a Committee-As-A-Whole.

5. Items other than called for by the Principal Chief may be placed upon the agenda of any Extraordinary Meeting if agreed upon by majority vote of the National Council.

6. The Speaker shall have the authority to place individuals upon the agenda under the following procedures:

   a. Muscogee (Creek) Nation citizens: Citizens shall submit a written request to any Representative from their home district briefly explaining their reasons for addressing the Council.

1) The Representative, if they desire, may forward the request to the Speaker for assignment to the appropriate Standing Committee.

2) The Standing Committee shall review and/or make recommendations on the request.

3) The Standing Committee may request, in writing, that the citizen be placed upon the agenda of the next scheduled Planning Session.

b. Muscogee (Creek) Nation employees: Employees shall submit a written request, to the Speaker, briefly explaining their reasons for wanting to address the Council.

E. Recognize Person to Debate

The Speaker will first recognize the sponsor of any proposed legislation. Upon receiving a second, debate on the proposed action shall be allowed. The maker of the motion should be allowed to speak first. Debate should be limited to five (5) minutes per speaker. Any time that is given to anyone else, is considered part of that five (5) minutes. Members that have not spoken should be recognized prior to recognizing a Member a second time. No Member shall be allowed to speak more than two (2) times on the same motion.

Persons other than the Council members shall ONLY be allowed to speak when giving technical assistance. Such persons shall NOT be allowed to debate the motions on the floor.

F. Call for the Question/Voting Procedures

The Speaker should put questions requiring a roll call vote in this form: "Those voting for the motion should vote 'Yes' those opposed to the motion should vote 'No'." A Motion to Recount/Reconsider is only in order before a motion has been made dealing with the next item on the agenda.

1. Recount is only to verify actual number of votes.
2. Reconsider is to allow a member of the prevailing side to change his/her vote.

Motion shall require majority vote.

The Speaker shall vote in only two (2) instances, while the National Council is meeting:

1. The Speaker shall vote when a motion has received a "tie" vote.
2. The Speaker shall vote on motions to override a "veto".

G. Review and Assign Proposed Legislation

The Speaker shall review and assign proposed legislation to the proper committee of jurisdiction. The Speaker shall consult with each committee chairperson concerning issues pending before their respective committee.

H. Return Proposed Legislation

The Speaker shall return proposed legislation not received in proper form and procedurally to any branch or person initiating such legislation. The Speaker shall state the reasons for the return and may make such recommendations as he/she deems appropriate.

I. Appoint Standing Committee Members

The Speaker shall have the authority to appoint any and all members to the four (4) established standing Committees: 1) Business and Governmental; 2) Tribal Affairs; 3) Human Development; and 4) Community Services and Cultural.

When the need arises, only the Speaker may make reassignment of members to the Standing Committees after consultation with respective parties and with the approval of the Internal Affairs Committee.

J. Authorize the Selection Process of Member(s) to the Committees on Internal Affairs

1. District Representatives shall select their member to the Select Committee on Internal Affairs.
2. District Representatives shall select their members to the Select Committee on Fact Finding Committee.

K. Signature Authority

The Speaker shall have the authority to sign all acts, resolutions, laws, writs, warrants and subpoenas of or issued by order of the National Council.

L. Approve Expenditures

The Speaker shall have authority to approve all expenditures approved through the appropriate budget ordinance except expenditures exceeding $10,000.00. Expenditures which have been approved through the appropriate budget ordinance, exceeding $10,000.00, shall first be approved by the Business & Government Committee. Expenditures shall include but not be limited to: Mileage claims; travel authorizations; office expenditures such as purchase requisitions, authorization for payment and reimbursement vouchers; and time cards.

M. Review and Authorize Correspondence

1. The Speaker shall review all incoming correspondence addressed to the National Council.

2. The Speaker shall review and authorize all out going correspondence representing the entire National Council.

3. The Speaker shall distribute such correspondence as necessary.

Note: The Speaker shall have no authority to review any correspondence directed to individual Representatives. Correspondence disseminated by individual Representatives

shall not indicate that such correspondence represents the full Council.

N. Sign Approved Minutes

The Speaker or the Second Speaker shall sign, all minutes approved by the National Council.

O. Organize and Supervise National Council Staff

1. The Speaker shall appoint offices of the National Council.

2. The Speaker shall have the full authority to organize and supervise all National Council staff, per the National Council personnel policy manual. Such supervision shall include but not be limited to approving annual leave and compensatory time.

P. Appoint Parliamentarian

The Speaker may appoint a parliamentarian that shall be confirmed by the National Council.

Q. Designate a Speaker to Preside Over Meetings

The established order of succession shall be:

1. Second Speaker
2. Sergeant-At-Arms
3. Any other National Council Member

Sec 113. Duties of the Sergeant-At-Arms

When the Speaker determines that persons are engaged in such disruptive behavior that they should be removed, the Speaker may:

A. Ask for assistance from the Sergeant-At-Arms and if the individual/s do not comply with the request to leave, the Sergeant-At-Arms has full authority to remove or have removed the offending person/s.

B. If the individual/s continue to engage in disruptive behavior so as to continue to disrupt the meeting, the Sergeant-At-Arms shall have the authority to notify the Lighthorse and have the alleged perpetrator/s arrested;

C. The Sergeant-At-Arms shall assist the Speaker in gathering the National Council Members for a quorum;

D. The Sergeant-At-Arms shall assist the Speaker to maintain decorum in the meeting room by having the authority to calm any disturbance that the Sergeant-At-Arms may observe.

Sec. 114. National Council Members

A. Overall Duties and Responsibilities

Every member of the National Council shall be present during scheduled meetings unless excused or necessarily prevented; and shall vote on each question put, unless they have a direct personal or pecuniary interest in such question. Every member shall diligently attend each meeting of the National Council and committee to which they are assigned. Every Member is eligible to introduce and/or sponsor any legislative action.

B. Voting

No Member shall cast a vote on any legislation unless he/she is seated in his/her assigned chair on the floor unless special circumstances prohibit such and approved by the Council. A Member may not authorize nor cast a vote for any other Member or otherwise cause to record a vote on such member's behalf.

C. Correspondence

Correspondence disseminated by individual Member shall not indicate that such represents the full Council. Requests for information from Administration shall be submitted through the respective Standing Committee Chairman. Under no condition shall a Member send correspondence directly to Administrative personnel. A Member may request an Attorney General's

opinion regarding previously enacted legislation or pending legislation only by utilizing the proper form. The request must then be submitted through the Speaker of the National Council.

D. Compensation

Muscogee (Creek) Nation Constitution Article VI. Section 5. (a) The Muscogee (Creek) National Council members shall receive a compensation for their services, to be prescribed by ordinance and paid out of the Treasury of the Muscogee (Creek) Nation. *NCA 04- 166*

MONTHLY SALARY

POSITION	RATE
Speaker	$3,461.54
Second Speaker	$2,000.00
Members	$2,000.00

MILEAGE

Members of the National Council shall be reimbursed for mileage associated with performing National Council duties. The mileage reimbursement will be established in accordance with current Federal Travel Regulations at the time of reimbursement. No monthly limit is designated. Mileage shall be paid from the point of departure (residence), to the site, and return. Members are responsible for furnishing odometer readings.

Allowable mileage claims include ONLY the following:

1. Mileage to and from any National Council or Committee meeting

2. Mileage to and from any Intertribal meeting

3. Mileage to and from the tribal complex while conducting tribal business

4. Mileage to and from any tribal business or tribal affair that previously has been approved by the Speaker, in writing.

Note: Mileage may only be claimed if the Member claiming such mileage used their vehicle. A Member riding to or from an event in another vehicle would not be eligible to claim mileage.

REIMBURSEMENT

Expense for travel and per diem for attendance at training sessions, seminars, orientations, symposiums, and other official tribal functions shall be reimbursed. The rate shall be consistent with the established rate of the Muscogee (Creek) Nation.

E. Gifts

1. No National Council Member shall knowingly accept a gift except as provided in this rule.

2. A National Council Member may accept a gift (other than cash or cash equivalent) which the National Council Member reasonably and in good faith believes to have a value of less than $50, and a cumulative value from one source during a calendar year of less than $100. No gift with a value below $10 shall count toward the $100 annual limit. No formal record keeping is required by this paragraph, but a National Council Member shall make a good faith effort to comply with this paragraph.

3. For the purpose of this rule, the term `gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

4. A gift to a family member of a National Council Member, or a gift to any other individual based on that individual's

relationship with the National Council Member, shall be considered a gift to the National Council Member if it is given with the knowledge and acquiescence of the National Council Member and the National Council Member has reason to believe the gift was given because of the official position of the National Council Member.

5. If food or refreshment is provided at the same time and place to both a National Council Member and the spouse or dependent thereof, only the food or refreshment provided to the National Council Member shall be treated as a gift for purposes of this rule.

6. The restrictions listed above shall not apply to the following:

   (a) Anything for which the National Council Member pays the market value, or does not use and promptly returns to the donor.

   (b) A political contribution for an election or re-election campaign, provided the amount of the contribution, name of person or entity contributing, and date of contribution is stated and recorded with the National Council Financial Officer.

   (c) Anything, including personal hospitality, provided by an individual on the basis of a personal friendship unless the National Council Member has reason to believe that, under the circumstances, the gift was provided because of the official position of the National Council Member and not because of the personal friendship.

   (d) Food, refreshments, lodging, and other benefits

      (i) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the National Council Member as an

officeholder) of the National Council Member, or the spouse of the National Council Member, if such benefits have not been offered or enhanced because of the official position of the National Council Member and are customarily provided to others in similar circumstances;

(ii) customarily provided by a prospective employer in connection with bona fide employment discussions;

(iii) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer;

(iv) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication;

(v) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings;

(vi) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, non-monetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards);

(vii) Donations of products from the Muscogee (Creek) Nation that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient;

(vii) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a National Council Member, if such training is in the interest of the Nation;

(viii) Bequests, inheritances, and other transfers at death;

(ix) Free attendance at a widely attended event;

(x) A plaque, trophy, or other item that is substantially commemorative in nature and which is intended solely for presentation;

(xi) Food or refreshments of a nominal value offered other than as a part of a meal;

(xii) An item of little intrinsic value such as a promotional item, baseball cap, or a tee-shirt;

(xiii) A convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if the National Council Member participates in the event as a speaker or a participant, or by performing a ceremonial function appropriate to the National Council Member's official position; or attendance at the event is appropriate to the performance of the official duties or representative function of the National Council Member.

Sec. 115. Meetings

A. Quorum

The presence of more than one-half of the full Council {fourteen (14) Representatives} shall constitute a quorum and all business conducted shall be official except where action that requires 2\3 votes of one full council membership. The majority of the combined members shall constitute a quorum for Joint Committee Meetings.

B. Sessions

Sessions shall include all National Council meetings within the two (2) year term in which the National Council convenes.

C. Motions

1. All business shall be brought before the National Council by motion by a Member. Before a Member can make a motion it is necessary that they "obtain the floor."

2. To obtain the floor one must be recognized by the Speaker.

3. The Member who obtains the floor shall then make a motion.

4. Each motion should receive a second and the Member making the second shall be identified by the Speaker. When a motion fails to receive a second after an appropriate amount of time, the Speaker shall declare "The motion dies due to a lack of a second."

5. After obtaining the floor, a Member cannot be interrupted by calls for the question or by any other motion.

6. Questions concerning motions will be referred to the Robert's Rules of Order and approved by the consensus of the National Council present.

D. Voting Procedures

All votes taken upon motions to adopt legislation shall be conducted by roll call vote. The names of Members voting shall be entered in the minutes. Matters of routine or mundane nature should not be conducted by roll call vote. Members reserve the right to call for roll call vote.

E. Committee As A Whole

The Committee As A Whole is made up of every Member. The procedure for acting as a "Committee As A Whole" shall be as follow:

1. Motion, seconded, majority approval to meet as a Committee As A Whole.

2. Speaker shall preside or shall appoint to preside as a Committee As A Whole.

3. Upon conclusion of discussion, the "Committee As A Whole" shall rise and report in reference to the discussed legislation or matter.

4. The appropriate motion would include placing the item of discussion upon the agenda. The appropriate motion should also include taking action as if the item discussed has proceeded through the normal Committee process.

F. Meeting Agenda

The Speaker shall have prepared the agenda for every meeting of the National Council. The setting of the agenda shall indicate approval of the agenda items to be considered. Any change to the agenda shall require majority approval by the Council.

(NCA 81-04) Items reported from any of the four (4) standing Committees, during the Planning Meeting, shall be placed on the next Regular Meeting agenda. No introduction of legislation from standing committees shall be allowed after the Thursday preceding the scheduled Regular Meeting, except emergency legislation. *(NCR 93-24A)*

G. Planning Meetings

Planning Meetings *(NCR 93-24A)* shall be scheduled four (4) days prior to the Regular and Quarterly Meetings. Nominations shall be discussed in Executive Session. Starting time should be 6:30 P.M.

H. Pre-Agenda Meetings

Pre-Agenda meetings shall be held immediately prior to Regular and Quarterly meetings. Starting time should be 9 A.M. The purpose shall be to review the Regular Meeting agenda; acknowledge any proposed motions that might be made; acknowledge any bills that will be introduced under items for consideration. No motions shall be accepted.

I. Regular Meetings

Regular meetings shall be held immediately following Pre-Agenda meetings and should be scheduled for 10:00 A.M. The Regular meetings shall be scheduled as follows: (NCA 93-114)

Last Saturday in January	.....	Quarterly Meeting
Last Saturday in February	.....	Regular Meeting
Last Saturday in March	.....	Regular Meeting
Last Saturday in April	.....	Quarterly Meeting
Third Saturday in May	.....	Regular Meeting
Last Saturday in June	.....	Regular Meeting
Last Saturday in July	.....	Quarterly Meeting
Last Saturday in August	.....	Regular Meeting
Last Saturday in September	.....	Regular Meeting
Last Saturday in October	.....	Quarterly Meeting
Third Saturday in November	.....	Regular Meeting
Third Saturday in December	.....	Regular Meeting

J. Quarterly Reports

Requests for specific personnel to be in attendance shall be made at the Planning meeting. The Speaker shall then submit such requests to the Judicial or Executive branch for the personnel to attend the Quarterly Meeting. Discussion or questions of matters that should be discussed in "Executive Session" shall be at the discretion of the Speaker.

NOTE: Matters that should be dealt with by the appropriate Standing Committees should not be allowed to be discussed.

K. Special Meetings

The Speaker shall call a "Special Meeting" upon written request of at least 14 members of the National Council. The meeting shall not be held sooner than seventy-two (72) hours after the written request was received by the Speaker. Such written request shall be stamped with the date and time of receipt. Agenda items shall be specific on the written request. Other business may be brought before the National Council, with 2/3 Members of the National Council present at the meeting. (Meeting Request Form is available.)

L. Emergency Meetings

At the discretion of the Speaker, he may, for emergency purposes, poll the National Council Members in reference to meeting. Upon receiving confirmation of majority approval, the Speaker has the authority to assemble the Council to deal with the emergency situation only. No other matters may be officially addressed and/or voted upon.

M. Extraordinary Meetings

The Principal Chief shall have the authority to assemble the National Council by notifying the Speaker, in writing, the date and time of such meeting and the subject of the meeting. The speaker shall provide at least Forty-eight (48) hours notice of such meeting to the Members. The National Council, by majority approval, may address other business.

N. Open Meetings

All National Council and Committee meeting should be "open" to the public in accordance with NCA 88-89.

O. Executive Session

Meetings of the National Council may be conducted in "Executive Session." Such a meeting is one in which only Members and invited persons are in attendance. An "Executive Session" should be held only when the nature of the discussion is determined to be of confidential nature and in the best interest of the Nation. Confidential matters would include, but not be limited to personnel, attorney-client, privileged, and other matters deemed confidential by the majority vote. In "Executive Session" neither minutes nor official votes are to be taken. Communications made while in "Executive Session" are not to be discussed outside the closed assembly.

P. Adjournment

A meeting of the National Council is officially adjourned with or without a motion to adjourn, after all of the business on the agenda has been considered. The Speaker maintains a quorum and if no quorum no longer exists, the speaker may adjourn the meeting due to the lack of a quorum.

Sec. 116. Legislation

A. Proposed legislation initiated by a National Council Member:

1. Proposed legislation shall be submitted to the Legislative Research Specialist or the Legislative Research Specialist Assistant, in writing. The Legislative Research Specialist or the Legislative Research Specialist Assistant is responsible to place proposed legislation in bill form.

2. The Legislative Research Specialist or the Legislative Research Specialist Assistant shall have the authority to make limited changes on proposed legislation. These changes would only involve spelling and punctuation corrections on bills and resolutions. All legislation submitted by the Legislative, Executive and Judicial Branches or any other source are subject to this Rule of Procedure.

3. All bills shall have a sponsor and/or author listed

    a. Sponsors of legislation must attend the appropriate

Committee during discussion taken on the sponsor's legislation. Sponsors and authors of legislation must be notified by the Committee Chairman to attend appropriate committees.

b. If a bill has multiple sponsors, at least one sponsor is required to attend the appropriate committee meeting.

c. If a sponsor or author does not attend the appropriate committee meeting, the bill may not be considered (tabled).

1) One (1) Member shall be designated as the Sponsor. All others will be listed as Co-Sponsors.

2) The Sponsor has sole authority to amend and/or change the proposed legislation prior to the numbered bill being assigned to the appropriate Standing Committee.

4. The bill shall be assigned a statute designation by the Legislative Research Specialist or the Legislative Research Specialist Assistant.

5. The Speaker shall assign the numbered bill, accompanied by a cover letter, to the Standing Committee with jurisdiction over the matter. All proposed legislation submitted within four days prior to the assignment date shall not be considered for action until the following month.

The Speaker may refer the bill to more than one (1) Committee simultaneously for concurrent consideration.

6. The Committee Chairman shall place the numbered bill on the committee agenda for consideration within thirty (30) calendar days, but not sooner than four (4) calendar days, after receipt of the assignment letter.

Note: A two-thirds vote of the National Council present may remove an item of legislation from a committee and place it upon the agenda for the next order of business or during the next official meeting.

7. All bills forwarded to the entire National Council from a Standing Committee should be accompanied by a Committee report. Such reports should reference any hearings and provide the legislative intent of such legislation. The Sponsor of any legislation should be notified, in writing, regarding action taken on the Sponsor's bill.

8. All proposed legislation which includes budget items shall be referred to the Business and Governmental Committee prior to submission to the full Council, unless such legislation is acted upon by the "Committee-As-A-Whole"

9. Sponsors of legislation that "dies in Committee", may re-introduce such legislation with Amendments to the National Council during the agenda item "Other Business." The appropriate motion or motions would include suspending the rules, placing the item on the agenda, and meeting as a "Committee-As-A-Whole".

B. Proposed legislation initiated by persons in the Judicial, Executive Branches:

1. Proposed legislation shall be submitted to the Speaker with a cover letter from the Principal Chief or Chief Justice, if not, legislation shall be returned.

2. Origin Author(s) of proposed legislation shall be listed.

3. If a sponsor has not been obtained, the Speaker will attempt to secure a sponsor before the proposed legislation is assigned a statute designation.

C. Proposed legislation initiated by tribal citizens:

1. Proposed legislation shall be submitted by a National Council Member.

2. The request may be mentioned verbally, but it must be submitted in writing by a National Council Member.

D. Statute Designation

Each statute or law enacted by the National Council shall be

designated within the Fiscal Year followed by a hyphen (-) then followed by the sequence in which the bill was enacted.

Example: An act introduced in 2006 would be numbered NCA 06-01.

E. Items for Consideration

Proposed legislation reported at the Planning Meeting by a Standing Committee that will be placed under Items for Consideration may be acted on as any Regular Meeting Agenda item after receiving majority vote of the Council to place on the Agenda.

Such proposed legislation may be acted upon after receiving the majority vote of the National Council to be placed on the Agenda.

F. Proposed Legislation Removed from a Standing Committee

Proposed legislation removed from a standing Committee by two-thirds vote of the Council present shall be placed on the Regular Meeting agenda under "Items for Consideration". Legislation shall be acted upon by the National Council while meeting as a "Committee As A Whole."

G. Vetoed Legislation/Veto Message

A veto message of the Principal Chief shall be delivered to the National Council office by the Executive Branch. The National Council Secretary or designee shall specify the time and date the "Veto Message" was received. Copies of the veto message shall be made available to all Members.

1. At the next official meeting, if a motion is made and the majority approve, the veto message shall be read aloud.

2. Vetoed legislation shall require 2\3 of full membership of the National Council to override.

3. Any Representative, other than the Speaker, may make a motion that the veto be overridden and the legislation adopted as law. Such motion shall be in order only at the meeting where the veto message was read aloud.

4. If a motion to override and adopt the vetoed legislation is not made, the vetoed legislation may not be reconsidered.

5. Vetoed legislation may be amended and again presented to the Principal Chief for their signature, if:

   a. The motion to override the veto and adopt fails to receive a (2/3) vote.

   b. The vetoed message is not read aloud.

6. All Members shall vote either "Yes" or "No."

H. Proposed Legislation Not Adopted by the End of the Calendar Year

Bills that have not been enacted into law by 12:00 noon January 10, following the end of the calendar year, whether tabled, postponed, not introduced, or otherwise, shall have a new statute designation.

I. Proposed Legislation Not Adopted by the End of Session

Bills that have not been enacted into law by 12:00 noon January 10, following the end of the National Council Session, whether tabled, postponed, not introduced, or otherwise, shall be reassigned by the newly elected Speaker through the Committee System. The newly elected Speaker shall call a Special Session within (10) days for the purpose of each committee to elect its officers and review reassigned legislation.

Such proposed legislation may be introduced as new legislation by the newly elected National Council. Such newly introduced legislation shall have a new statute designation.

Sec. 117. Committees Establishment and Jurisdiction

A. Committees

1. There shall exist four (4) Standing Committees (Business and Governmental, Tribal Affairs, Human Development and Community Services and Cultural.)

2. There shall be established Select/Sitting Committees as

needed and determined by the Council.

3. Any Standing Committee by motion, second, and majority approval within said committee shall be allowed to appoint an ad hoc member to any entity under its jurisdiction. A Standing Committee also reserves the right to rescind the ad hoc member position to an entity at any time during the committee's term.[1]

B. General Committee Rules and Formation

Members of Standing Committees shall be appointed by the Speaker. The number of Members per committee shall be at least six (6) and no more than nine (9) voting members with the exception of Select\Sitting Committees. Further, these Rules of Procedure are the rules of the Committee so far as applicable.

An elected chairman pro tem. If neither the chairman or vice-chairman of a Committee is present, the secretary shall call the meeting to order, and the committee shall immediately elect a chairman pro tem to preside during that meeting. Such office is terminated at the end of the meeting or by the entrance of the chairman or vice-chairman.

C. Standing Committee Oversight Responsibilities

Each Standing Committee shall review and study, continuously, the application, administration, execution and effectiveness of those laws, in part or in whole, the subject matter of which falls under their jurisdiction. Each Standing Committee shall examine, review and study the organization and operation of the Nation, its tribal agencies, and entities to determine whether the intent in which such agencies and entities were established are being implemented and carried out. Each Standing Committee shall examine, review, and study whether such agencies and entities should be continued, curtailed, or eliminated.

D. Standing Committee Legislative Responsibilities

Each bill, resolution, or other matter which relates to subject matter under jurisdiction of the appropriate Standing Committee

[1] Amended 2/25/06

shall be referred by the Speaker to such committees. Each of the Standing Committees shall have the jurisdiction and related functions assigned to it as necessary to perform its duties accordingly. The Speaker may refer the matter to more than one committee simultaneously for concurrent consideration.

E. Standing Committee Reports

Acts and resolutions approved by the standing Committee shall be reported by the Chairman to the Council at the Planning Session and such Acts and Resolutions are to be placed on the Regular Session Agenda.

F. Standing Committee on Business and Governmental

The Business and Governmental Committee shall have proper jurisdiction over the budget of the Muscogee (Creek) Nation; Finances of the Nation; Intergovernmental and Intra Governmental Policy; Tax Commission; Contractual Agreements; the Citizenship Board; the Election Board; Tribal Legal Operations (Judicial and Office of Attorney General); Gaming Operations Authority Board; and Economic Development. The Business and Governmental Committee shall be responsible for drafting the National Council fiscal budget with assistance from the Financial Officer and Speaker.

G. Standing Committee on Tribal Affairs

The Committee on Tribal Affairs shall have proper jurisdiction over issues concerning Real Property; Contractual Agreements; Gaming, Manufacturing and Travel Plaza Management; Facilities Management; Crime/Lighthorse; Game and Wildlife; Economic Research; Economic Development; Comprehensive Planning; Housing Division and all Residential Housing Construction, Maintenance and Improvement; Environmental Services; Cultural Preservation (Realty);Road Improvement Program; and other Tribal Affairs functions.

H. Standing Committee on Human Development

The Committee on Human Development shall have proper jurisdiction over Education including but not limited to, Higher Education Scholarships, Counseling and College Entrance

Assistance, Financial Aid Information, Adult GED Certificate Programs, Vocational Training Assistance, and Job Search Training and Placement Information to unemployed and under employed persons, Headstart/Preschool, Elementary Education, Young Adult (teenage)Programs; Eufaula Dormitory Student Body and Staff; Eufaula Dormitory School Board; Cultural Preservation (Academic); and other related Human Development functions.

I. Standing Committee on Community Services and Cultural

The Committee on Community Services and Cultural shall have proper jurisdiction over Health and Human Services; Indian Child Welfare Program; Community Organization and Development; Cultural/Historical Research; Cultural Preservation and Enrichment; the Hospital and Health Systems Board including but not limited to Health Care to individual citizens, and other related Community Services/Cultural Services.

J. Committee Policies and Miscellaneous Procedure Meetings

1. Committees shall have the authority to meet and act at such times and places designated to hold such Committee Meetings as may be necessary.

2. Committee meetings shall remain "open" to the public except when the Committee by roll call vote, determines to meet in "Executive Session." Visitors, guests and fellow Members may speak only if recognized by the Chair.

3. Every member of the Committee except the Committee Chairman, in attendance, shall be eligible to vote on any measure or matter before the Committee and on any amendment or motion pertaining thereto. Chair may "only" vote in a tie situation.

4. Quorum
   In order to establish a quorum for Committee meetings, committee members shall be required to attend stated meetings in person. Quorums will not be allowed to be established through the use of tele-conferencing.

K. Select Committee on Internal Affairs

The National Council shall establish and maintain a Select

Committee on Internal Affairs. One (1) Member from each district shall be selected by the respective District Representatives.

The Internal Affairs shall have proper jurisdiction over National Council matters such as personnel issues, policies and procedures, parliamentarian procedures, and tribal citizen's complaints against National Council Members.

L. Select Committee on Fact-Finding and Investigations

The National Council shall establish and maintain a Fact-Finding and Investigations Committee. One (1) member from each district shall be selected by the respective District Representatives. The proper jurisdiction shall include the investigation with subpoena powers of any alleged irregularities that may exist in any branch, entity, sub-division and/or unit of the Muscogee (Creek) Nation. Matters to be investigated shall be determined as established by ordinance and/or by the majority of the Fact-Finding Committee.

Each District shall have one additional member to serve as an alternate in the absence of respective District Representative.

M. Committee Staff

1. The National Council Secretary shall make staff assignments to the Standing Committees with approval of the Speaker. The Select Committees of Internal Affairs and Fact Finding shall be staffed by the Committee Secretary(s) of the National Council from wherein the subject matter of the issue being discussed lies (Jurisdiction).

2. The Chair of each committee shall be the only person directing National Council Staff to perform managerial or secretarial duties necessary to fulfill the needs of the Committee. Any request for information of other issues shall be directed through the respective chair.

Sec. 118. Executive Sessions for National Council and Committees

1. When acting upon confidential or Executive business, unless the

same shall be considered in open Executive session, the Council Chamber or meeting room shall be cleared of all persons except the National Council staff and attorneys, and such other persons as the Presiding Officer shall think necessary; and all such persons shall be sworn to secrecy.

2. All remarks and proceedings thereon shall be kept secret, until the National Council by their resolution, take off the injunction of secrecy.

3. Any National Council member, National Council staff, attorney, consultant, officer of the tribe, or employee of the Muscogee (Creek) Nation, or any of its commissions, boards, or agencies, who shall disclose the secret or confidential business or proceedings of the National Council, including the business and proceedings of the committees, shall be liable, if a National Council member, to suffer expulsion from the National Council; and if National Council staff, attorney, consultant, officer of the tribe, or employee of the Muscogee (Creek) Nation, to dismissal from the service of the of the Muscogee (Creek) Nation, and to punishment for contempt.

NATIONAL COUNCIL REPRESENTATIVES

National Council Committees
Session Palen-Sostohkakat (14th)
2006-2007

Business & Governmental

Roger Barnett - Chairman
Anthony Notaro - Vice Chair
Shirlene Ade
Sam Alexander
Pete Beaver
Bill Fife

Meetings: Thursday prior to Planning Session
Legislative Clerk: Jennifer Edwards

Community Services & Cultural

Tom Pickering - Chairman
Lena Wind - Vice Chair
Sylvanna Caldwell
Bo Johnson
Cherrah Quiett
Travis Scott
Paula Willits

Meetings: 2nd Monday at 6:30 p.m.
Legislative Clerk: Rebecca Mitschelen

Tribal Affairs

Ron Cleghorn - Chairman
Larry Bible - Vice Chair
Jeff Fife
Robert Jones
Eddie LaGrone
Thomas McIntosh

Meetings: 2nd Tuesday at 3:30 p.m.
Legislative Clerk: Rebecca Crowels

Human Development

Thomas Yahola - Chairman
Johnnie Greene - Vice Chair
Richard Berryhill
Duke Harjo
James Jennings
Keeper Johnson

Meetings: 2nd Tuesday at 7:00 p.m.
Legislative Clerk: Jayme Spaniard

DATES & TIMES SUBJECT TO CHANGE

National Council Select Committees
Session Palen-Sostohkakat (14th)
2006-2007

Internal Affairs

Thomas Yahola - Chairman
Sylvanna Caldwell (Alt)

Pete Beaver - Vice Chairman
Eddie LaGrone (Alt)

Johnnie Greene
Richard Berryhill (Alt)

Duke Harjo
Roger Barnett (Alt)

Bo Johnson
Jeff Fife (Alt)

Tom Pickering
Anthony Notaro (Alt)

Cherrah Quiett
Sam Alexander (Alt)

Travis Scott
Bill Fife (Alt)

Fact Finding & Investigation

Roger Barnett - Chairman
Duke Harjo (Alt)

Jeff Fife - Vice Chairman
Bo Johnson (Alt)

Shirlene Ade
Sylvanna Caldwell (Alt)

Richard Berryhill
Johnnie Greene (Alt)

Eddie LaGrone
Pete Beaver (Alt)

Anthony Notaro
Thomas McIntosh (Alt)

Paula Willits
Larry Bible (Alt)

Lena Wind
Bill Fife (Alt)

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MAR 22 2006
MUSCOGEE CREEK NATION
JOHNSON O'MALLEY PROGRAM

SESSION - PALEN-SOSTOHKAKAT (14th)

2006-2007

Muscogee (Creek) National Council

District Representatives

Creek District

Seat A - George Tiger
Seat B - Duke Harjo
Seat C - Roger Barnett

McIntosh District

Seat A - Tom Pickering
Seat B - Anthony Notaro
Seat C - Thomas McIntosh

Muskogee District

Seat A - Mose Peter Beaver
Seat B - Robert E. LaGrone

Ofuskee District

Seat A - Travis Scott
Seat B - Lena Wind
Seat C - Bill S. Fife

Okmulgee District

Seat A - Robert Jones
Seat B - Keeper Johnson
Seat C - Jeff Fife
Seat D - Bo Johnson
Seat E - James Jennings

Tukvpvtce District

Seat A - Sylvanna Caldwell
Seat B - Thomas Yahola
Seat C - Shirlene Ade

Tulsa District

Seat A - Larry Bible
Seat B - Cherrah Ridge-Quiett
Seat C - Ron Allen Cleghorn
Seat D - Samuel Alexander
Seat E - Paula Willits

Wagoner/Roger/Mayes District

Seat A - Richard Berryhill
Seat B - Johnnie Greene

Speaker George Tiger is a full blood Muscogee Creek and grandson of Chief Motey Tiger. For more than twenty years he has been involved in the communications business. In this area, he has produced, hosted, and developed several prominent Native American electronic media programs. He also serves on the national Board of Haskell Indian University in Lawrence, Kansas. Mr. Tiger is a six term representative to the Muscogee Creek National Council. He is the newly elected Speaker in January 2006. His major goal is to strengthen the line of communications between the Legislative and Executive branch.

Roger Barnett is a full blood Creek from the Wind Clan. He has worked for the Creek Nation for 16 years, eight in education. Mr. Barnett is a 4 term representative to the Muscogee Creek National Council. He is the newly elected second speaker in January of 2006. His goal is to find new forms of economic development for the Creek Nation.

MUSCOGEE CREEK NATION

CONSTITUTION

CONSTITUTION OF THE MUSCOGEE (CREEK) NATION

Under the guidance of the Almighty God, Our Creator, We the People of the Muscogee (Creek) Nation, to promote Unity, to establish Justice, and secure to ourselves and our children the blessings of Freedom, to preserve our basic Rights and Heritage, to strengthen and preserve self and local Government, in continued relations with the United States of America, do ordain and establish this Constitution for the Muscogee (Creek) Nation.

ARTICLE I

Section 1. The name of this Tribe of Muscogee (Creek) people shall be "The Muscogee (Creek) Nation", and is hereby organized under Section 3 of the Act of June 26, 1936 (48 Stat. 1967).

Section 2. The political jurisdiction of The Muscogee (Creek) Nation shall be as it geographically appeared in 1900 which is based upon those Treaties entered into by The Muscogee (Creek) Nation and the United States of America; and such jurisdiction shall include, however not limited to, properties held in trust by the United States of America and to such other properties as held by the Muscogee (Creek) Nation, such property, real and personal to be TAX-EXEMPT from Federal and State taxation, when not inconsistent with Federal law.

Section 3. The official seal of The Muscogee (Creek) Nation shall be the Seal as is illustrated:

Certified Copy

ARTICLE II

Section 1. Each Muscogee (Creek) Indian by blood shall have the opportunity for citizenship in The Muscogee (Creek) Nation.

Section 2. This Constitution shall not abridge the rights and privileges of individual citizens of The Muscogee (Creek) Nation enjoyed as citizens of the State of Oklahoma and of the United States of America.

Section 3. This Constitution shall not abridge the rights and privileges of persons of Muscogee (Creek) blood for purposes of claims against the United States of America.

Section 4. This Constitution shall not affect the rights and privileges of individual citizens of The Muscogee (Creek) Nation in their trust relationship with the United States of America as members of a federally recognized tribe.

Section 5. This Constitution shall not in any way abolish the rights and privileges of persons of the Muscogee (Creek) Nation to organize tribal towns or recognize its Muscogee (Creek) traditions.

ARTICLE III

Section 1. The Principal Chief shall appoint, subject to majority approval of the Muscogee (Creek) National Council, a Citizenship Board comprised of five (5) citizens who shall be charged with the responsibility of the establishment and maintenance of a Citizenship Roll, showing degree of Muscogee (Creek) Indian blood based upon the final rolls prepared pursuant to the Act of April 26, 1906, (34 Stat. 137), and other evidence, as prescribed by ordinance.

Section 2. Persons eligible for citizenship in The Muscogee (Creek) Nation shall consist of Muscogee (Creek) Indians by blood whose names appear on the final rolls as provided by the Act of April 26, 1906 (34 Stat. 137), and persons who are lineal descendants of those Muscogee (Creek) Indians by blood whose names appear on the final rolls as provided by the Act of April 26, 1906 (34 Stat. 137); (except that an enrolled member of another Indian tribe, nation, band,

or pueblo shall not be eligible for citizenship in The Muscogee (Creek) Nation.)

Section 3. (a) All persons eligible for citizenship shall register as an applicant for citizenship; and

(b) The Citizenship Board shall certify citizenship, and the declaration of citizenship may be affirmed at any time with the name of the individual being entered on the citizenship roll, and the persons being recognized as a citizen of The Muscogee (Creek) Nation, provided that:

(1) the person is a Muscogee (Creek) Indian by blood whose name appears on the final rolls as provided by the Act of April 26, 1906, (34 Stat. 137), or the person is a lineal descendant of a Muscogee (Creek) Indian by blood whose name appears on the final rolls as provided by the Act of April 26, 1906, (34 Stat. 137); and is not an enrolled member of another tribe, nation, or pueblo; and

(2) has made application to the Citizenship Board to become a citizen of The Muscogee (Creek) Nation;

(c) Except those persons who are Muscogee (Creek) Indian by blood whose name appears on the final rolls as provided by the Act of April 26, 1906, (34 Stat. 137), shall be automatically included as citizens of the Muscogee (Creek) Nation.

Section 4. Full citizenship in The Muscogee (Creek) Nation shall be those persons and their lineal descendants whose blood quantum is one-quarter (1/4) or more Muscogee (Creek) Indian, hereinafter referred to as those of full citizenship. All Muscogee (Creek) Indians by blood who are less than one-quarter (1/4) Muscogee (Creek) Indian by blood shall be considered citizens and shall have all rights and entitlements as members of the Muscogee (Creek) Nation except the right to hold office.

ARTICLE IV

Section 1. The Principal Chief shall appoint, subject to ma-

jority approval of The Muscogee (Creek) National Council, an Election Board comprised of five (5) citizens who shall be charged with the responsibility of conducting, as prescribed by ordinance, all regular and special elections of The Muscogee (Creek) Nation.

Section 2. Every citizen of The Muscogee (Creek) Nation, regardless of religion, creed, or sex, shall be eligible to vote in the tribal elections provided that (a) they are registered voters for elections; (b) they are at least eighteen (18) years of age at the date of election, with the registrant providing sufficient proof of age to the Election Board; and (c) they hold citizenship.

Section 3. All elections shall be by secret ballot.

Section 4. No candidate for office shall be considered elected unless the candidate receives a majority of the votes cast, when a candidate is unapposed for office.

Section 5. If there is any office in which a candidate does not receive the required majority of the votes, a run-off election shall be held between the two candidates receiving the highest number of votes in that particular election.

Section 6. Election dates for offices of The Muscogee (Creek) Nation shall be no more than four (4) years apart.

Section 7. All citizens shall be allowed to vote for the Principal Chief and any such national office that shall be created.

Section 8. Only those citizens having legal residence in a district shall be allowed to vote in an election for that district.

Section 9. All citizens having legal residences outside the herein defined jurisdiction of The Muscogee (Creek) Nation shall declare a home district within the Muscogee (Creek) Nation which shall be recognized as his legal residence for purposes of voting in tribal elections.

Certified Copy
Muscogee (Creek) National Council

ARTICLE V

Section 1. (a) The executive power shall be vested in and shall be known as The Office of Principal Chief of The Muscogee (Creek) Nation. The Principal Chief shall hold office during a term of four (4) years upon election by

majority of the votes cast. The term of office shall begin the first Monday in the new calendar year (January).

(b) No person, except a citizen holding full citizenship, having attained the age of thirty (30) and having been a legal resident within the political jurisdiction of the Muscogee (Creek) Nation for one (1) year immediately prior to filing for office, shall be eligible for the Offices of Principal Chief or Second Chief.

(c) In the case of vacancy, whether by removal, death, or resignation of the Office of Principal Chief, the line of succession shall be the Second Chief who shall be elected in the same manner as prescribed for the Principal Chief. In the event of a vacancy of the Office of Second Chief, that an election be held within 60 days to fill the office of the Second Chief unless it happens within the last six months of the term in which case the term would remain vacant until the next election.

(d) The Principal Chief and the Second Chief shall, at stated times, receive for their services a fixed compensation, which shall neither be increased nor diminished during the period for which they shall have been elected.

(e) Before the Principal Chief enters on the execution of his office, he shall publicly take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute The Office of Principal Chief of The Muscogee (Creek) Nation, and will, to the best of my ability, uphold the Constitution of The Muscogee (Creek) Nation."

Section 2. (a) The Principal Chief shall create and organize the Executive Office of the Principal Chief; and

(b) With the advice and consent of The Muscogee (Creek) National Council appoint offices of the Executive Office. The National Council may, by ordinance, vest the appointment of such inferior offices as they think proper in the Principal Chief alone or in the officers.

(c) The Principal Chief shall have the power to fill vacancies by granting commissions which shall expire at the beginning of the next National Council meeting.

Section 3. The Principal Chief shall prepare the annual budget requests and supplements thereto and with the advice and consent of the National Council administer funds within the control of The Muscogee (Creek) Nation.

Section 4. The Principal Chief shall from time to time however not less than once a year give to The Muscogee (Creek) National Council information of the state of The Muscogee (Creek) Nation and recommend for their consideration such measures as he shall judge necessary and expedient. He may on extraordinary occasions convene The Muscogee (Creek) National Council.

ARTICLE VI

Section 1. The Muscogee (Creek) Nation, as it geographically appeared in 1900, shall be divided into eight (8) districts corresponding namely with the Counties of Creek, Hughes/Seminole, McIntosh, Muskogee, Okfuskee/Seminole, Okmulgee, Tulsa, and Wagoner/Rogers/Mayes, in whole or portion thereof.

Section 2. All legislative power herein shall be vested in The Muscogee (Creek) National Council, which shall consist of one (1) House with one (1) representative from each district, and one (1) additional representative for each 1,000 district citizens.

(a) Each representative shall be elected by a vote of the district and shall hold office for two (2) years.

(b) Each representative shall be a legal resident of his district.

(c) No person shall be a representative who has not attained the age of eighteen (18) and hold full citizenship.

(d) The Muscogee (Creek) National Council shall elect from their number a Speaker, who shall preside over the Muscogee (Creek) National Council but shall have no vote unless the National Council be equally divided, and they shall choose a Second Speaker, who shall preside in absence of the Speaker.

Section 3. The term of office shall begin at the first meeting of the National Council following the first day of January and the oath of office shall be taken at the first meeting.

Section 4. (a) A majority of the members of The Muscogee (Creek) National Council shall constitute a quorum to do business. A smaller number may adjourn or compel the attendance of absent members in a manner and under such penalties to be prescribed by ordinance.

(b) The Muscogee (Creek) National Council shall judge of the returns and qualifications of its members, determine the rules of its proceedings, penalize its members for disorderly behavior and, with the concurrence of two-thirds (2/3) of the National Council, expel a member from a meeting.

Section 5. (a) The Muscogee (Creek) National Council member shall receive a compensation for his services, to be prescribed by ordinance and paid out of the Treasury of The Muscogee (Creek) Nation.

(b) The Muscogee (Creek) National Council, shall choose its own secretary whose compensation shall be provided by ordinance.

(c) No National Council member shall, during their term of office, be appointed to any civil office under the authority of The Muscogee (Creek) Nation or such office which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any elective, appointive, or any other office whether compensated or not under The Muscogee (Creek) Nation shall be a member of the National Council during their continuance in office.

Section 6. (a) Every bill which shall have passed the Muscogee (Creek) National Council, before it becomes ordinance, shall be presented to the Principal Chief of The Muscogee (Creek) Nation. If he approves, he shall sign it; but, if not, he shall return it with his objections to The Muscogee (Creek) National Council, who shall enter the objections at large on their journal and

proceed to reconsider it. If, after such reconsiderations, two-thirds (2/3) of the full membership of The Muscogee (Creek) National Council shall pass the bill, it shall become an ordinance. In such cases, the votes shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the journal of The Muscogee (Creek) National Council. If any bill shall not be returned by the Principal Chief within ten (10) days, Sundays and holidays excepted, after it shall have been presented to him the same shall be an ordinance as if he had signed it.

(b) Every order, resolution, or other act intended to reflect the policy of The Muscogee (Creek) Nation shall be submitted in accordance with the rules and limitations prescribed in case of a bill.

(c) Every ordinance, order, resolution, or other act intended to reflect the policy of The Muscogee (Creek) Nation shall be stamped with The Seal of The Muscogee (Creek) Nation and be signed by the Principal Chief of The Muscogee (Creek) Nation.

Section 7. The National Council shall have the power (subject to any restrictions contained in the Constitution and laws of the United States of America) to legislate on matters subject to limitations imposed by this Constitution as follows:

(a) To promote the public health and safety, education and welfare that may contribute to the social, physical well-being and economic advancement of citizens of The Muscogee (Creek) Nation.

(b) To negotiate with Federal, State, and local government and others.

(c) To manage, lease, prevent the sale of, dispose or otherwise deal with tribal lands, communal resources or other interest belonging to The Muscogee (Creek) Nation or reserved for the benefit of such Nation.

(d) To authorize and make appropriations from available funds for tribal purposes. All

expenditures of tribal funds shall be a matter of public record open to all the citizens of The Muscogee (Creek) Nation at all reasonable times.

(e) To enter contracts in behalf of The Nation with any legal activity that will further the well-being of the members of The Muscogee (Creek) Nation.

(f) To employ legal counsel.

(g) To borrow money on the Credit of The Muscogee (Creek) Nation and pledge or assign chattels of future tribal income as security therefore.

(h) To lay and collect taxes within the boundary of The Muscogee (Creek) Nation's jurisdiction from whatever source derived.

(i) To create authorities with attendant powers to achieve objectives allowed within the scope of this Constitution.

(j) To exercise any power not specifically set forth in this Article which may at some future date be exercised by The Muscogee (Creek) Nation.

ARTICLE VII

Section 1. The judicial power of The Muscogee (Creek) Nation shall be vested in one Supreme Court limited to matters of The Muscogee (Creek) Nation's jurisdiction and in such inferior courts as the National Council may from time to time ordain.

Section 2. The Supreme Court shall be composed of six (6) members appointed by the Principal Chief, subject to majority approval by the Muscogee (Creek) National Council, and whose term shall be for six (6) years beginning July 1.

Section 3. The Supreme Court shall, with the approval of the Muscogee (Creek) National Council establish procedures to insure that the appellant receives due process of law and prompt and speedy relief.

Section 4. The Supreme Court shall be presided over by a Supreme Court Justice chosen from their own number and shall be in regular, quarterly-scheduled session, coinciding with that of the fiscal year.

Section 5. The decision of the Supreme Court shall be in writing and shall be final.

ARTICLE VIII

Section 1. The National Council shall enact an ordinance outlining procedures and causes for removal. Such procedures shall contain, but not limit to, the certification of the required petition, as provided in Section 2 and 3 of this Article and show of cause for removal, giving the accused an impartial hearing and allowance of time to answer to notice of such hearing.

Section 2. A signed petition showing cause of removal containing twenty (20) per cent of registered voters in a district shall be cause to consider removal of a council member.

Section 3. A signed petition showing cause of removal containing twenty (20) per cent of the registered voters of The Muscogee (Creek) Nation shall be cause to consider removal of the Principal Chief, Second Chief, and/or any member of the Supreme Court. A three-fourths (3/4) vote of The National Council shall be required for removal from office.

ARTICLE IX

Section 1. (a) This Constitution shall be amended by:

(1) Passage of an amendment ordinance before the Muscogee (Creek) National Council, which shall require two-thirds (2/3) affirmative vote and thereafter

(2) A two-thirds (2/3) affirmative vote of the eligible voters who vote in special election called for said purpose by the Principal Chief pursuant to the rules and regulations that The Muscogee (Creek) National Council shall prescribe.

(b) It shall be the duty of the Principal Chief to set such an election date at the request of a majority of The Muscogee (Creek) National Council within thirty (30) calendar days.

(c) Amendments ratified shall be submitted to the Secretary of the Interior or his agent for his approval and shall have full force and effect from the date of approval. The Secretary of the Interior or his agent shall give his approval or disapproval in writing within ninety (90) days, citing reason if disapproved. Failure to respond in the time limits set forth shall be construed as an act of approval.

Certified Copy
Muscogee (Creek) National Council

ARTICLE X

Section 1. This Constitution, when ratified by:

(a) Those eligible to vote herein defined as:

(1) Those persons whose names appear on the final rolls of the Act of April 26, 1906 (34 Stat. 137) or

(2) Those persons who are lineal descendants of a person whose name appears on the final rolls of April 26, 1906, (34 Stat. 137) and

(b) A majority of those eligible who are registered to vote who vote in this Constitution Ratification Election of The Muscogee (Creek) Nation provided at least 30 per cent of those registered voters shall vote

shall become effective upon the date of ratification.

Certified Copy
Muscogee (Creek) National Council

Section 2. For the purposes of the first election of officers and representatives under this Constitution:

(a) Those persons eligible to vote shall include all persons registered for the Constitution Ratification Election and those persons thereafter registered who are Muscogee (Creek) Indian by blood and 18 years of age or more on the date of the election.

(b) Each district shall elect one representative.

ADOPTED this 20th day of August, 1979, by the Creek Constitution Commission in accordance with the Court Order of September 2, 1976, in the case of Harjo vs. Andrus, Case 74-189, U.S. District Court, Washington, D. C.

CREEK CONSTITUTION COMMISSION

Aug 20th 1979

Date

Bryant Jesse, Chairman

Louis Fish, Commissioner

Allen Harjo, Commissioner

Virginia Thomas, Commissioner

Robert Trepp, Commissioner

CERTIFIED:

Paula L. Francis
Recording Secretary

3-26-79
Date

APPROVAL

U. S. DEPARTMENT OF INTERIOR

I, _____ Acting Deputy Commissioner of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 26, 1936, 48 Stat., 1967, as amended, and delegated to me by 230 DM 1.1, do hereby approve the constitution of the Muscogee (Creek) Nation subject to ratification by the qualified voters as provided in Article 10 of said constitution; provided, that nothing in this approval should be construed as authorizing any action under the constitution that would be contrary to federal law.

_____
Acting Deputy Commissioner of Indian Affairs

Washington, D. C.

_____ 79
Date

APPROVAL

I, /s/ Sidney L. Mills, Acting Deputy Commissioner of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 26, 1936, 49 Stat. 1967, as amended and delegated to me by 230 DM 1.1, do hereby approve the Constitution of The Muscogee (Creek) Nation subject to ratification by the qualified voters as provided in Article X of the said constitution; provided, that nothing in this approval shall be construed as authorizing any action under the constitution that would be contrary to Federal Law.

Acting Deputy Commissioner of Indian Affairs

Washington, D.C.

Date: AUG 17 1979

Certified Copy
Muscogee (Creek) National Council

CERTIFICATE OF RESULTS OF ELECTION

The Acting Deputy Commissioner of Indian Affairs approved the foregoing Constitution of The Muscogee (Creek) Nation on August 17, 1979.
(date)

It was submitted for ratification to the qualified voters of The Muscogee (Creek) Nation and was on October 6, 1979,
(date)

duly ratified [redacted] by a vote of 1,896 (number) for, and 1,694 (number) against, in an election in which at least thirty percent (30%) of the 9,125 (number) qualified voters cast their ballots in accordance with Section 3 of the Act of June 26, 1936, 49 Stat. 1967.

Bryant Jesse
Chairman, Election Board

Certified Copy
Muscogee (Creek) National Council

Clifden L. Fargo
Election Board Member

Virginia W. Thomas
Election Board Member

Louis Fish
Election Board Member

Robert W. Trepp
Election Board Member

Date: October 9, 1979

HIGH SCHOOL DIVISION

JUDICIAL INFORMATION

DISTRICT JUDGE

District Judge Patrick E. Moore

Tribal Town - Kvssetv
Clan - Nokosvike

Judge Moore graduated from Okmulgee High School, received a Bachelors Degree from the University of Oklahoma and received a Juris Doctorate from Oklahoma City University. He also participated in post graduate studies at the University of Houston and is a graduate of the National Judicial College at the University of Nevada.

Judge Moore is admitted to practice law before the following courts: Mvskoke Tvlofv, United Stated Supreme Court, United States Court of Appeals Tenth Circuit, United States District Court Western District of Oklahoma, United States District Court Northern District of Oklahoma, and the United States District Court Eastern District of Oklahoma and all Oklahoma State Courts.

Judge Moore is a member of the law firm Moore & Moore in Okmulgee. The senior member is his father, Thomas E. Moore. He is a past president of the Okmulgee County Barr Association and currently serves as a member of the Creek Indian Memorial Association. His great-grandfather, John R. Moore, came to Indian Territory during the removal from Russell County, Alabama and his grandfather, William N. Moore (Roll #1099) was a member of the House of Warriors until his death in 1929.

Judge Moore served in the United States Air Force from September 1963 until September 1967. He served as a prosecutor in the District Attorney s Office, Okmulgee County, for twelve years. He teaches law enforcement officer candidates for the Council on Law Enforcement Education & Training and has lectured at Oklahoma State University and the University of Tulsa.

Judge Moore is a member of the First Presbyterian Church of Okmulgee, Okmulgee and Morris Masonic Lodges, 32nd Scottish Rite and Bedouin Temple, American.

SUPREME COURT

JUSTICES

Chief Justice
2005-2006

Justice Larry Oliver

Tribal Town: unknown
Clan: unknown

Justice Larry L. Oliver is a resident of Tulsa, Oklahoma. He attended Tulsa Central High School, and received a Bachelor of Science degree in Police Science from the University of Tulsa. He received a Juris Doctorate from the University of Tulsa in 1964. Confirmed to the Supreme Court in 1999, he has served as chief justice two times and brings his extensive knowledge of the legal system and trial expertise to the Court.

Justice Oliver was employed by the Tulsa Police Department while attending law school. He then served in the Tulsa County District Attorney's Office until he resigned to form his own law firm, Larry L. Oliver & Associates. He has been in private practice for over thirty years with emphasis in tort litigation and is a strong proponent for his clients. He has handled many high profile cases during his career, including both civil and criminal cases.

Justice Oliver is a member of the Muscogee (Creek) Nation, Cherokee Nation, Oklahoma Indian, American, Oklahoma and Tulsa County Bar Associations, The American Trial Lawyers Association, the National Board of Trial Advocacy, and the Oklahoma Trial Lawyers Association.

Justice Oliver is admitted to practice before the United States Court of Appeals, Tenth Circuit, the United States District Courts, Northern and Eastern Districts of Oklahoma and the United States District Courts, Eastern District of Wisconsin.

Justice Oliver has three children: Lisa, Lori and Lance.

Vice Chief Justice
2005-2006

Justice Denette Mouser

Tribal Town: Thewarle

Clan: Bear

Justice Mouser was born in Morris, Oklahoma, in 1954, and is a full citizen of the Muscogee (Creek) Nation. Justice Mouser is the daughter of J.C. and Betty Mouser of Dustin, Oklahoma, and the granddaughter of the late Taylor and Dollie Fife and the late Amos and Rosetta Mouser. Ms. Mouser is the mother of two daughters, Alysia Jones of Arkansas, and Brooke Swanson of Oklahoma, and the grandmother of three grandsons, Jordan, Tre, and Jacob-Jaylen.

Justice Mouser grew up in Tulsa, graduating from Daniel Webster High School in 1972. Ms. Mouser worked in Tulsa as a professional photographer for several years, and then for several more years as a secretary in the oil and gas business. Ms. Mouser pursued her college education as a nontraditional student, completing a four year program in only three years, and graduating *summa cum laude* from the University of Central Oklahoma with a Bachelor's Degree in Philosophy in 1996. She then attended the University of Oklahoma College of Law on a full academic scholarship, with an emphasis in trial skills and Federal Indian Law. Ms. Mouser earned her Juris Doctorate, *with honors,* in 1999.

Following graduation from law school, Justice Mouser was first employed by Locke Liddell and Sapp, LLP, and then by Godwin Gruber, P.C. in Dallas, Texas, and focused her practice in general civil litigation, including sub-practice areas in Complex Litigation, Oil and Gas Litigation, Employment Litigation, and Mass Tort Litigation. In 2002, she moved to Rogers, Arkansas to join the legal department of Wal-Mart Stores, Inc., where she currently is Senior Counsel managing the company's large complex litigation involving class actions and individual employment issues.

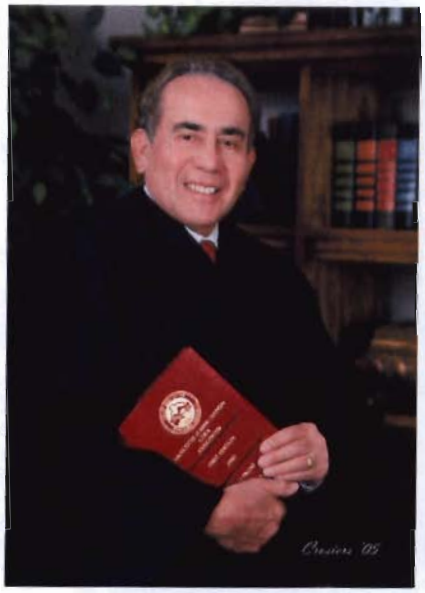
Justice Mouser is licensed to practice law in Oklahoma and Texas, and is admitted to practice in the 5th and 10th Circuit Courts of Appeal, as well as the U.S. District Courts for the Northern, Eastern, and Western Districts of Oklahoma, and the U.S. District Courts for the Northern, Southern, Western, and Eastern Districts of Texas. Justice Mouser is a member of the State Bar of Oklahoma, State Bar of Texas, American Bar Association, Muscogee (Creek) Nation Bar Association, National Native American Bar Association, National Employment Law Council, Corporate Counsel Women of Color, and the Minority Corporate Counsel Association.

Justice Amos McNac

Tribal Town: Nuyanka
Clan: Wotkvlke

Named a 2005 Living Legend

Justice Amos McNac is a resident of Bristow, Oklahoma. He attended Olive Public School, Technical School in Amarillo, Texas and Washburn University in Topeka, Kansas. He was appointed and confirmed to the Muscogee (Creek) Nation Supreme Court on July 25, 1992. Mr. McNac brings to the Supreme Court an understanding of traditional customary law of the Muscogee and Yuchi people which is absolutely necessary for the courts. With Justice McNac on the Supreme Court, the customs and traditions, important parts of native law, cannot only be presented to the courts by the people but also can be explained and discussed properly in the chamber of the Supreme Court. A judge must have knowledge of the complex, elaborate kinship and clan of those who come before them. He served as special counselor for the District Court in hearing of a tribal town dispute, which was conducted in our native language. The Courts of the Muscogee (Creek) Nation are required to apply the tradition and customs of the Muscogee people. He has been active in Indian causes, Indian tradition and Indian justice. The rights of the native people to use the religious symbols and to practice and participate in traditional ceremonies and rituals. He as an active participant in the Harjo v. Kleppe Civil Action 74-189, 420 F. Supp. 110 (D.D.C. 1976) lawsuit and was instrumental in the development of the 1979 Constitution, including an explanation of the Constitution to traditional citizens in Mvskoke throughout the Nation. Justice McNac reads, writes and speaks the Mvskoke language. He has also played a vital role in helping the Muscogee (Creek) Nation develop the new language revitalization program. He was a faculty member and panelist on the Preservation of Native American Languages panel for the Sovereignty Symposium XI. Justice McNac served in the United States Air Force from 1963 to 1967 and is a member of the Veterans of Foreign Wars. He is a member of the Native American Bar Association, the American Bar Association and the National American Indian Court Judges Association and charter member of the Oklahoma Indian Judges Association.



Justice George Almerigi

Tribal Town: Cussetah
Clan: Alligator

George Almerigi is of the Alligator clan and is a descendent of the Cussetah tribal town. He grew up in Schulter and Okmulgee. Almerigi received B.S. degree in business in 1964 from Long Beach College in California and a Juris Doctor degree in 1983 from Oklahoma City University. Following his admission to the practice of law in October, 1983, Almerigi went to work for the Muscogee Nation in June of 1984 as general counsel (tribal attorney) and served in that capacity until September 1986, then he opened his law office in Okmulgee, Oklahoma.

Almerigi was elected to the National Council and served there from January, 1988 until September 1992. During this period he was recall to active duty in the US Navy and served in the Persian Gulf War. Almerigi resigned his position as Council member in September 1992 and took a position as Assistant Attorney General for the Muscogee Nation where he served until the end of 1995, when he took his elected position as Second Chief of the Muscogee Nation. He served as Second Chief for four years. Almerigi again served as Council member for two years in 2002 and 2003. Almerigi has served as Community chairperson for the Wilson Indian Community and also the Okmulgee Indian Community.

Almerigi brings to the Supreme Court a background of Tribal government and knowledge of the development of the government under the 1979 Constitution.

Justice Houston Shirley

Tribal Town: Rekvckv

Justice Houston Shirley was born in Tulsa, Oklahoma and attended Tulsa Central High School. He received his Bachelor of Arts degree from Oklahoma University with honors studies in economics.

Justice Shirley served as a First Lieutenant with the United States Army as an Information Officer for both the 1st and 4th Armored Divisions in Europe. He attended Infantry Office School training at the same site of his tribal town in Georgia, Rekvckv, or Broken Arrow Town. Mr. Shirley also attended Armor and Calvary Officer Schools, and Department of Defense Information School.

He graduated from the University of Tulsa, College of Law specializing in oil and gas, business and Indian Law. Mr. Shirley is a past president of the Muscogee (Creek) Nation Bar Association. He has worked as a natural gas contracts and regulatory attorney for La-Vaca Gathering Company, Sector Refining Company and Amax Oil & Gas, Inc. in Houston, Texas. He is admitted to practice to the State Bars of Texas and Oklahoma. He is a member of the U.S. Fifth and Tenth Circuit Courts of Appeal, and U.S. District Courts in the Northern and Southern District of Texas and the Northern, Eastern and Western Districts of Oklahoma.

Justice Shirley is a proud Creek citizen. His great-great grandfather, Horris Berryhill, came to Oklahoma as a boy during Removal from Alabama. He was a teacher in the Creek Nation schools, teaching at Tokpvfkv. Mr. Shirley's grandmother, Gracie Berryhill, was born north of the present Kiefer where she and her family took their allotments.

Mr. Shirley practices law in Bixby, Oklahoma, with the Law Office of Houston Shirley, a Professional Corporation, primarily in areas of real estate, oil and gas, probate and estate planning, business, and Indian Law. He is a member of the Bixby United Methodist Church and Bixby Masonic Lodge, where Chief Pleasant Porter was a charter member. He is married to Sally Shirley of Liberty, Texas. They have two children, Elizabeth and Nathaniel.

TRIBAL TOWNS

HISTORY OF KIALEGEE ETVLWV

Today, there are 44 Tribal Towns in the Muscogee Creek Nation. But, only three Tribal Towns out of the 44 are ***federally*** recognized. They are: Kialegee, Thlopthlocco and Alabama Quassarte.

In 1540, Kialegee Tribal Town and the other Tribal Towns were visited by DeSoto. These Tribal Towns were called ***Upper Creeks*** to which they had a treaty relationship with the Federal Government. Many of the Creek Tribal Town Chiefs such as Yahola Mekko from Kialegee was one of many that signed the historical treaties.

In 1542 the Tribal Towns in cooperation attacked and drove DeSoto's expedition west of the Mississippi after witnessing his raids on the other Tribal Towns, enslavement of Indians and theft of their food. In later years the Tribal Towns signed various treaties with Britain in the state of Georgia and Alabama.

Kialegee members were farmers that raised hogs, cows, and also corn, sweet potatoes and other vegetables. The farming tools that they used to cultivate the crops were given to them by the British people.

The meaning and pronunciation of Kialegee is broken down into two Parts: aka (head) and ligah (I kill) The Kialegee's were known to be friendly people but, when attacked by the enemy they were furious fighters.

The Kialegee men were generally tall and the women were shorter in stature and well formed. The Kialegee characteristic was proud, sometimes arrogant, and have always been brave and courageous in war. Many Kialegee's served and fought in World War II, Korea and Vietnam. Some came back from the war with purple hearts, medals of valor and some did not come back.

In 1827, the Removal Act was passed and forced the Creeks to move west of Mississippi, which was called, "***The Trail of Tears***". During the removal many Creeks suffered mistreatment, many died of starvation, sickness, and broken treaties. The protection that was promised them was broken. After the removal, the Kialegee's relocated around Hanna, Oklahoma, area and just a short distance northeast of the ground. Then, later some Kialegee's relocated around the Wetumka Lake area and stayed together as a group.

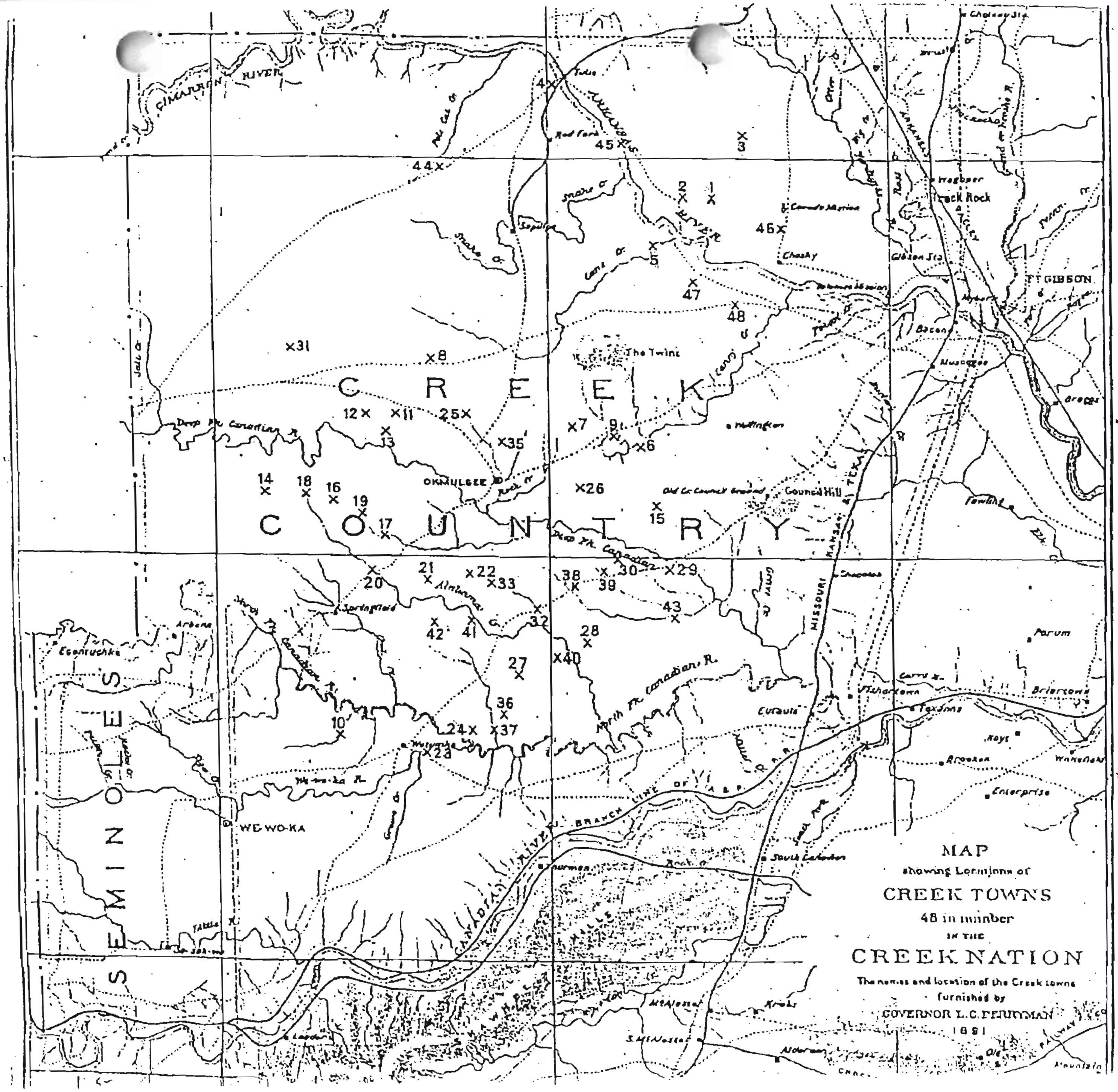
The Kialegee's have sport figures known among all tribes in the United States. There were also many pastor's of churches, ministers, and missionaries but now we have few ordained ministers.

Tribal Town's Today

Alabama Quassarte Tribal
Chief : Tarpie Yargee
Wetumka, Oklahoma

Kialegee Tribal Town
Mekko: Evelyn Bucktrot
Wetumka, Oklahoma

Thlopthlocco Tribal Town
Mekko: Louis McGertt
Okemah, Oklahoma



TOWNS.

1. Coweta.
2. Broken Arrow.
3. Cheyaha.
4. Locharpoka.
5. Conchartey.
6. Hechetey.
7. Cussehta.
8. Taskeke.
9. Tulsa (Canadian.)
10. Tulsa (Little River.)
11. Noyarka.
12. Akfaske.
13. Arbekoche.
14. Arbeka.
15. Arbeka. 2nd.
16. Asselarnape or Grunlief.
17. Oewohka.
18. Tharthoculka or Fish Pond.
19. Tharprakko.
20. Tokebachee.
21. Thewahley.
22. Kialiga.
23. Tokpafka.
24. Talmochassee.
25. Yoofula—1.
26. Yoofula—2.
27. Pakantalahassee.
28. Hillarbe.
29. Chartarksofka.
30. Kichopatake.
31. Artussee.
32. Tallahossochee.
33. Allabama.
35. Osochee.
36. Oeokofke.
37. Okcharye.
38. Ocheyapofa.
39. Talwathakko.
40. Talartega.
41. Hutschechapa.
42. Quassartey—1.
43. Quassartey—2.
44. Yoochee.
45. Big Spring.
46. Arkansas. Colored. Newly organized.
47. North Fork. Colored. Newly organized.
48. Canadian Colored Newly

CEREMONIAL GROUNDS

CEREMONIAL GROUNDS

ALABAMA
Mekko
Bobby Yargee
Wetumka, OK

ARBEKA
Mekko
Raymond Meeley
Henryetta, OK

DUCK CREEK
Mekko
Simon Harry
Hectorville, OK

FISH POND
Mekko
Thomas Mack, Sr.
Cromwell, OK

GREENLEAF
Mekko
Bill Proctor
Dewar, OK

HICKORY GROUND
Mekko
George Thompson, Jr.
Henryetta, OK

HILLABEE
Mekko
Daniel Harjo
Hanna, OK

IRON POST
Mekko
Gary Bucktrot
Gypsy, OK

KELLYVILLE
Mekko
Jim D. Brown, Jr.
Kellyville, OK

MUDDY WATERS
Mekko
Bill Hill
Hanna, OK

NEW TULSA
Mekko
Jeff Fixico
Spaulding, OK

NUYAKA
Mekko
Phillip Deere, Jr.
Nuyaka, OK

OKFUSKEE
Mekko
Barney Harjochee
IXL, OK

PEACH GROUND
Mekko
Roman Hill
Hanna, OK

TALLAHASSEE (WVKOKAYE)
Mekko
David Proctor
Nuyaka, OK

TALLAHASSEE (CROMWELL)
Mekko
Thomas Yahola
Wetumka, OK

CHURCHES

Church Listings

Alabama Indian Baptist
Westside of Weleetka on
Clearview Road

Arbeka Indian Baptist
7101 Loblolly Rd.
Weleetka, Ok 74480

Arbeka United Methodist
205 Farrid Dr.
Earlsboro, OK 74840

Artussee Indian Baptist
HC-63 Box 233-A
Eufaula, OK 74432

Belvin Baptist Church
320 North Mission
Okmulgee, Ok 74447

Bemo Indian Baptist
13315 South 73rd East Ave.
Bixby, Ok 74008

Big Arbor Indian Baptist
P.O. Box 46
Stidham, Ok, 74461

Big Cussetah Indian Meth.
P.O. Box 58
Morris, Ok 74445

Broken Arrow Indian Meth.
20824 East 141st
Broken Arrow, Ok 74014

Buckeye Creek Baptist
P.O. Box 710
Okemah, OK 74859

Butler Creek
Rt. 1 Box 615
Oktaha, Ok 74450

Cedar River Baptist
Rt. 3 Box 59
Holdenville, Ok 74848

Cedar Springs Baptist
P.O. Box 103
Braggs, OK 74432

Chuska United Methodist
Rt. 4 box 624
Bristow, OK 74010

Concharty United Methodist
Rt. 2 Box 3625
Okmulgee, Ok 74447

Creek Chapel Church
P.O. Box 506
Okemah, Ok 74859

Davis Chapel UMC
P.O. Box 282
Coweta, Ok 74429

Deep Fork Hillabee
P.O. Box 929
Checotah, OK 74426

Faith Baptist Church
P.O. Box 353
Dustin, Ok 74839

Faith Tabernacle Church
911 North 10th
Sapulpa, Ok 74066

Fife Memorial UMC
901 East Okmulgee St
Muskogee, Ok 74402

Grace Herkve Baptist
201 North Tiger
Wetumka, Ok 74883

Grave Creek Indian Baptist
P.O. Box 822
Okmulgee, OK 74447

Grant United Meth.
5185 N. 26 Rd.
Beggs, OK 74421

Greenleaf Baptist
2 ½ W., 2/3 Mi. S., Hwy 56
Okemah, Ok 74859

Haikey Chapel UMC
P.O. Box 988
Jenks, Ok 74037

Heritage Full Gospel
619 West Poplar
Holdenville, Ok 74848

Hickory Ground #1
Rt. 2 Box 418
Henryetta, Ok 74447

Hickory Ground #2
11520 N. Harrison Rd.
Shawnee, Ok 74804

High Spring Indian Baptist
P.O. Box 642
Okemah, Ok 74859

Hillabee Indian Baptist
9114 E. Latimer E. Pl.
Tulsa, Ok 74115

Holdenville First Indian Bapt.
119 South Pine
Holdenville, Ok 74848

HVCCE-CVPPV Baptist
Rt.1 Box 60
Weleetka, OK 74880

Indian Fellowship Baptist
6130 S. 58th W. Avenue
Oakhurst, Ok 74050

Jubilee Christian
1019 S. Florida Avenue
Okmulgee, OK 74447

Little Coweta Indian Baptist
HC-62 Box 240
Eufaula, Ok 74432

Little Cussetah Baptist
P.O. Box 1432
Sapulpa, OK 74067

Little Cussetah Meth.
Rt. 3 Box 1555
Okmulgee, OK 74447

Little Quarsarty Baptist
P.O. Box 27
Cromwell, Ok 74829

Many Springs Baptist
P.O. Box 895
Holdenville, Ok 74848

Middle Creek #1 Baptist
Rt. 1 Box 58
Lamar, Ok 74850

Middle Creek #2 Mission Bapt
P.O. Box 294
Holdenville, Ok 74848

Montesoma Indian Baptist
P.O. Box 531
Okemah, OK 74859

Morning Star Ministries
Rt. 2 Box 1943
Mounds, Ok 74047

M.S.W. Indian Baptist Assoc.
8428 Diagnal
Calvin, OK 74531

Muttiloke Methodist
1403 S. Popular
Bristow, Ok 74010

New Arbor Baptist
P.O. Box 862
Eufaula, Ok 74432

Newtown United Meth.
P.O. Box 281
Okmulgee, OK 74447

Nuyaka Indian Baptist
14076 N. 131 st. Rd.
Okmulgee, OK 74447

Okfuskee Baptist Church
P.O. Box 583
Eufaula, OK 74432

Okmulgee Indian Baptist
502 W. Creek Dr.
Okmulgee, Ok 74447

Opportunity Heights
3911 S. 55th W. Ave.
Tulsa, OK 74107

Pecan Grove Methodist
100 S. Burgess
Holdenville, OK 74848

Pickett Chapel United Meth.
17610 S. Hickory St.
Sapulpa, Ok 74066

Prairie Springs Indian Baptist
Joe Smith Pastor
P.O. Box 223
Castle, Ok 74833

Ryal Community Indian
Rt. 2 Box 397
Henryetta, Ok 74437

Salt Creek Indian Baptist
3mi. N., of Wetumka
On the Lake Road

Sand Creek Baptist
P.O. Box 27
Wetumka, OK 74883

Salt Creek United Meth.
324 E. St. Louis
Wetumka, OK 74883

Silver Springs Baptist
Tiger Mt. 9mi. E. of Henryetta

Snake Creek Indian Bapt #1
Rt. Box 305 A
Mounds, OK 74047

Springfield Methodist
603 Garrison Dr.
Norman, OK 73069

Solid Rock Baptist
841 E. 141st
Glenpool, Ok 74033

Tallahassee Indian Methodist
11240 Celia Berryhill Rd.
Okmulgee, OK 74447

Tekopochee Methodist
318 S. Creek
Holdenville, OK 74848

Thewarle Baptist
Rt. 1
Dustin, Ok 74839

Thewarley United Methodist
P.O. Box 537
Holdenville, OK 74848

Thlopthlocco Methodist
Rt. 3 Box 209
Okemah, Ok 74859

Tookparftha Bpatist
P. O. Box 62
Calvin, Ok 74531

Tulmochussee Baptist
Rt. 1
Lamar, Ok 74850

Tuskogee Indian Baptist
P.O. Box 672
Eufaula, Ok 74432

Wekiwa Baptist
P.O. Box 1568
Sand Springs, Ok 74063

Weogufkee Indian Baptist
HC 63 Box 73
Eufaula, OK 74432

West Eufaula Indian Baptist
HC 63 Box 313
Eufaula, OK 74432

Wetumka Indian Baptist
P.O. Box 272
Wetumka, OK 74883

Wewoka Indian Baptist
903 S. Hitchite
Wewoka, Ok 74884

Wewoka Methodist Church
1mi. E., on Hwy 270, 6mi. N.
on Yeager Road
Holdenville, Ok 74848

Yardeka Indian Baptist
P.O. Box 758
Dewar, OK 74431

Yeager United Indian Meth.
520 Thomas Yahola Circle
Wetumka, OK 74883

Springtown United Methodist
PO Box 441
Coweta, OK 74429

MUSCOGEE CREEK NATION ROYALTY

2005-2006 Muscogee (Creek) Nation Royalty

Katie Burden, Miss Muscogee Nation
Hometown: Weleetka
Clan: Wind

Cherie Cassaday, Junior Miss Muscogee Nation
Hometown: Sapulpa
Clan: Bear

Mulsey Long, Senior Miss Muscogee
Hometown: Muskogee
Clan: Beaver

Shelby Powell, Little Miss Division III
Hometown: Okmulgee
Clan: Wind

Lilly Freeman, Little Miss Division II
Hometown: Okmulgee
Clan: Alligator

Newakis Hicks, Little Miss Division I
Hometown: Muskogee
Clan: Deer

MUSCOGEE CREEK ELDER INTERVIEWS

PHILLIP DEERE

Fullblood Creek
Nuyaka Community - Age: 58
Traditional Medicineman / Orator

The Creek traditions and their customs have been held down for so many years; even though their is a need for it, it is hardly ever mentioned even in history books. There's not that many books on the Creek tradition, although it was one of the largest confederacies in the Southeast, and the Southeast culture is entirely different from the tribes we live with here in Oklahoma.

Since the tribes came from the East coast, they have beliefs that are very much different from the Plains or Northern Indians. But we mostly here today, even some of our Creek artists that we have, we look at their art work and it concerns other tribes, rather than their own, because the tribe has not built that much pride in them as I see it.

Its needed, the study of the Creek culture and what the significance of the tribal grounds or what is sacred to them and to the creation and where did the ceremonial grounds begin and how important it was to our ancestors should be brought out. But, since it hasn't been brought out a lot of the traditions have died down and much of it has been put down and was never held as anything sacred anymore. It is more like just a recreation area to a lot of our Indian people and the non-Indian, of course, are a long ways from understanding what its all about.

There was no ceremonial ground in the beginning and the history tells us that the beginning of the Muscogee people, or the Creek tribe, which are both the same, began as two sets of people made up the tribe. There is very little in the history that talks about the Red Clan and the White Clan. They both have separate history from how they originated, but combined. they become the Muscogee Tribe.

The beginning of what is known as the Red Clan say that they descended from the skies, and the White Clan say they came out of the earth, somewhere in the West. . .

Now, there are certain tribal grounds that I mention which is called ceremonial grounds, in our language we call it tribal towns. The beginning of what is known as the Red Clan says that they descended from the skies and the White Clans say they came out of the earth somewhere in the West.

However, it is a long migration story of the people from the West and no one knows how long it took them to get to the East coast. But, after settling in the East, somewhere in Georgia, Alabama and Florida, where the white man found them, is where the corn came about.

During the migration they had no corn, and corn came about in the East, and it required ceremonies. Therefore, ceremonial grounds had to be established, which was very much like a church except you didn't join it. You were born with it and according to Creek customs, each member of the Creek tribe is born into one of these tribal grounds, and somewhere in the East where they lived they had probably more than 60 different tribal grounds that they attended year after year.

After coming from the East and brought over here to what is now called Oklahoma, they were cut down to something like 44 recognized tribal grounds. Today, we have perhaps 20 or 21 existing tribal grounds, somewhere in the neighborhood of that.

In 1972, the survey was something like 12 or 13 tribal grounds that were actually functioning. After that, some of them have somewhat revived so we have a little over 20 tribal grounds now.

During the time they settled in the East, the oldest of what we have at the tribal ground is perhaps the ball pole, which is a game between men. In it they throw out a cow skull or something that symbolizes a fish or some kind of skull. At the tribal ground nearest here, their ball pole it has been said is the symbol of a war club, so they never put up a cow skull or any image of a fish up there, but there is a knot there and it is supposed to represent a club.

This is one of the oldest of what the tribe has, the ball pole is older than the ceremonial ground itself, because it represented that migration when the earth opened its bowels somewhere in the West, and they went further West and lived in a land of fog and this is where the clans originated.

When the winds came and blew the fog away, the first animal that one saw he became of that clan, and , of course, the first animal was the Bear. So the bear became the leading clan and all the others followed, deer, raccoon, and whatever the tribe had originated in this land.

. . .they thought the sun was the purest thing of anything their eyes could see. . .

However, the children would not grow up so they decided to go East, and they thought the sun was the purest thing of anything that eyes could see. So they went East and no one knows for how long they travelled going East.

While doing this, they came to a mountain and the story says that the mountain thundered, and it had red smoke coming from the top of this mountain, which nowadays it sounds very much like a volcano.

. . .they set the pole up whichever way it fell, gave them direction. . .

However, there was a pole that trembled all the time and nothing could stop it. For some reason, and why I never could figure it out, but these kinds of stories has been told over and over in other incidents, they took a motherless child, which is an orphan child that had no parents, and they slamed that baby against the pole and killed the baby and when this happened, the pole stopped.

And this pole, they picked it up and during the migration wherever they settled, they set the pole up and whichever way it fell, it gave them the direction which way to go. Always, it fell toward the East and they migrated going East.

There were three groups of people that came out of the earth. They were known as the Cussista people, the second group was known as the Chicksaw, the Chicksaw is an entirely different tribe now, but our language is similar, and the third group was Coweta.

These were the first tribal grounds of the Muscogee people that came from the West. They went on East until they reached the East coast, they couldn't see where the sun was coming from, what they were determined to see, but since it came out of the ocean, they couldn't go any further, so they settled there along the coast for perhaps several years.

The pole for once in all the years of migration, fell backwards. . .telling them to go back. . .

The pole for once in all the years of migration fell backwards, telling them to come back, so they came back to the inland and lived in Georgia and Alabama when the white man came here.

However, when they were settled there, they settled for good and this is where the tribal grounds was established. Naturally the first tribal grounds was Coweta, and the Chicksaws also had their language which was similar and their names were that of the Muscogee Tribe.

Cussista meant to say in plain ancient language, where is the sun or where is it coming from, that was the idea in the first place and the Chicksaws, they too, their names were picked up from the Muscogee language, too, because their name was Weegecussossa, someone who see the sun.

The others were Coawheta and that in latter years changed into Coweta. The Cussista people, in our modern times, are located around Okmulgee and they even have the Cussista church out there and nearby there was a Cussista tribal ground and these were the first people.

And the Coweta grounds were located toward Eufaula and the Chicksaw, of course, they were a separate tribe. Speaking almost the same language and were close friends to the Cussista people. I was told that in early times, real early times, when the Muscogees went to war and they fought against the Cherokees and other tribes, and always the Chicksaws refused to aid any other body and any other tribe, because of their connection with the Cussista peole. These were the first tribal grounds, however, in migrating to the East they met the other clan which is called Red Clan of today.

These are what we call Tukabotchee people and they are located around west of Wetumka. That is the oldest grounds of this other clan and they have an entirely different story of how they came about.

Their story that they descended from the sky on seven blocks of wood. They speak the same language, but they do no say they came from the West.

They were from the East and had always been there when the people from the West arrived. They met these Tukabotchee people over there and it was said that in ancient times when one went into a village they shot a white arrow into the village, white is always the sign of peace among the Muscogee people. But, if the white arrow returned with the red paint, that meant war.

So the Cussista people that came from the West shot an arrow into this village and a red one returned, so that meant war and they never knew each other until the evening of the war. They met each other at the river.

One asked each who was the other, and the people across the river said, "I am Tukabotchee." The other said, "I am Coweta", and on that evening they learned they could understand each other in language. Rather than go to war, they compared medicines.

. . .what we call the Redroot, is took from the short willows. . .not the regular willows. . .

The medicine that is used in the tribal ground today was displayed by the people. The other across the river had what is called spicewood and also the people from the West had spicewood also, but they didn't present their spicewood, instead they presented what we call the Redroot, which is took from the short willows, not the regular willows that you see here.

The Redroot and the Spicewood was laid down together to demonstrate their powers and after much whooping, they were going to show one another how much power this medicine had. So the Coweta people, before whooping four times, the earth began to shake.

Then the same for the Tukabotchee people. When the Tukabotchee stomped their foot on the ground, another earthquake came about to show that the two medicines combined together and this was the beginning of the Muscogee people.

Combining the two people, one from the skies and one from the earth, made the largest confederacy in the Southeast area.

In the Muscogee Confederacy, they spoke something like six different dialects and many of them were small tribes coming out of Louisiana and around the area. These tribes were to small to hold off their enemies, the French or the British or whoever they may be. So they had to go to the Muscogee country to find refuge among the Muscogee people. That made them that much more powerful in the Southeast. This is how the tribal grounds got started.

The Muscogee people also had the circle. . .we can't get away from that circle . . .it is a measurement with no beginning and no ending. . . everything revolves in that circle. . .

These tribal grounds were regarded as sacred grounds, because of the circle. Even though we are looking at the Muscogee traditions, we can't get away from that circle, that that circle is something sacred to all the nations of this country, no matter what tribe they are the circle has always been something sacred.

The Muscogee people also had the circle, and it is well known among all Indian people that it is a measurement with no beginning and no ending, and it represents the cycle of life that to this day Spring was here last year, it's here this year and has been going on for thousands of years. Everything revolves in that circle, so the ceremonial grounds, each and every ceremonial ground, either red clan or white clan, they all have this circle.

The terrace around this ground and the grounds were cleaned and kept cleaned and hoed out every year around later part of June or July. What was cleaned out was raked onto this terrace that built the circle around these ceremonial grounds. In that ancient times that was the end of the year and the beginning of the new one.

Cleaning out the grounds meant new life again. . .

Cleaning out the grounds meant new life again, so a new fire was built which was the sacred fire, built with flint fire and the old ashes were taken out, out of the circle, and new earth was put there. The new fire was built there to symbolize the end of the year and a new year.

They say that in ancient times even their old clothes were thrown away and they made new ones. Even their old dishes were busted and they built new dishes and everything was renewed at that time.

The new year for the Muscogee people was not that of January first; it was during the Greencorn ceremony that was the beginning of the new year. And old bitter feelings, crimes that were committed during the past year were forgiven, even before entering into the ground everything was forgiven to one another. Even some of the crimes that was committed, a real serious crime, was even forgiven. Everything was renewed during this time and that's what the Greencorn ceremony is all about.

I had a chance to go to Africa two years ago. I went to Ywandi, Cameroon. The World spiritual leaders and medicine people were meeting with the World ministers, church ministers, sponsored by the World Council of Churches. I went there and I thought it was a real interesting meeting there, because the church leaders had four or five workshops and traditional people only had one which I thought was good, because among the traditional people there is a common understanding of the creation and many stories are similar throughout the whole world. I find out that the Bantu tribe of Cameroon, they also have a new years. Their new year comes off in September and in their villages they too clean out all the villages, rake everything up and clean it up and they, too, build a sacred fire thats to burn throughout the whole year. I noticed the similarity there.

The sacredness of the ground there, we sometimes overlook what the ground was about. I suppose that this began maybe a hundred years ago, that these grounds began to be put down, because of misunderstanding, not knowing what its all about. Even the social dances that takes place at night, when taking part in the ceremonies, it is required that everyone that takes part stays awake all through the night. The Muscogee people are great people to stay awake at night and to fast. So the fasting goes on all day long, taking of the medicine, is purifying one's self. Then at night the dances are for the purpose of staying awake. There are other stories that says that participating in the ceremony is old but the dances came later for the purpose of staying awake.

The social dances, there is alot of questions that come about that too, because of the songs that cannot be interpreted. The songs that are sung in there, no one can interpret that, because in the beginning we had no teachers, no instructors. We could only copy off nature and the whole civilization of the Indian people was copied off of a study of

nature. So when we hear the birds sing, we never question no one what they're saying, but with the Muscogee people there has been a lot of questions asked, what are they saying? If they don't know they are saying they shouldn't say it, seems to be the idea.

There has been a lot said about the tribal grounds, but it is a copy of nature and you do not question nature. Why did you (Nature) bring your leaves in April? You never ask the trees this. When you hear the lion roar, no one asks the lion what the lion is saying. So we always felt that we are a part of nature.

Many of the songs that you hear in the tribal grounds may have no interpretation, but it is understood that other tribes can sing the same songs and they can use the same words. This dances goes on all night long until next morning. I one time heard some songs in South America that I, myself, could sing with them, because it had the same words that we use at the tribal grounds here, and probably it is the same way with other tribes, too, in their songs. There's hardly any songs, traditional songs, that can be interpreted unless it be that of the church songs, now those can be interpreted. And of course, the medicine songs of our people, if it was not so much against our way that too can be translated into English, but it never has, and I don't think it ever will.

> . . .the medicine songs of our people. . .can be translated into English, but it never has, and I don't think it ever will be. . .

There are a lot of meanings in our tradition that are never brought out because our ancestral homelands are away in Georgia and Alabama and all the mounds that are over there today.

I had a chance to see some of these mounds where our people are buried. When buried there, they were not laying down. Many of these mounds that have been excavated all over the East coast area, Ohio, and all those states over there, even though they were not our people. The Indians there buried their people very much like ours.

In these mounds they found bones of our people buried setting up. And I heard from some of the old-timers in this community here talk about our people being buried setting up. When they were buried they were doubled up (fetal) in this fashion; they were placed in the ground and dirt was covered over them and continuing to do this built up these mounds that they have there in these states now. Many of these mounds that they find, burial mounds especially, they will find bones in that shape and even as far as Peru. I've seen in the British museum last year when I was there and I had the chance to go to what they called the Indian storage house, and I have seen that the Peru Indians are buried the same way. I seen them setting up when they were buried.

> . . .you return as you were born . . .so it gives you a good idea how come they buried their people in these mounds. . . so when one dies, he goes back to Mother Earth, just like when he was born. . . that's why they buried them setting up . . .

Now, according to some of the old people that were around here, they say that, not only these old people, I guess, it is common and well-known that you return as you were born. So it gives you an idea how come they buried their people in these mounds. Before you were born into this world in the mother's womb, that's the shape that you were in; you was all doubled up like that and at the end of nine months, you came into the world. With every Indian throughout this whole nation they refer to the earth as Mother Earth. So when one dies he goes back to Mother Earth, just like he was born and that's the reason why they buried them setting up. Then building the mounds represented a pregnant woman - that's what it stood for. Later on in years, they began to bury them laying down as we do now.

So what traditions and customs that our people had, they had meanings that's somewhat lost throughout the years. Education, perhaps is responsible for a lot of this. Sometimes Christianizing people is responsible for this also, because all this was worldly and had no meaning to the new people that arrived in this country; they were from another culture. So, in the short four or five hundred years much of this has been lost, but if we study our history that we call Indian way of life, it's not that much different in any other race of people. Because I take it that whether he be a Frenchman or Dutchman or whatever he may be, life couldn't have begun much different, because at one time, they too had no teachers, they too had no schools, had no universities to go to when their ancestors came about. So they were also close to nature. They also studied nature.

I reminded them of that when I was in London last year; I lectured one week there in downtown London, and I reminded those English people that their ancestors, too had their mind set on nature at one time. Thier old buildings say so; the modern buildings don't tell us that, but the old buildings down the street have imprints of nature on that building. The old furniture has a print of nature on that furniture, but the modern furniture, there is nothing there to remind us of nature no more. The modern buildings are all glass. Bach and Mozart, they were nature-minded too, they remind us of nature. So the old people way back they had their minds set on nature; they had their love for nature at one time. But under the name of progress, perhaps, our people's thoughts of nature were drained out of them.

Destruction of nature came about the way we see it to this day: that if these trees are in our way, all we have to do is bulldoze them down. There is no love for nature, but in a small way maybe there are certain groups of people that are struggling and fighting to preserve nature; and always the native people had love for nature, they have always had love for what they call Mother Earth.

I am constantly thinking of

I like Switzerland, because I never saw Pampers laying on the roadside. . .

my travels, such as Switzerland. It is a beautiful country, the mother-country of many people here like Germany and those countries over there. But best of all, I like Switzerland, because I never saw Pampers laying on the roadside, I never saw a beer can laying there, and the country is so clean, and those people have been there for hundreds of years. They have them a farmland that they farmed for years and years, year after year. They're still farming those lands and they're still producing good vegetables, big cabbages, big broad leaves of mustard or whatever. They still produce good food because they keep their land up.

Coming back to our country, I look around and think about people here. Is it because the mother-country is over there; and their life didn't originate here for them that they lay this land in waste, they keep it trashy? I always wonder about that and I've heard this about going to greener pastures, and I've wondered what that really means.

We don't rebuild our land, . . .We wear the land out, and leave it in waste . . .

Then I begin to think after traveling and going to these other countries and seeing how clean these countries are and coming back here - we don't rebuild our land here. We wear the land out and leave it in waste, and then we go over here.

The first people that came here, they drifted from another country, and they remained here, and their descendents that live here in this country maybe their drifters, too. So they're willing to leave Chicago, they're willing to leave Los Angeles, or they're willing to leave Ohio and come to Oklahoma. Connecticut, anywhere they want to go, they do that. But they leave the land in waste, and they go to the greener pastures and sometimes I just almost figure out what this guy is thinking if he wants this land.

Now this is the original. allotment of my mother; we are fortunate out of thousands of our people that don't have any land any more. We are fortunate to at least have this 160 acres here and I can just imagine somebody passing by and thinking there is no improvement on this land and wishes that he had it, because he believes in going to greener pastures. He begins to look over here instead of rebuilding his land. He wants this land over here, so I kind of have an idea of what they mean, going to greener pastures now and that's the trouble with a lot of other tribes now.

. . .this whole area was the Muscogee land that was assigned to them. . . they're still attached to this land here. . .

But, getting back to our Muscogee People here, this whole area was the Muscogee land that was assigned to them; it is not our original homeland. But, after being here for more than a hundred years, we became attached to this land here. But from basic pressure from all directions, that many of our people had to give up their land, move into cities urban areas, so there is not that many Indians living out here in the country no more. But, still yet, they're still attached to this land here; we have Muscogee people living in Sacramento, but when they're talking about their home, they're not talking about that apartment in Sacramento. They're talking about back here in the Eastern part of Oklahoma. This is their home, whether they have land here or not, this is still their home.

You can take even the people that goes to these tribal grounds, many of them live in cities, but when their tribal ground is gonna have something going on, they come all the way back from Oklahoma City and Tulsa and camp here. Alright, you go to their churches, many of the Creek church members, they live in Oklahoma City and Tulsa and Dallas, all over, but they're always coming back, because they recognize this is home. They may not have a foot of land anymore, but after coming through here they can feel they're back home again.

One of the things I am always kind of proud of, you know, we like many other tribes, have our little dissentions, we have our little factions, Indian politics, and so on, but for some reason, we've kept our language. Visiting many other tribes, I find out there are some tribes that don't have a language at all. But within our Muscogee people, they have managed to keep their language, even at the churches they're singing songs, praying and preaching in their own language.

Our language is strong and that's what is required to continue with your culture. They will never learn the full tradition of our people without the language; that language has to be there. People from different tribes and non-Indians come here wanting to be medicinemen, but I tell them it's impossible because you don't know the language. You have to know the language in order to keep this going, but with our young people, where they lose the language, they can read and study all they want to about the Creek traditions and customs, but without the language, they will never have a full understanding of it.

Even telling a story, what we always refer to as bedtime stories when we were children, we knew what they were talking about when they start talking about rabbit or coyote or whatever. We knew what they were talking about and we were told those stories all through the growing up period we heard these little stories. Now, with the children today, they don't understand their language so you try to tell that in English and somewhere along the story it loses it's meaning. It's not even funny.

The language we have is a beautiful language. We have no cuss words; every word we can understand and it always made me think of my school years. I went to grade school and I was placed in an orphan home in Muskogee. At that time they did not want me to speak my language. So I had to go and play around with Cherokees and other tribes so I forget my

language. But somehow I managed to preserve it and all of my children here I taught them my language. There are alot of those, mainly those growing up in cities, they don't speak their language.

Our language is still strong, but still yet, most of our people year after year, they're moving into Okemah or Okmulgee or somewhere. Their children seem to be forgetting their language or the parents are not teaching them. That language is required.

You can take the beliefs of something that is sacred, to us or has always been holy to the tribe, it seems to me like it is no longer there, even the tribal grounds. The very people that operates there probably doesn't know the full meaning of what's going on there. Some of them probably go to it because mama used to go to it or grandpa used to go to it, not really understanding what the fire in the center is all about or how come it's there. Sometimes I get into a little argument with some people that kind of talk against it and sometimes it comes from church-going people.

In the early times the missionaries made a mistake by thinking that we worship the fire and to this day that thought still kind of hangs around, that the traditional people worship the fire. If whoever is saying this is a church person or church-going person, I remind them how come God did not speak to Moses in person, rather a burning bush spoke to Moses.

The thoughts of the Creation is different among the Muscogee people than other tribes. These are some of the things I have learned the past few years of my travels;

The Lakota people pray directly to the Great Spirit, much like Christian people only they use the pipe to communicate to the Great Spirit. The Navajo communicate with a Great Spirit in their own way. Alot of other tribes, they pray directly with the Creator or the Great Spirit. One thing I find out studying my own ways, that we never had a prayer direct with the Creator or to the Great Spirit and it's hard to explain this to other tribes. Why? Even to a non-Indian it would be very difficult for them to understand because of the language also.

We had no name for the Creator. . .

The other tribes they pray direct to the Creator or the Great Spirit, whatever they call it, and the white man his Jehovah, God, he prays direct to him.

Traditional Muscogee people in ancient times had no such prayer and we are the only ones that I can think of that don't have that kind of prayer, because we had no name for the Creator. In ancient times the Creator was called the One Above All. That's the only name that we had and in later years through Christianizing our people, we began to call God in our language. Much further back than Christianity coming to us they had no name for the Creator, it was against the religion of our people to try to picture or try to figure out the Creator.

In the Southeast culture, the belief is in four separate worlds; underneath, surface, water, and the sky. Within the four separate worlds there is no description of a Creator, and so, if I say that creator may be a tree or what we call Above All, maybe a moon or star or the sun or maybe the Earth, it would be hard for you to dispute that. If I stick to my agrument, there's no way you can win. Grab all your books that you can find and you cannot win, because no one has ever saw the Creator, no one has ever saw God. Then again we refer back to Moses, he only saw the shadow of God. What did the shadow look like? Did the shadow look like a human being? Or did it look like an animal? No one knows. So if you have never seen the Creator; if you have never seen God, you can't say that God is not a tree. There is no other way that you can describe the Creator outside this circle. You can't describe the Creator outside the creation, so that is the Muscogee people; no other tribe will talk about this in that way because I've been with them and I've talked about it with them.

There is a belief among other tribes that the Great Spirit is up here somewhere (above). There is the belief in the Christian teaching that God was like me. He had ears and eyes, he is a figure of me because in the Book of Genesis it says so, that we are in His image. So the belief is that there is this big guy up here somewhere which is called God or Creator, but within the ancient beliefs of the Muscogee people there is no such thing. That's why the belief is in the four separate worlds and what makes the four separate worlds is that there is life underneath and we have stories like the bedtime stories that I was talking about of what took place in early times between the animals underneath and those on the surface. We have stories that tell us what happened in the sky world, the earth, the water, there is life in water, too. What happened between these animals we have these stories and we understand what powers and energies that every part of the creation possess. A tiny blade of grass has powers that the biggest tree doesn't have, a little bitty insect has certain powers that the elephant doesn't have. So in every creation, there is powers and energies there and this is where the Muscogee belief comes that they are medicine people. They are believers in herbs. There's been many different people even in early times trying to explain what the word "Muscogee" means. Everybody fumbled around with that word for years and years, and I was told Muscogee is not a full word, it is only a part of a Creek word and what it really means is those that possess herbs. It was pronounced "Ishekeemusseeoksusske" and of course, white man can't say that, so "Muscogee" is easier, so Muscogee became our name.

But what the long word means is "people that have tea or herbs" so most of our people were herbal people. They believed in mints, they believed in blackjacks (oak), elm, or whatever, that they have certain powers for certain cures. Not only was it the medicineman that used it, people that were not medicine people, they knew how to use these herbs and the whole, entire Muscogee Nation at one time in speaking their language, even a young person knew something concerning herbs. So, they were herbal people, that's where our name comes from.

The story tells us that at one

time all of the enemies of our people were everything within the creation and man stood alone with no friends. The animals, the birds, and everything was against the human being at one time, and that the only friend they could find was the herbs. The herbs came together and said that we will protect you; we will give you life and take care of you. so, they became friends in early times and they became the Muscogee people. That's where our names come from and there is a cure for everything. Now that we don't have that many medicine people, a cure is within our sight, perhaps, but because of the loss of our customs, loss of our language, we don't know what these cures are. We have to relearn that.I believe that its important because in time to come when I think of the modern technology that has brought about destructive devices, when this civilization comes to an end, how are we to survive again without the knowledge of the herbs? There will be no doctors.I've even looked at Ted Koppel's news not too long ago about the possibility of the Nuclear War. If anything happened in San Francisco or New York or wherever, there would'nt be enough doctors to take care of these people. If this is true, someday when this civilization comes to an end and if part of us remained alive, if part of us survive, how do we start life all over again without the knowledge of these herbs, without knowing how to take care of ourselves, since we have become dependent people. If something ever happened, it would be disasterous to everybody that drifted away from that natural way, because almost everyone depend on Safeway stores, super-markets, for their groceries and vegetables. We have become so dependent, it may be better that we die in the nuclear war, because if we survive we are not going to survive very long anyway because we do not know how.

. . .when this civilization comes to an end. . . they will say "This used to be Okemah". . .

I think it is important that we really understand our culture because all civilizations have come to an end at one time or another, history tells us that. Mayan civilization came to an end.

People go down to Central America and look at the walls there, how it was put together; they say that this was the old Aztec temple. This is the old city of the Mayans. The old ruins are there, tourist people go down there, millions of them go down there every year. And, when this civilization comes to an end, perhaps, tourist people will come through here and say "this used to be Okemah. This used to be Mason." Nothing prevents a civilization from coming to an end.

The loss of language was predicted years ago. . . the neglect of the ceremonial grounds was also told. . .

There are many prophecies that was told to our people. All these prophecies have been lost. They have these stories of where they come from and how they are going to end and what's going to happen. All these, many of them, were never recorded. Maybe just a few was recorded. The loss of language was predicted years ago. The neglect of the ceremonial grounds was also told and so all these have been lost in our tribe here.

I thing a lot about these things. Sometimes it makes me wonder how many of our people will be destroyed? How many of them will be lost forever? I keep looking around. I keep a thinking and I hope that I'm not the only Indian left because of knowing this. We may look like Indians, we have the color of an Indian, but what are we thinking? What are we doing to our own children who are losing their language, their own ways.

I sometimes think that even within the government, there's an all-out effort to lose Mr. Indian. Even Reagan, his new Federalism or whatever it is, it means cutting off all the funding from the Indian people. There's two new bills in there right now that's going to do that, unless something is done about it. All these programs that are being cut off, it may not effect me that much, but it's going to hurt a lot of my people. But on the other hand, what's our people acting like? What are they doing? Are they still trying to be Indians or are they just benefit Indians, a three-day Indian, a clinic Indian, or BIA-school Indian, what kind of Indians are we?

It makes me think about that and sometimes I think that one of these days we are going to find in our mail box, an application to fill out to be an Indian. Are you an Indian? Yes. How do you know? I've got a roll number. Do you speak your language? Probably be a lot of them that will be "No." Did you go to ceremonies? "No." Can you sing? "No." What makes you an Indian?

I wouldn't be a bit surprised if something similar to that happens, that we will have to answer those questions, each and every one of us someday. Because I feel like the precedent was set in Boston not too long ago when the Matchbe Indians went to court over the land claim in Maine and around that New England states. These Indians were claiming half of Maine and when they went to court,just like I've been saying for five or six years, these things came out. But when this case came up, the judge directed his questions to the leader of the Matchbe Indians and asked him if they have their language. Matchbe Indians don't have their language. They say they don't, just a few words. Do you have Pow-wows? Yes, we have Pow wows. Do you go, he said directing his question at the leader of the Matchbe? Yes, I go. What do you do? I go and watch them have Pow-wow; everytime they go, I'm there. Everything was turned over to the jury. After that, the question comes out - do white people go there? Yes, they go. What do they do? They observe. Turned over to the jury and the jury rules they (Matchbes) are not American Indians. They have been trying to appeal that case all this time, but I don't know if they're going to gain anything or not. But that's the very thing I've been talking about. It's going to take more than a number to be an Indian. And, those were the questions that came out of this court.

I think that from here on in, we as Muscogee people maybe facing the same thing in the future years. So, it is important that we preserve our language, try to know more and more bout our culture. If that man would have said, "I beat on a drum," or "I put on my costume," or "I get out there and I sing with them ," the jury would have something to think about. But they compared him to the whites and they were not any different so that's how come they were losing.

These people up there in the New England states, many of those tribes are not recognized by the government, because they have lost it. We have some in Louisiana, Cossadi Indians, that our part of our people, too, and they were never recognized by the government. They can even speak their language. those people down there, but they are not recognized. So I believe that we have something like that in store for us, too. I've always wanted to see some kind of cultural revival among our people here.

I let them know, there is no failure in life. . . until you try to be somebody else. . .

Many times when speaking to universities and colleges where there is a lot of Indian students, I let them know there is no failure in life, until you try to be somebody else.Any day you practise something that doesn't belong to us, something happens to us. many times we become failures. There is nothing wrong with our culture. There is nothing wrong with our tradition, even though there has been efforts made as I said to lose Mr. Indian. I still think that the pride that will come back to a race of people will prove that they once had a perfect life. We are proud people or should be proud people.

So far, we haven't built an Indian city, so far we haven't seen an Indian judge, we don't even see a jury, hardly ever see an Indian on a jury. We're very short on Indian lawyers. We're behind, but what's happened to us? Many of us, we have a problem,alcohol, suicide. All this is a problem among nationwide Indians. We too have it right here in our Muscogee people. What happened to us? How come someone wants to kill himself? Not only a Muscogee person, but anybody. Why does one want to take his own life? Because he is not happy in life That's why people committ suicide and that's whats happening to our people, too. We have many, many young people who have taken their lives and it still goes on. We're in trouble all the time.

We are the only people that lived without prisons and jailhouses. There is no evidence of them in our history until very late. Not more than 70 years ago, we had our own court system. People were convicted to die and if it was determined that he would die or be shot there in the old courthouse, in the yard there at the tree, we didn't have to stick them in jail.Our people are honest, they are true people. So the judge would allow this man to go home, take care of his business. He would go home, make provision for his family, do everything he could within 30 days, had feast and dinner with relatives and at the end of 30 days, he came up to the old courthouse there, riding on his horse to be shot and killed in front of that tree there.

Today our young people are the first chance. They are going to run from the police and if their let free to go somewhere and come back, many don't ever appear, they jump bond. But in the old days, they knew their tradition.

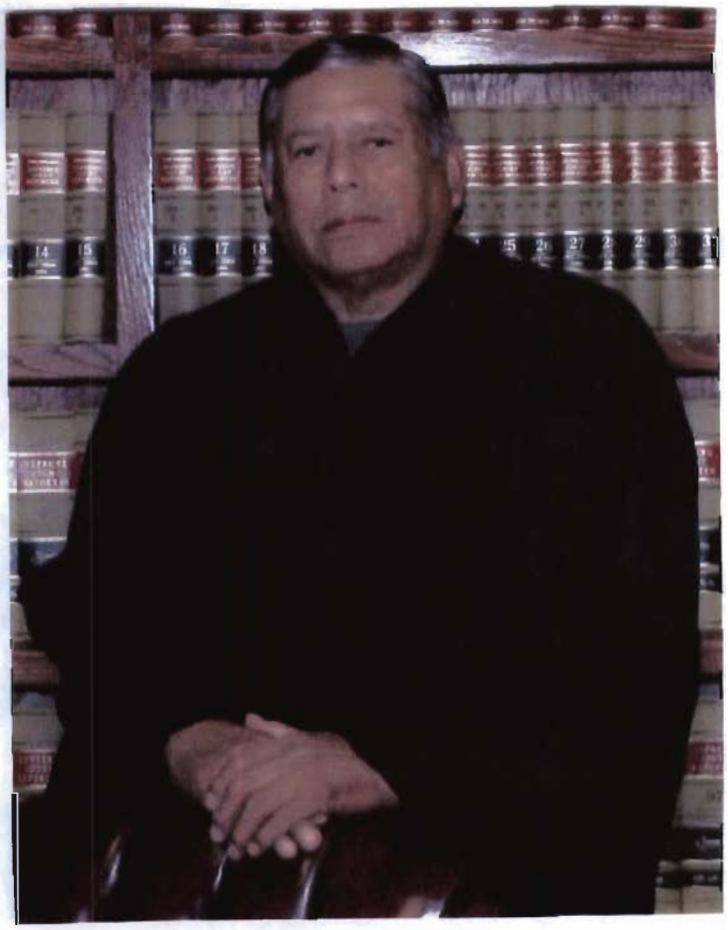
LIVING LEGENDS

This Creek Citizen was born February 27, 1943. He married Royce, together they are currently residents of Bristow, OK. He attended Olive Public School, Technical School in Amarillo, TX and Washburn University in Topeka, KS.

He was appointed and confirmed to the Muscogee (Creek) Nation Supreme Court on July 25, 1992. He is now in this 13th year as a Supreme Court Justice, during which he served twice as Chief Justice and served on the Lighthorse Commission. He brought to the Supreme Court an understanding of traditional customary law of the Muscogee and Yuchi people which is absolutely necessary for the courts. He also served as special counselor for the District Court in hearing of a tribal town dispute, which was conducted in our native language. He was an active participant in the Harjo v. Kleppe Civil Action. He was a faculty member and panelist on the Preservation of Native American Languages panel for the Sovereignty Symposium XI. He served in the United States Air Force from 1963-1967 and is a member of the Veterans of Foreign Wars. He is a member of the National American Indian Court Judges Association and charter member of the Oklahoma Indian Judges Association.

He was instrumental in the development of the 1979 Constitution, including explanation to traditional citizens in the Mvskoke language throughout the Nation. He reads, writes, and speaks the Mvskoke language. He is currently very active in the Muscogee (Creek) Nation Tribal College at OSU-Okmulgee.

This man is Justice Amos McNac.



This Creek Citizen was born March 10, 1911 in Henryetta, OK to Louisiana Sloan Randall and Timmie Randall. She was raised in the Wilson Community area of Okmulgee County, Oklahoma. She is of the Wind Clan and of the Kialegee Tribal Town. She married Clemon Gilroy in 1935, they raised three daughters and two sons.

She attended school at Eufaula Boarding School, Eufaula, OK; Dwight Mission, Marble City, OK thru 8th grade. In the late 70's she received her high school equivalency, GED.

She came to work for Muscogee (Creek) Nation in 1975 until around 1992 when she retired at the age of 75. During her employment with Creek Nation she devoted many years in teaching basket and rug weaving, pottery making, and bead artistry throughout the Creek Communities and even at the Tulsa Junior College. She participated many years in the Creek Nation Festival and she was an active member of the Creek Nation Rodeo Club. In 1985, she was honored as the "Person of the Year", during the Annual Pecan Festival and Creek Nation Festival Parade in Okmulgee, OK. She was featured in a book published by Shirlee P. Newman, "THE CREEK". She is also the Head Woman's Leader at Randall Indian Baptist Church, formerly known as Randall Mission, which is located on the Randall allotment.

This woman is Hepsey Randall Gilroy.

This Creek Citizen was raised on the family allotment in the Morris area. His parents were the late John and Della Fox Beaver. He is of the Deer Clan and of the Weogufkee Tribal Town. He later married Mariam Bruner Beaver. The raised 4 children.

He attended and graduated from Morris Public Schools, in 1957. He also received a Master's in Education from Northeastern State University and Bachelor's of Science in Mathematics from Central State University. He later attended and continued his athletic career at Northeast Louisana State then to the Green Bay Packers under legendary coach Vince Lombardi during the 1960's, he also had a free agent contract with Greenbay Packers. He was inducted into the Northeast Louisana Hall of Fame, in May 1998, and is a nominee to the Indian Hall of Fame. He was head football coach at the Jenks High School for 25 years and the Indian Education Director for the Jenks Public School System. He retired as educator in 1991, a recipient of the Oklahoma Coaches Association's Region Football Coach of the Year and the Tulsa World's Football Coach of the Year award. He is member of the Oklahoma High School Coaches Hall of Fame, American Indian Athletics, and Murray State College.

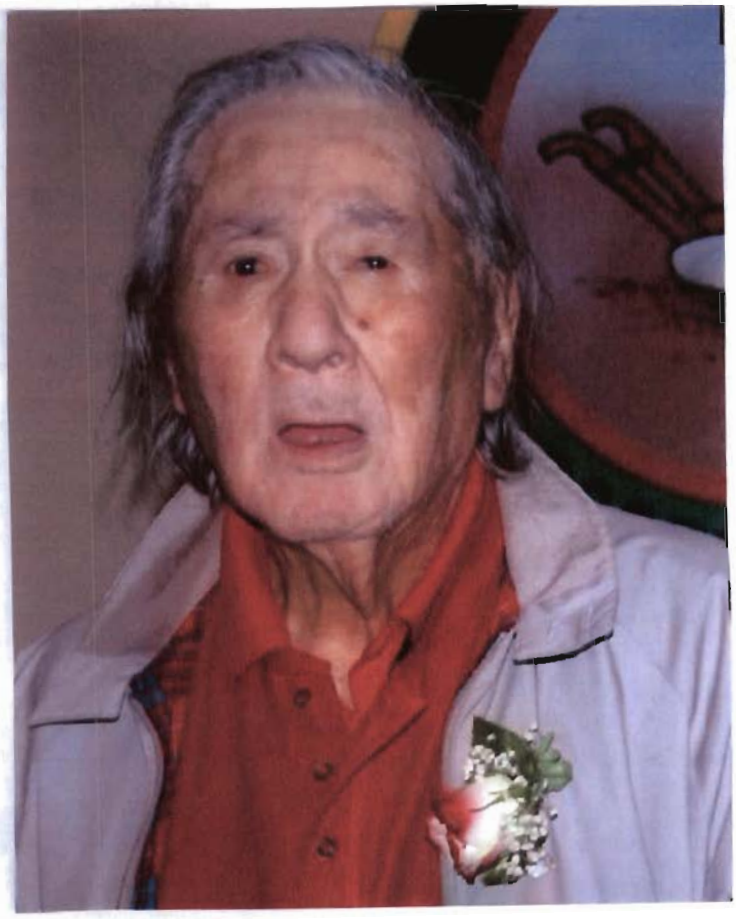
Among all other accomplishments he served as a Tulsa District Representative to the Muscogee (Creek) Nation National Council for two terms. He also served two terms as the Second Chief of the Muscogee (Creek) Nation. Later to serve two terms as Principal Chief of the Muscogee (Creek) Nation.

This man is R. Perry Beaver.

This Creek Citizen was born March 16, 1921 in Holdenville, OK to Martha Berryhill and Thomas Long. He was raised in the Salt Creek Church area of Hughes County, Oklahoma. He is of the Wotko (raccoon) Clan and of the Tukabatchie Tribal Town. He grew up in both traditional and Christian cultures of the Muscogee tribe. He later married Mulsey Tarpalechee in 1947 and they raised four boys and two girls.

He received a baseball scholarship to attend Southeastern State University in Durant, OK. He enlisted in the United States Marine Corp in August 1942 serving in the Pacific Theater of World War II. In 1949, he became a licensed minister. He has been a much requested and admired speaker and panelist at various events across the nation. Muscogee (Creek) Nation has called upon Rev. Long many times for several different ceremonies.

Fluent in his first language, Muscogee Creek, singing of Creek Hymns is an inspiration to people of all languages. Well known from all walks of life, in all parts of the country, there are many stories to tell, smiles and memories of lives that have been touched and influenced by this man. Among some of these recognitions he was inducted by Kiowa brothers of Carnegie into the Native American Marine Corps Veteran's Association. He was introduced, at the Gathering of Leadership of Oklahoma Candidates, as a National Treasure. This May, the President of Bacon College honored this man with an Honorary Degree presenting him a Doctorate of Humane Letters.

Reverend Long also serves as Chaplain of the Muscogee Indian Community in Muskogee, OK.

This man is Reverend Harry Long.