

THE FRONTIER THESIS APPLIED
TO THE CHOCTAW TRIBE OF
INDIANS, 1830-1850

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PREFACE

In 1893 Frederick Jackson Turner introduced his frontier thesis that has since been both widely acclaimed and severly criticized. It is not the intent of this paper either to attempt to validate, or dispute, any portion of Turner's essay. It is, instead, merely an attempt to evaluate the Choctaw Indians using the same unit of measurement as that applied to the white pioneers. For this exercise I chose to use only those arguments presented in the original thesis rather than merge them with the extensions and clarifications presented in Turner's subsequent essays.

There are various documents and materials that are edited to exclude information not relevent to the Choctaws. Those changes relate only to the Chickasaw Indians, which were included in the laws and constitutions of the Choctaw Nation after 1838. An example of such a modification would lie in references to the Chickasaw District. The constitutions stipulate that the chiefs of the four districts act as the executive branch of government. However, in this paper the fourth chief, or other Chickasaw officers, are mentioned only to insure accuracy, such as the veto and override powers of the departments. In those instances that do not require the Chickasaw presence, I

will exclude them and refer only to the Choctaws. Therefore, at times the reader may note differences in the number of offices, or officers, within the government. Those references that in any way might affect the intent of the document remain intact.

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CHAPTER I

INTRODUCTION

On 12 July 1893, Frederick Jackson Turner presented an essay entitled "The Significance of the Frontier in American History" at a meeting of the American Historical Association held at the World's Columbian Exposition in Chicago, Illinois. His thesis argued that the primitive frontier conditions required the migrating Euro-American either to adapt, or to develop anew, institutions to satisfy their needs that so differed from that of the established East. Those ensuing processes brought about: a composite nationality, a decreased dependence on England, the evolution of political institutions, and the promotion of democracy that came to fruition during the Andrew Jackson administration.¹

To explain his conclusions, Turner examined the frontier in its successive stages beginning with the seventeenth century frontiersman on the Eastern seaboard. He then traced the westward progressing frontier as it crossed the Appalachian Mountains, entered the Northwest Territories, and ended with the closing of the final frontier in 1890. While Turner also explained that the frontier extended westward in the southern sections and in-

cluded, or encompassed, Indian lands, he mentioned the South but briefly.

Why he devoted such superficial attention to that area was not entirely evident. One reason may have been the effects of slavery on the Americanization processes. Slavery precluded those areas from the marked democratic progress exhibited in the free regions of the West. A second, and more likely reason may have been that Indians inhabited that area. In his arguments, Turner claimed that part of the frontier experience devolved from dealing with the natives, either through warfare or peaceful negotiations. Further, as Robert F. Berkhofer, Jr. described in The White Man's Indian, Turner possibly viewed all the Native Americans as uncivilized, regardless of the tribe. In addition, those tribes that had lived the frontier life for centuries could hardly have been affected substantially by the presence of the white man's frontier. Henceforth, the Indians were not an applicable factor in Turner's formula.²

However, as the frontier crossed the Mississippi River, about 1830, so too did various tribes in the elemental stages of assuming white civilized characteristics. Of primary importance among these were the Five Civilized Tribes -- Cherokee, Chickasaw, Choctaw, Creek, and Seminole Indians. Upon those people, who were rapidly affecting those white traits in the East, the untamed wilds of the West must surely have had an impact. Therefore, the

question poses itself -- could the frontier have had the same, or relative, impact on the Native American? More specifically, what was the impact of the frontier experience on the Choctaw Indians, whose tribal lands placed them on the forefront of the southwestern frontier?

Turner described the frontier as "the meeting point between savagery and civilization."³ He explained that that phrase meant settled versus unsettled lands based on per-capita density. As Turner did not include the Indians, the implication could be made that as the natives had not "settled" the lands they were both savages and uncivilized. The 1830 Choctaw Tribe of Indians could not be placed adequately in either a savage or civilized category, but rather somewhere between the two extremes. They were no longer the aborigine with few accretions of civilization, nor even that of the 1820 Choctaw. As Grant Foreman indicated in his treatment of them in The Five Civilized Tribes, those Indians were not simply semi-naked natives roaming the forests, but a steadily advancing people.⁴

The Choctaws of 1830 could easily be compared to other frontiersmen. In Turner's opinion, the white man, upon entering the remote areas, regressed in civilization due to primitive conditions, then developed new attributes of civilization, and later advanced with new or modified institutions.⁵ The Choctaws, when faced with removal, expressed a fear that in the wilderness west of the

Mississippi River they would lose what advances they had thus far attained. And, like others, they reverted for a few years until they recovered from those comparable primitive conditions. Within a decade the Choctaws regained their former level of civilization and began developing a remarkably sophisticated society. That regressive, or retarded, period followed by an era of advancement was most notable in the Choctaw educational endeavors.

There were, of course, basic differences between the natives and the white pioneer of Turner's study. Nonetheless, with minor changes in terminology, certain similarities become obvious. One of these was the term "England" as employed by Turner. To render his argument of decreased dependence applicable to the Choctaws, refer instead to the United States as opposed to England. Another difference concerns the development of a composite nationality. That process occurred when people either discarded, or adapted, the cultural characteristics of their origins. For the white man, that meant his European country or the Eastern seaboard with its European connections. For the Choctaws, who had no cultural attachments to the United States, it was the strong tribal ancestry associated with Mississippi.

If, then, the white pioneer and the Choctaw Indian could be approximately equated, should not the effects of the frontier on both be somewhat equal? If so, would not the Choctaws have exhibited similar developmental

tendencies as their white counterparts? And, if that were true, should not the Choctaws receive recognition in extending the southwest frontier and contributing to the history of American westward migration?

An evaluation of the Choctaw Nation should reveal an answer to those questions. The fields of educational endeavors and systems of government deserve special examination. Both of those valuable institutions had their origins in the East but were still in rudimentary stages when transferred to the West. There they developed more completely under primitive conditions and that frontier effect should, therefore, be the most evident. Further evaluation of the Choctaw Nation should expose those Turnerian precepts of a "formation of a composite nationality," a decreased dependence on the United States, an effect on federal legislation, and the promotion of democracy.⁶

CHAPTER NOTES

¹Frederick Jackson Turner, The Frontier in American History, with a foreword by Ray Allen Billington (New York: Holt, Rinehart and Winston, Inc., 1962), 1-2, 22-29.

²Robert F. Berkhofer, Jr., The White Man's Indian (New York: Vintage Books, 1979), 23.

³Turner, The Frontier, 3.

⁴Grant Foreman, The Five Civilized Tribes (Norman: University of Oklahoma Press, 1934), Preface, 17.

⁵Turner, The Frontier, 2.

⁶Ibid., 22.

CHAPTER II

EDUCATIONAL ENDEAVORS

One indication of a democratic society was the availability of education to all its members. The Choctaw efforts were initially restricted due to limited facilities and resources but were later expanded to accommodate as many of their youths as possible. In that process they displayed a decreasing dependence and a greater self-reliance than what Turner attributed to the white frontiersmen. The Choctaws also developed a degree of United States nationalism to combine with that of their own tribal identity. In addition, the remoteness of the Choctaw Nation West motivated them to develop a school system that rivaled any in white communities in the frontier regions.

Originally, the tribe depended upon the federal government, at least partially, in developing schools. Congress, in March, 1819, approved the Civilization Fund Act appropriating annually ten thousand dollars to finance educational opportunities for the Indians.¹ Of that amount the Choctaws were allocated one thousand dollars per school year.²

Before then, the tribe relied upon missionary societies to furnish teachers. The American Board of Commis-

sioners for Foreign Missions (A.B.C.F.M.) in 1818 appointed the Reverend Cyrus Kingsbury to establish the first school in the Choctaw Nation. Cyrus Byington, Loring S. Williams, and Alfred Wright soon followed Kingsbury into the Choctaw Nation in Mississippi.³

The missionaries began their work using both federal funds and those provided through their own organization. Initially, the tribe had requested only three schools, one for each of the nation's districts. However, it soon became apparent that three establishments would not satisfy the demands of the parents and more schools were, therefore necessary. In acknowledgement of that demand, Choctaw leadership appropriated annually five thousand dollars of their annuities to support the schools.⁴ While that money might be regarded as government largess, it nonetheless belonged to the Choctaws as payment for previous land cessions and, as such, indicated a degree of Choctaw independence.

Treaties in the upcoming years provided the Choctaws with additional funds with which to educate their children. The Treaty of Doak's Stand in 1820 exchanged tribal lands in Mississippi for approximately thirteen million acres in the West.⁵ A stated primary object of the treaty involved the establishment of schools. Article Seven addressed that claim by setting aside "fifty-four sections of one mile square" of the ceded Mississippi lands. The funds derived from the sale of those sections sup-

ported schools in the Eastern and Western Choctaw Nations.⁶

The 1825 treaty proved even more valuable to future Choctaw educational endeavors. The 1820 treaty had included an area in present-day Arkansas already inhabited by white settlers. Therefore, the boundary established by the Doak's Stand treaty needed adjustment. Article Two of the subsequent treaty required payments to the Choctaw Nation amounting to "six thousand dollars annually, forever." That money, in the first twenty years, was intended to support Choctaw schools where the people could receive "instruction in the mechanic and ordinary arts of life." At the end of that specified period, the money could be "invested in stocks, or otherwise disposed of, or continued, at the option of the Choctaw Nation."⁷ The Choctaw leadership decided to continue its use for education.

With money from treaties and voluntary appropriations, the missionaries began to expand the school system. By 1824 there were eight schools with an enrollment of about 200 pupils.⁸ In 1829, just prior to removal, the nation had eight schools with an A.B.C.F.M. staff and an unspecified number of local schools administered by native teachers. At least 296 students attended that year.⁹

In 1833 the American Board's annual minutes reported the summary of educational efforts in the Choctaw Nation East. Some 2,500 students had attended the many schools

and an estimated 1,000 of these had "acquired an education which [would] enable them to read intelligently in the Choctaw and English languages, and to transact the common business of life." Additionally, the summary indicated a development of Choctaw independence and self-reliance. Of the one hundred and forty thousand dollars expended for education, the Choctaws had supplied sixty thousand dollars. The A.B.C.F.M. contributed sixty thousand dollars as well, while the federal government's share amounted only to twenty thousand.¹⁰

The sums did not include the expenditures for the males of the tribe who had attended the Choctaw Academy. In 1825 leading man Peter P. Pitchlynn, among others, had recognized the need for a higher degree of education than that received in the nation's schools. To that end, the leaders decided to send their qualified young men outside the Indian country to advance themselves. The tribal leaders appropriated three hundred dollars per youth to attend an academy established by Colonel Robert M. Johnson at Blue Springs, Kentucky. In November, 1825, 54 young men had been selected and transported to that school. In subsequent years an average of nearly 100 boys would attend that institution.¹¹

The Choctaw Academy, as it became known because of the predominant Choctaw financial support, served the needs of the nation in two distinct ways. First, its advanced curriculum prepared the youths for careers as doc-

tors, lawyers, other needed professionals, and future leaders of the Choctaw Nation; Pitchlynn himself attended the school briefly in 1827. Second, prompted by the remoteness of the Western Nation, it contributed further to the nation's independence.¹²

In 1830, the Choctaws signed their removal treaty at Dancing Rabbit Creek and began the frontier phase so important to Turner's thesis. They did not migrate individually, or willingly, as did the white man in search of opportunity; the majority of the tribe, however, shortly found themselves on the frontier. There they encountered an environment most of the tribal members found unfamiliar. Their first priority was acquiring the food and shelter necessary for survival. All other vestiges of civilization were ignored for the present. In that early period the Choctaws experienced the same regression that Turner ascribed to his white frontiersmen. Cyrus Byington noted, as late as 1837, that "[t]he Choctaws are not so industrious as they were."¹³ Despite the ill effects of removal, something positive resulted; the Choctaws, through their treaties, became virtually independent of the federal government in their educational system.

Tribal leaders had feared the unknown; they requested missionaries to accompany the migration. Choctaw David Folsom explained to the A.B.C.F.M. that "unless you do something for us beyond the great river Mississippi, we shall be in a distressed situation." He further described

the Choctaw migration as a "return to the wild woods."¹⁴ With funds guaranteed in the 1830 removal document, as well as the previous treaties, the American Board agreed with the request and designated Loring S. Williams and Alfred Wright to accompany the Choctaws. Cyrus Kingsbury and Cyrus Byington would migrate as well, as soon as they had completed the Board's business in the Eastern Nation.¹⁵

Therefore, and unlike the white settlers, the Choctaws did not have to await the arrival of an advanced stage of civilization, according to Turner's thesis, to continue the education of their children. However, the lack of facilities and poor traveling conditions in the initial years in the West prevented the Indians from sustaining the same level of participation as in the East. In that respect the tribe more nearly resembled the white pioneer in a period of stagnation.

The first of the schools in the West opened on 24 July 1832. Mrs. Alfred Wright taught 25 students for a short duration before illness and a lack of facilities forced a cancellation of the classes. In 1832 and 1833 the Reverend Williams supervised three schools with Choctaw teachers administering to about 90 pupils. Illnesses and deaths, however, prevented those schools from maintaining steady enrollments.¹⁶

Widespread sickness kept most of the schools closed for the following year-and-a-half. Generally good health

returned to the nation in 1835 and 150 pupils attended the 7 schools then in operation.¹⁷ Those numbers increased to 13 schools, 21 teachers (of whom 6 were Choctaws), and an average enrollment of 240 students by the end of 1836.¹⁸ Those numbers then remained nearly the same through 1842 -- still below that of the last years in Mississippi.¹⁹

The year 1842 began a period of great change in the Western Choctaw Nation. Most of the tribe had been in the West for about ten years and had resumed stable lives. They began to feel more assured of the future through their efforts in reestablishing homes and communities. Their homeland was no longer an untamed wilderness but one equal to Mississippi prior to migration. The tribe, therefore, proceeded to advance beyond their previous stage and into one that exhibited a greater degree of self-reliance and more democratic tendencies.

The Mississippi Choctaws had perceived an educated youth as a potential protector of tribal rights in the future. Some of the events of the 1820s and 1830s proved that assumption false and, thereby, disillusioned many of the Indians on the value of schooling. There were others who had been school children during those years and were now the leaders and parents of the 1840s. Those people wanted an education for their children not just as future safeguards, but as a necessity in an increasingly white world. They also realized they could best achieve

those ends through secondary and higher education.

Heretofore, the Choctaws had relied primarily upon the Choctaw Academy to supply that need, and it had been remarkably successful. Its advanced curriculum offered history, algebra, astronomy, bookkeeping, natural and moral philosophy, and surveying.²⁰ In 1833 Commissioner of Indian Affairs Elbert Herring, in praise of the academy, stated:

Highly creditable mention, at different times, has hitherto been made of this institution, which, in continuing its usefulness, maintains the reputation it has acquired, and warrents the belief that the provision for its support could not have been more advantageously appropriated. 21

However, as the only source of secondary education available to the Choctaws, other than parents using their private funds, the school had major disadvantages: first, the academy could accept only a relatively few boys; second, there was no provision for the girls; third, it was remote from the Choctaw Nation, especially after removal; and finally, Peter Pitchlynn became an early critic of the academy.

Pitchlynn began his attacks on the institution in 1828 reporting poor treatment of the students. He charged, among other things, that the food was of inferior quality. Worse, it was served by insolent Negroes. The academy also furnished "insufficient lodging and inadequate bedclothes."²² That attack was but the first and

contributed to future tribal dissatisfaction that intensified in the Western Nation as the parents missed their children. Those feelings culminated, in 1840, with the Choctaw chiefs informing their agent, Major William F. Armstrong, that they would not send any more of the tribe's young men to the academy.²³ In the spring of 1842, Pitchlynn withdrew the remaining Choctaw boys.²⁴

Pitchlynn was actually an advocate of education for his people, but he wanted the schools located in the nation. In an address to the Choctaw council on 7 August 1841, he claimed the money being expended on the academy was wasted. In support of that claim, Pitchlynn stated the young men were unable to receive full educational advantage in an atmosphere that had "been poisoned by outside influences" -- those being the white people in distant Kentucky. He then urged that the council establish schools, oversee them, and supervise their own educational funds. According to Pitchlynn, the tribe had raised their level of civilization and were capable of performing those tasks for themselves and, in the process, keep the white man out of Indian affairs.²⁵

The council agreed with Pitchlynn and on 29 November 1842, enacted a school bill providing for the establishment of academies within the nation. The school system became the pride of the Choctaw people. To satisfy tribal needs to the extent possible, the council proposed the establishment of two male academies, Spencer and

Fort Coffee, and four female seminaries, Chuwala, Iyanubbee, Koonsha, and Wheelock. A proposal to establish another girls school, Naniwaya, was not included in the final legislation signed by chiefs James Fletcher, Isaac Folsom, and Nathaniel Folsom. To fund the schools, the council appropriated annually \$22,800 using the money and interest generated from the 1820, 1825, and 1837 treaties. According to the various treaty stipulations, the money, and any interest derived, could be used at the discretion of the council as they deemed proper. Rather than pay individuals an annuity, which might then be squandered, the council invested in the tribe's future.²⁶

The Choctaws created a board of trustees, with Pitchlynn as president, to oversee the schools. The trustees placed Fort Coffee under the care of the Methodist Episcopal Church and the A.B.C.F.M. controlled Chuwala, Iyanubbee, Koonsha, and Wheelock.²⁷ Armstrong Academy, not provided for in the 1842 law but later added, was entrusted to the American Indian Mission Association of Louisville, Kentucky.²⁸ In an effort to prove their abilities and further their independence, the tribe chose to retain management of Spencer -- Pitchlynn's "pet school." That experiment proved a failure and on 4 March 1845, Isaac Folsom reported Spencer in a bad condition. Later that year, on 7 October, the trustees relinquished the institution to the Presbyterian Board of Foreign Missions (F.B.F.M.).²⁹

The individual schools were placed into operation as soon as accommodations permitted. Wheelock, in Apuckshenubbee District, was the first on 1 May 1843, needing only upgrading from its missionary school level. Superintendent Alfred Wright began that term with 24 girls.³⁰ On 1 February 1844, Edmund McKinney, the Choctaw superintendent, admitted 57 students to Spencer Academy, also located in Apuckshenubbee District.³¹ The Fort Coffee establishment was designed as both a male academy and female seminary. The male portion, supervised by Henry C. Benson, had 30 boys in attendance on 9 February 1844. New Hope, the female seminary operated by Dr. and Mrs. E.G. Meek, was not ready until the fall of 1846. Those were the only two such institutions in the sparsely populated Mushulatubbee District.³² Mary C. Dickerson and Cyrus Kingsbury were in charge of Chuwala in the Apuckshenubbee District. They began operation on 1 March 1844 with 33 boarding students and 2 day-status (non-boarding) girls.³³ In the Pushmataha District, superintendent Ramsey D. Potts and teacher P.P. Brown admitted their first students to Armstrong Academy on 2 December 1845.³⁴ Koonsha, at Goodwater and also in the Pushmataha District, began as a mission school in 1844 and was upgraded to provide girls with a secondary education on 16 November 1852.³⁵ Cyrus Byington supervised Iyanubbee Seminary in the Apuckshenubbee District, which also began as a missionary school. He reported 31 boarding scholars and 10 day-

status students on its opening day as an institution of higher learning on 26 January 1853.³⁶

Those schools invigorated a languishing Choctaw interest in education. By 1850, 528 students attended either the local elementary schools or the nation's new boarding schools.³⁷ However, as the school system expanded so too did the number of requests from parents to admit their sons and daughters to those advanced educational facilities. With their own schools located on their own lands the desire increased for the further education of their children. As a consequence, applications exceeded the capacities of the schools. To the trustees fell the unenviable task of choosing from among the many applicants, those best qualified to attend.

In that selection process the Choctaw leaders demonstrated their commitment to a democratic ideal. By the 1840s, tribal leadership was dominated by mixed-bloods. They had, from the inception of educational facilities, slowly come to the forefront in tribal politics. Using their political influence those men could have established a ruling elite by limiting educational opportunities to their offspring or relations -- but they did not. To be sure, each school term had enrolled a Pitchlynn, Folsom, LeFlore, or other notable. However, the trustees did not exclude the fullbloods. Henry Benson, of Fort Coffee, presented evidence of that presence when describing the rituals of admitting students. His first task was in

washing and clothing the children. His next was in assigning English names to the young men, and he, more so than many others, took into account Choctaw sensibilities. Whenever possible, the person's Indian name was retained and adopted as a surname. That method enabled the full-blood children to maintain an Indian identity but with an Anglicized and pronounceable name.³⁸

The council itself insured that the less privileged would not be neglected. The 1842 school act made provision for that portion of Choctaw society. Section Seven required that one-tenth of the boarding school's available positions be allocated to the orphans of the tribe, provided that number applied.³⁹ A greater indication of the leader's care and concern for those needing an education related to deaf and dumb Tecumseh McCann. Without proper instruction it was unlikely that McCann would become a contributing member to Choctaw society. To that end, on 10 November 1852, the council passed an act in his behalf. The law provided the funds necessary for his education and included amounts for clothing and transportation to an institution in the East where McCann could receive training.⁴⁰

In less than twenty years on the frontier the Choctaws had developed a remarkable system of education. And the people were proud indeed of their schools, as well they should have been. Not only did the system compare favorably with white communities, according to various

missionaries, it was their own creation which they funded themselves, and it catered to all classes of Choctaw society within its limited capacities. Further, it was a symbol of their desired independence and upheld the highest democratic principles. Perhaps its one detraction, from the Indian point of view, was that it taught them an American way of life. In so doing, the Choctaws began to lose much of their Indian characteristics and tribal identity.

CHAPTER NOTES

¹Francis Paul Prucha, ed., Documents of United States Indian Policy (Lincoln: University of Nebraska Press, 1975), 33.

²Jedidiah Morse, A Report to the Secretary of War of the United States, On Indian Affairs, Comprising a Narrative of a Tour (Washington, D.C.: Davis & Force, 1822), 293.

³The Panoplist and Missionary Herald for the Year 1820 (Boston: Crocker & Brewster, 1820), vol. 16, 79.

⁴Ibid., 81.

⁵W. David Baird, Peter Pitchlynn: Chief of the Choctaws (Norman: University of Oklahoma Press, 1972), 16.

⁶Charles J. Kappler, ed., Laws and Treaties, vol. 2 (Treaties) (Washington: Government Printing Office, 1904), 191-94.

⁷Ibid., 211.

⁸The Missionary Herald, Containing the Proceedings at Large of the American Board of Commissioners for Foreign Missions; With a General View of Other Benevolent Operations for the Year (annual) (Boston: Crocker & Brewster, 1825), vol. 21, 3-4.

⁹Ibid., vol. 26, 11-12.

¹⁰Ibid., vol. 29, 24.

¹¹Baird, Peter Pitchlynn, 23-24; United States Commissioner of Indian Affairs, Annual Reports, 1825-1857 (Washington: Microcard Editions, n.d.), 1825, 509. (Hereafter, Annual Reports).

¹²Baird, Peter Pitchlynn, 27.

¹³Missionary Herald, vol. 34, 445.

¹⁴Ibid., vol. 27, 284-85.

¹⁵Ibid., vol. 28, 28.

¹⁶Ibid., vol. 29, 205-07, 465.

¹⁷Ibid., vol. 32, 23.

¹⁸Ibid., vol. 33, 22.

¹⁹Ibid., vol. 39, 14.

²⁰Herman J. Viola, Thomas L. McKenney: Architect of America's Early Indian Policy 1816-1830 (Chicago: The Swallow Press, Inc., 1974), 189.

²¹Annual Reports, 1833, 183.

²²Baird, Peter Pitchlynn, 31.

²³Foreman, The Five Civilized Tribes, 57.

²⁴Baird, Peter Pitchlynn, 61.

²⁵Peter Pitchlynn, Draft Speech, 7 August 1841, Peter P. Pitchlynn Collection, Thomas Gilcrease Institute of American History and Art, Tulsa, OK. (Hereafter, Pitchlynn Collection, GI.).

²⁶Act of Choctaw Council, 29 November 1842, American Indian Correspondence; The Presbyterian Historical Society, Collection of Missionaries' Letters, 1833-1893 (Westport, CN: Greenwood Press Microform Dept., 1978), box 9. (Hereafter, AIC).

²⁷The Constitution and Laws of the Choctaw Nation (Park Hill, Cherokee Nation: Mission Press, 1847; reprint, Wilmington, DE: Scholarly Resources, Inc., 1975), 39. (Hereafter, 1842 Constitution).

²⁸Foreman, The Five Civilized Tribes, 70.

²⁹Act of Choctaw Council, 7 October 1845, AIC.

³⁰Alfred Wright to Peter Pitchlynn, LS, 20 April 1843, Pitchlynn Collection, GI.

³¹Edmund McKinney to Peter Pitchlynn, LS, 25 September 1844, Pitchlynn Collection, GI.

³²Henry C. Benson, A.M., Life Among the Choctaw Indians and Sketches of the Southwest (Cincinnati: L. Swormstedt & A. Poe, 1860; reprint, New York: Johnson Reprint Corporation, 1970), 186, 305.

³³Mary Dickerson, School Report, September, 1844, Pitchlynn Collection, GI.

³⁴Foreman, The Five Civilized Tribes, 70.

³⁵Missionary Herald, vol. 49, 306-07.

³⁶Ibid.

³⁷Foreman, The Five Civilized Tribes, 77.

³⁸Benson, Life Among the Choctaw Indians, 186-89.

³⁹The 1842 Constitution, 39.

⁴⁰Choctaw National Records: Letters and Documents Concerning the General Council, Senate and House of Representatives, 1852-1872 (Oklahoma City: Indian Archives Division, Oklahoma Historical Society Microform Publications, n.d.), 10 November 1852.

CHAPTER III

GOVERNMENTAL ADAPTATIONS

An educated populace does not, of itself, make a nation democratic. It does, however, provide the people with both the ideology and prerequisite knowledge to design a form of government responsive and responsible to the individual. Turner proposed that the frontier reduced a complex society into a "primitive organization based on the family" where the emphasis was on individualism. Moreover, the frontier promoted individualism which aided the growth of democracy. The Choctaws used their knowledge to transform their primitive and individualistic organization into a nation with a government based on democratic principles.¹

Prior to their migration to the frontier, the Choctaws employed the traditional tribal chieftain as their form of government. More precisely, three chiefs ruled the nation, each with his own specified district. Additionally, there were sub-chiefs, often with the title of Captain, who controlled a clan or village. A leadership position was not an hereditary office but one bestowed upon the best qualified person. A leader had to earn his reputation and prove his ability to control the tribe, or

his portion of it. Each chief and subordinate then ruled his area independently of the others. Thus, they were dictators but with a developing sense for the common good of the nation in the early 1820s.

An indication of leadership concern stemmed from their actions regarding alcohol and its misuse by many of the tribe. Various Choctaw chiefs had appealed to the English, French, Spanish, and American governments since the mid-eighteenth century for assistance in controlling the introduction of liquor into the Indian lands. The white paternal governments did propose methods to restrict the whiskey traffic but their efforts were largely futile. The tribal chiefs then assumed the task of curtailing the use of alcohol among their people. Chief Mushulatubbee of the Northeast District with the help and encouragement of missionary Cyrus Kingsbury, in 1820 was the first to ban whiskey in his domain. Lesser Chief Red Fort of the Six Towns area issued a similar edict in 1822. Both chiefs claimed that their actions would stop the drinking and subsequent degradation of the people. Their efforts proved no more effective than any of the white government's previous attempts, however.²

Laws intended as beneficial were codified and issued in 1821. Prompted by the influential and educated mixed-blood Joel Nail, Chief Red Fort established a set of laws and prescribed the punishment for failure to obey them. The laws proscribed the theft of livestock, the abandon-

ment of one spouse for another, polygamy, idleness during planting season, and infanticide. Red Fort determined a public whipping of the guilty party as appropriate punishment in most of the above cases. In the instance of infanticide, the first sentencing occurred later that year. A woman had killed her three-day old baby by hitting the child on the head with a pine knot. Both she and her husband were tied to a tree and whipped until they fainted. In Kingsbury's estimation those barbaric forms of punishment were but a prelude to a more civilized system of law.³

In 1820, the form and method of judiciary was based on retribution -- the biblical eye for an eye concept. In the case of murder, the act required the death of the killer or, in some instances, the death of a member of the killer's family as a substitute. Lesser crimes were punished by a number of lashes on the bare back as evidenced through the actions of Red Fort.

The Choctaw system of embodied legal enforcement came through an 1820 treaty stipulation. Article Thirteen of the Doak's Stand Treaty authorized a ten-man Lighthorse team for each of the three districts in the nation. The teams were empowered to uphold the individual chief's laws and to maintain order within their respective territories. They were also given the responsibility to administer punishment for infractions of the chief's laws. The first such body was organized in Chief

Mushulatubbee's Northeast District in 1821. The Choctaws retained this system of law enforcement throughout the period in Mississippi and in the West.⁴

The nation's form of government began its transformation in 1826. On 5 August the council of the Choctaw Nation drafted its first constitution. Although rudimentary, the document created a legislative body and united the nation under a single system of government. The chiefs retained the ultimate power, however. All legislation required their approval before becoming the law of the land. Nonetheless, the national council enacted twenty-two laws pertaining to issues beneficial to the nation and its inhabitants. They included, among others, "theft, murder, infanticide, marriage, polygamy, and the making of wills and settling estates." The effects of education and missionary influence were obvious in those Choctaw efforts.⁵

Each district apparently retained some degree of autonomy, as evidenced by the actions of Chief Greenwood LeFlore in July, 1828. The general council of the Western District enacted a law to abolish the "pole-pulling" burial ceremony. The missionaries viewed the practice as not only a superstitious and heathenish ceremony, but occasions for licentious behavior and alcohol consumption as well. Therefore, the practice was inimical to the religious habits the missionaries were trying to instill in the natives. The religious and educated elem-

ents of that district used their influence with LeFlore to have the practice banned. The law also eroded an aspect of tribal culture in favor of American custom.⁶

Beginning with their first treaty with the United States in 1786 the Choctaws had gradually improved their negotiating skills. One of the tribe's greatest accomplishments occurred at Dancing Rabbit Creek in 1830. While the resultant document was an agreement for the Choctaws to cede their revered Mississippi homelands and migrate to the West, it included a provision for an autonomous nation with attendant self-rule. Article Four, in part, proclaimed:

The government and people of the United States are hereby obliged to secure to the said Choctaw Nation of Red People the jurisdiction and government of all the persons and property that may be within their limits west, so that no Territory or State shall ever have a right to pass laws for the government of the Choctaw Nation of Red People and their descendents ... but the U. S. shall forever secure said Choctaw Nation from, and against, all laws except such as from time to time may be enacted in their own National Councils, not inconsistent with the Constitution, Treaties, and Laws of the United States. 7

Additionally, Article Fifteen agreed to an annual five hundred dollar stipend for a principal chief to act as the single executive, more in the "republican principles" of civilized governments. However, the tribe was not yet prepared to abandon their district chiefs and did not establish that executive position until the 1860 constitutional amendment.⁸

In possession of a territory on the frontier, the Choctaws needed a system of government to transact its business. Accordingly, the Choctaw leaders met in council and drafted a constitution for their new nation. Meeting near Turnbull's Stand on the banks of the Kiamichi River on 3 June 1834, the council adopted a document modeled after that of the State of Mississippi. The instrument first established three districts: Mushulatubbee in the northern section; Pushmataha in the southwest; and Oklafalaya, later renamed Apuckshenubbee, in the southeast. Each district would have a ruling chief elected by the people for a four year term. The three chiefs would serve as the executive branch of the government. The General Council, or legislative body, was unicameral and composed of ten representatives from each of the three districts. Legislation was presented to the executive office which held a veto power with two of the three chiefs deciding against a proposed law. The council could override any veto with a two-thirds vote of its members.⁹

The constitution provided an indication of a maturing and increasingly educated society. The judicial branch consisted of district judges appointed by the respective chiefs. The judges were required to hold court at specified intervals. The constitution contained a provision requiring all laws be published in written form, extended suffrage to males over the age of sixteen,

and included a bill of rights for the individual, albeit, limited.¹⁰

In the first session the General Council enacted laws that were "equally binding on the Nation," and again indicated varied degrees of a civilized society. The first ordinance was protective in nature and proclaimed "that no person or persons shall be permitted to bring any whiskey or other ardent spirits into this Nation." The law extended to the Lighthorse police force the authority to destroy any such liquors found within Choctaw jurisdiction. It also provided the policemen with protection in the performance of their duties. Should any whiskey peddler attempt to use force to stop the police from destroying the illegal liquor and injure or kill a Lighthorseman, the offender would either suffer death or a fine according to the crime. Should the offender be killed, the Lighthorseman in question would be exonerated. That same statute made it incumbent upon the Captains of the districts to aid and assist in keeping whiskey out of the nation.¹¹

Other laws enacted during that first session covered theft, with the punishment determined by twelve jurors; the penalties for claiming to be a witch or for one person to accuse another of having those powers; disposition of the estate of a debtor and the rights of the debtor's family; wills; murders; and the penalty for infanticide; the injury of private property by livestock run-

ning loose; compensation for the General Council and chiefs; and an attempt at crime prevention. Section Thirteen required the Lighthorsemen "to visit all the neighborhoods within their respective districts at least twice a year, and to advise the people to abstain from spirituous liquors, and to keep good order in their neighborhoods."¹²

The second session, held in October, 1835, enacted other ordinances beneficial to the nation and its inhabitants. Section One addressed the issue of unclaimed cattle. It proclaimed any livestock, whose owner was not known, left to pasture with another person's herd for a period of six months would be sold to the highest bidder. Half of the proceeds would go to the person who posted the cattle and the remaining half to the nation as public funds. Section Two notified the public of a change in voting locations and specified the new election grounds. They were "Teyokhala or Standing Pine" in the Oklafalaya District, and Goodground in Mushulatubbee. The council also enacted legislation to protect its citizens from slander and libel. Another law stated the requirements for a lawfully recognized marriage, combined with spousal inheritance upon the death of either spouse.¹³

From the 1834 constitution and with each succeeding council the Choctaw government continually refined its democratic tendencies. The General Council next amended the nation's constitution on 3 October 1838, primarily to

accommodate the arriving Chickasaws, and included some significant modifications. The document divided the powers of government into four branches: the Executive, Legislative, Judicial, and the Military.¹⁴

Article Three outlined the legislative body. The General Council remained unicameral but increased its membership to forty to include the Chickasaw District. However, the more heavily populated Apuckshenubbee District was allocated thirteen representatives while the other three districts had but nine members each. The council was charged with choosing its own officers and determining its rules of conduct together with right of censure of its members. The body was also required to keep a journal of the proceedings and furnish a copy to each of the districts. Additionally, the council was given the power of impeachment of the chiefs and other civil officers in instances of misdemeanor in office.

As in the preceding constitution, the representatives were elected by the people they were to serve. The elections were held annually on the "first Monday of July and the day following." The qualifications included an age minimum of twenty-one, citizenship in the nation, and a resident of the district in which he was chosen. Election proceedings were overseen by the Lighthorse. At the election grounds the candidates were separated and all persons wishing to vote for a particular individual then aligned himself with that candidate. Two or more "judges"

would determine the electors qualifications and proclaim a winner according to the majority vote. In the instances of unfilled seats through death, resignation, or some inability that prevented the elected official from assuming his place in the council, the applicable chief was empowered to appoint a temporary replacement until the next elections were held.¹⁵

The "Supreme Executive Power" was vested in the four district chiefs in accordance with Article Four. It required only two of the chiefs to exercise the duties of office. The chiefs and their "speakers" were elected for four years and could not serve more than two consecutive terms. In the case of death, resignation, or removal from office, the speakers were empowered to order an election the following July to fill the vacancy. The chiefs were required to submit to the General Council a statement on the affairs of their respective districts and make recommendations for improvements. In addition, they were charged with the faithful execution of all laws within their provinces.¹⁶

In the 1830s hostile forces to the west and south menaced the Choctaw Nation. Therefore, the constitution created a Military Department that could be activated in time of war. It consisted of one officer from each district who would serve as General of that area. In the eventuality of war, the executive office would order a general election to determine the commander-in-chief of

all the Choctaw forces. The General Council had the responsibility for announcing the time and place for holding elections for the district officers and in regulating the number of warriors commanded by each Captain.¹⁷

The Judiciary branch received the greatest modernization. Article Five created a "Supreme District Court" and "from one to three Inferior Courts, in each district." The Inferior Courts consisted of but one judge per court. The Supreme District Court was composed of one "Superior District Judge, with one to three Inferior Judges, composed of the Judges of the Inferior Courts." All the judges received their appointments from their chiefs and the General Council determined the times and places for the courts to convene. To conduct its business, the judges of the various courts were empowered to employ the Light-horse to summon and present any person accused of a crime, important witnesses, and the jurymen.

Section Six of that article provided for trial by jury. All trials required "twelve free disinterested citizens of the Choctaw Nation" to serve as jurors. However, twenty-four jurors were required in all capital cases in which life and death were at issue. Whatever the nature, conviction demanded two-thirds of the jurors in concurrence. The defendant then held the right of appeal to the Superior District Court whose decision would be deemed as final.¹⁸

This constitution further expanded the privileges of

the individual. Article One enumerated the "Declaration of Rights." It provided for the equality of all freemen and stated that the political power of the government was "inherent in the people." It secured to them the right to abolish the government if that body was not acting in the best interests of the nation and its inhabitants. The article further extended the freedom of worship and separation of church and state, provided for the protection of private property, and prohibited double jeopardy for the same crime. Each citizen was guaranteed the right of trial by jury and the right to bear arms in self-defense. Section Six outlawed any form of nobility or hereditary positions.

Article Eight contained other individual benefits. Section Two extended the rights and privileges of a citizen in all the nation's districts and Section Seven proclaimed the right of counsel to an accused person to better insure a fair and impartial trial. That provision benefiting the accused was strengthened in October, 1841. The eighth session of the General Council passed an ordinance prohibiting perjury in any court within the Choctaw Nation. It established a fine of between ten and one hundred dollars, combined with a penalty of between five and thirty-nine lashes on the bare back, for that offence.¹⁹

At the time of the adoption of the 1838 constitution, the majority of the Choctaws had lived on the frontier

for six years or less. They were again a settled people and had established a seemingly viable government. There were, apparently, some elements within the nation not entirely satisfied with their government, however. In the late 1840s, the Chickasaws accused the Choctaws with oppression in the form of a lack of representation in the nation's government. That charge may have had its origins about 1840 stemming from the number of representatives in Apuckshenubbee. Additionally, the increasingly educated and sophisticated leaders might have become dissatisfied with their own system and perceived a more progressive method. Certainly, Peter Pitchlynn, as head of the council, desired a change. He had spent the previous years in Washington City and admired the United States's form of government. But, for whatever reason, the leadership amended the nation's constitution in 1842.²⁰

The document resembled more closely that of the federal government's and perhaps was indicative of a developing American nationality. The executive remained a multi-personage position but with one significant difference. The individual chiefs were required to swear an oath of office administered by either a National or Supreme District Judge in the presence of the General Council. The oath was nearly identical to that taken by the President of the United States and demanded that the chiefs uphold their office and protect the constitution of the nation.²¹

The greater modification occurred in the legislative branch, still named the General Council. The constitution established a bicameral congress with both a Senate and House of Representatives. The Senate consisted of three senators from each district elected to two year terms. Senators had to be at least thirty years old, a natural born citizen of the nation, and an inhabitant of the district from which he was chosen. The Senate was directed to choose its own officers, including its president who had no vote unless needed to break a tie on proposed legislation.

The House was comprised of one member for every one thousand in population and no longer depended on district size. The representatives were elected annually and their qualifications remained unchanged. The chiefs retained the responsibility for appointing temporary replacements for seats unfilled in either of the houses.

The General Council was required to have a majority of both houses to constitute a quorum to transact its business. Legislation also required a majority vote in both the Senate and House before being presented to the chiefs. When requested, each member's vote on proposals would be recorded in the journal and supplied to the districts. The General Council continued to hold override and impeachment powers. However, Section Seven required the members sitting for the purpose of impeachment to take an oath or swear an affirmation.²²

The Judicial Department received the more sophisticated changes. The constitution provided for a National, Supreme, and Inferior District Courts. The National Court consisted of the National Judge and the Supreme Judges of the districts. To conduct court required the National Judge with two or more Supreme Judges or any three of the Supreme Judges. The National Court held no original jurisdiction and was the final appellate court of the nation. The court was required to sit during each session of the General Council at Nanihwaiya, the nation's capital. The National Judge had to be at least thirty years of age and a natural born citizen of the nation.

The Supreme District Court was composed of one Superior District Judge and from one to four Inferior Associate Judges of the Inferior Courts. The constitution established an age minimum of twenty-five years for the office of Supreme District Judge. The judges of both the National and Supreme Courts were elected by the General Council and held office during good behavior.

The Inferior Court Judges were appointed by their respective district chiefs and, as the higher offices, held their positions during good behavior. The General Council had the power by law to designate the times and places for both the Supreme and District Courts and "to prescribe the manner in which the Courts of this nation shall be conducted."

The 1842 instrument further attempted to guarantee

the accused of a fair and impartial trial. The judges were required to empanel twenty-four jurors out of whom the defendant had the right to select twelve to serve as his jurors. However, the jurors were required only to agree on a verdict. Judges related to either of the parties in debate, or who held a special interest in the outcome of the trial could not preside, in which case an Inferior Court Judge would replace the usual judge for the duration of the trial.

In cases of capital and criminal trials "the defendant alone" had the right of appeal to the next highest court or a Supreme Court of another district. The final appeal was heard in the National Court, whose decision was final. In civil cases, either party had the right of appeal in the same manner of the capital and criminal defendants.

To insure a more consistent application of the laws, the constitution established the office of District Attorney. The individuals were elected by qualified voters of their districts. The terms of office would be prescribed by law. However, there were no legal training requirements for that position.²³

The plains Indians were no longer the threat they had imposed in the previous decade and the necessity of defending against their attacks was gradually lessened. Therefore, the Military Department, as a branch of government, was no longer perceived as necessary and the org-

anization was downgraded. The nation did retain a militia unit that could be activated by the General Council to "execute the laws of the Nation, to suppress insurrection, and repel invasion."²⁴

Article Six of the constitution, "General Provisions," contained other individual rights and national responsibilities. It provided for the election of the Captains of the Lighthouse and outlined their official duties. Section Twenty-four forbade poll taxes specifically and taxes on commercial enterprise in general. Section Twenty-eight addressed the issue of fair elections. It delegated to the "Supreme District Judge together with one or two Inferior Court Judges" the responsibility to monitor election proceedings.²⁵

The General Council during its twelfth session held in October, 1845, enacted a law remarkable in its humanity. Section Eight required the presiding judge to consult with a convicted person whose punishment was death. The individual was permitted to choose the day of his execution, Sundays excepted.²⁶

Thus, by the middle of the 1840s, virtually every officer of the Choctaw Nation was answerable to the voting populace. Individuals were guaranteed their rights and privileges and made responsible to a definitive, written, and published law code. Moreover, the nation was more stabilized and many of the inhabitants were becoming prosperous. There were two issues that became more

divisive later that decade, that of the question of slavery and the Chickasaw desire for their own country and political autonomy. However, neither of those problems created a need for modifying the existing government. The 1842 instrument had stipulated that no further alterations would be made to the constitution until 1850, and on 14 October of that year the experienced Peter Pitchlynn again presided over the convention.²⁷

The constitution of 1850 first expanded the previous bill of rights without deleting any of the former provisions. It added freedom of the press and individual free speech and at the same time reminded the citizens of the responsibilities inherent with the privileges and made them responsible for any abuse of the liberty. Section Ten extended the protection of a person and his possessions from unreasonable search and seizure. However, the section also made clear that that provision did not include people suspected of dealing in any type of ardent spirits. It also demanded officers to request particularized search warrants as general warrants might be "dangerous to liberty."

The rights of an accused person was further protected. Section Twelve required a copy of the nature and causes be presented to the accused and the right to face the accuser. It provided for a fair and speedy public trial and the right against self-incrimination. Furthermore, no freeman was to be deprived of his "life, liber-

ty, and property," without due process of law. Finally, the bill of rights provided for peaceful assembly in order to address grievances to the responsible parties in government.²⁸

The Choctaws were relatively content with the two governing bodies. The constitution increased the Senate to four members from each district. Otherwise, the legislative branch remained essentially the same. The executive department underwent no significant modification.²⁹

The document refined the Judiciary into a slightly more democratic organ while realigning the offices. It was divided into the Supreme National, District Circuit, and County Courts. The Supreme National Court was composed of one judge from each of the four districts and one of the judges would be "stiled" Chief Justice. The court had appellate jurisdiction only and required a majority concurrence for a proper decision. To constitute a quorum in order to transact its business, the court needed but three judges.

The District Circuit Court consisted of one Circuit Judge. This court had original jurisdiction of criminal cases not provided for by law, all crimes amounting to a felony, all civil cases not "cognazable" before the judges of the county, all matters of contract, and all matters of controversy where the dollar amount exceeded fifty dollars. It was empowered to issue writs and assumed a superintendency role over the County Courts.

Each county of the nation was authorized its court. They held jurisdiction pertaining to the disbursement of monies for county and district purposes and in all cases concerning local internal improvements and county interests. Matter of contract and controversy less than fifty dollars in amount came under their purview. The courts were required to act as Court of Probate having jurisdiction over estates, executors, administrators, and guardians. They could not sit or try any "criminal case or penal offence against the Nation." They could, however, examine the merits of such cases and commit them to the proper courts.

All judges were elected and served specific terms according to the 1850 document. The judges of the two upper courts were elected by a joint vote of the General Council. The Supreme National Judges were limited to a four year term while the Circuit Court Judges served for only two years. The County Court Judges were elected by the qualified voters of their respective counties. Age requirements for the two upper courts were thirty and twenty-five years respectively.

The constitution imposed other limitations. The two upper court judges could not accept "any fees or Perquisites of office nor hold any other office of trust or profit under this Nation or the United States." As in the 1842 document, judges were disqualified from presiding in cases where they had an interest in the outcome or were

in any way related to any of the parties in question. Should that circumstance occur at the Supreme Court level, the chiefs were granted the authority to commission the required number of men to conclude the court's business, provided those men possessed "law knowledge."³⁰

The 1850 constitution was the third revision since the Choctaws had arrived on the frontier and adopted the first guideline in 1834. Each was more progressive than the previous one and the final document established a system of government closely paralleling the United States's. Not only did that provide the Choctaw Nation West with a democratic bureaucracy, but presented evidence that the Choctaws, as a nation, were becoming more aligned with American procedures and at the expense of Indian heritage and customs.

CHAPTER NOTES

¹Turner, The Frontier, 30.

²[Sarah Tuttle], Conversations on the Choctaw Mission, vol. 1 (Boston: Printed by T.R.Marvin, for the Massachusetts Sabbath School Union, 1830), 53; Missionary Herald, vol. 19, 9-11.

³Missionary Herald, vol. 19, 9-11.

⁴Kappler, Laws and Treaties, 193-94; Missionary Herald, vol. 19, 8.

⁵Baird, Peter Pitchlynn, 25-26; Missionary Herald, vol. 25, 153.

⁶Missionary Herald, vol. 25, 153.

⁷Kappler, Laws and Treaties, 311.

⁸Ibid., 313.

⁹Draft Document, 3 June 1834, Pitchlynn Collection, GI; Baird, Peter Pitchlynn, 53-54.

¹⁰Ibid.

¹¹The Constitution and Laws of the Choctaw Nation (Park Hill, Cherokee Nation: John Candy, Printer, 1840; reprint, Wilmington, DE: Scholarly Resources, Inc., 1975), 13-14. (Hereafter, The 1838 Constitution.).

¹²Ibid., 14-16.

¹³Ibid., 16-17.

¹⁴Ibid., 3-5.

¹⁵Ibid., 6-7, 10.

¹⁶Ibid., 7-8.

¹⁷Ibid., 9-10.

¹⁸Ibid., 8-9.

¹⁹Ibid., 4-5, 10-12.

²⁰Baird, Peter Pitchlynn, 63-64.

²¹The 1842 Constitution, 8-9.

²²Ibid., 6-8.

²³Ibid., 10-11.

²⁴Ibid., 14.

²⁵Ibid., 11-14.

²⁶Ibid., 58.

²⁷Ibid., 16; The Constitution and Laws of the Choctaw Nation (Doaksville, Choctaw Nation: n.p., 1852; reprint, Wilmington, DE: Scholarly Resources, Inc., 1975), 1, 16. (Hereafter, The 1850 Constitution).

²⁸Ibid., 3-5.

²⁹Ibid., 5-9.

³⁰Ibid., 9-12.

CHAPTER IV

THE GENESIS OF AN AMERICAN

Frederick Jackson Turner claimed the frontier "promoted the formation of a composite nationality." The "Americanization" process occurred through the intermingling of diverse cultural groups that "fused into a mixed race." The Choctaw Indians, in the eighteenth century, contributed to that process when they accepted white men into their midst; but other than a relatively few marriages, the tribe did not intermix with their white neighbors in any substantial numbers. Rather, they assumed American traits through acculturation brought about by their close association with white missionaries.¹

That began, primarily, with the arrival of Reverend Cyrus Kingsbury in 1818. At that time, few of the Choctaws, with the exception of the mixed-bloods, spoke English. To overcome the language difficulties, Cyrus Byington and Alfred Wright, through prodigious efforts, compiled an alphabet, established rules for spelling, and began to translate English into Choctaw in 1823. In the following decades they produced nearly six million pages of translated material. These included textbooks for the schools, easy-to-read books intended to aid the adults,

and a generous portion of the Bible for the rapidly expanding religious segment of the tribe. With a printed language of their own, the Choctaws developed a desire to improve themselves according to white standards, as evidenced by their acceptance of education.²

Initially, the missionaries had been invited into the Choctaw Nation East to educate the tribe's young people. However, the missionaries were dedicated to their religion and sought to introduce Christianity to the natives as well. After they learned the Choctaw language, the missionaries were able to better communicate the messages of their religion and began to convert the Indians. There were two religious revivals in the Choctaw Nation, the first in 1828 and the second in 1843. Church membership after the first began to rise until the disruption of removal caused a reversal in the upward trend. Even so, by the end of 1830 there were 338 Choctaws members of the A.B.C.F.M. churches.³

In the Western Nation, missionary efforts produced few results until the second revival. Thereafter, native acceptance of a Protestant religion increased annually and church membership rose to about 1,300 in 1852 in the American Board churches and an equal number in churches of other denominations. Those numbers represent approximately one-sixth of the total population of the Choctaws living on the frontier. It further describes a people becoming committed to the American way of life.⁴

Along with the adoption of an American styled education, the English language, and Protestant religions, the Choctaws began to discard their tribal customs. These included their marriage rites, beliefs in witchcraft and sorcery, and their individual names. Some of the changes occurred through missionary influence, whereas others were simply forced upon the natives.

The assumption of Anglicized names was one change thrust upon the Choctaws. Renaming began for three reasons: first, to eradicate a "heathenish practice;" second, to honor a person, or organization, that donated to the missionary cause; and finally, because the Indian names were difficult to pronounce and spell.

As with most tribes, the Choctaws did not have surnames. The children were given names relating to an incident, or experience, near the time of birth. The Indians would then adapt the name, or completely change it, according to the individual's exploits. The Choctaw used a particular adaptation for their warriors; the suffix "tubbee" might be affixed to a person's name. Loosely translated, the appendage meant "man killer" and was given to those people who had struck a mortal blow during combat. The resultant appellation was repugnant to the missionaries and destined for eradication. Through the renaming policy and the lack of warfare, few Choctaws, and none of the governmental leading men, retained that suffix by 1850.

Cyrus Kingsbury outlined the naming process in a letter to a man who had donated sixty dollars for the support of one boy and one girl. Kingsbury had not selected the children as he was uncertain of the donor's preferences on ages, degree of blood, or the actual name to confer upon the students. Kingsbury requested the man make known his choices and the reverend would then select the children and bestow the appropriate names.⁵

Kingsbury later provided specific examples of the procedure. He cited Charles Long Tappan, whose Choctaw name was O-khla-ho-tub-bee, translated as a pursuerer and killer of people. Charles Tappan of Boston donated to the support of that fourteen year-old fullblood. The Ladies of the Old South Society, also of Boston, supported William Jenks. His Choctaw name had been Shah-hah-que-tub-bee. Furthermore, this was the second boy to receive that English name; the first young man attended school for one year, ran away, and was not expected to return. Another example was six year-old Pun-ush-tub-bee, renamed Abel Downe in honor of the contributions from Abel Downe of Fitchburg, Massachusetts.⁶

The Choctaw's custom in naming their children was relatively innocuous but their belief in sorcery and witchcraft was not. In addition to those practices being superstitions and, therefore, contrary to Protestant tenets, they sometimes proved hazardous to human life. For those reasons, the missionaries were active in their

disapproval, and the tribal leadership eventually enacted legislation intended to end the practices.

J.F.H. Claiborne offered one description of the ritual performed by the medicine men or sorcerers. The patient was placed on the ground, and the healing process began with the sorcerer using his mouth to suck on the injured part of the body. He would also knead and pound the patient's body while making growling noises, apparently to scare the evil spirits out of the ailing person. The medicine man would then make a discreet show of discarding whatever evil he had extracted from the patient. If the individual began to feel better, the doctor would accept credit for the treatment and cure. If, however, the sick person did not recover, the sorcerer claimed some evil person (a witch) had intervened and prevented success. By the simple procedure of pointing to another person, normally an old decrepit woman, and proclaiming her a witch, the medicine man absolved himself. The evil person would be put to death. So strong was the belief among the Choctaws, not even the relatives would come to the aid of the accused person and might even participate in administering the death sentence.⁷

The Choctaws considered this an act of justifiable retribution, but the missionaries viewed that act as murder. While the practice still existed in 1828, it was slowly going out of general use. The religious movement of that year brought a degree of enlightenment and a sub-

sequent decrease in those beliefs.⁸

Active measures on the part of tribal leadership to ban those customs began in 1829. Colonel David Folsom and John Garland, chiefs of the northern and southern districts respectively, met with their warriors in council during September near Yok-nok-cha-ya. The council passed a new act that prohibited any person from being charged with witchcraft. Should a sorcerer accuse an individual of being a witch to justify a failure, the doctor himself was then liable for the death sentence rather than the accused person.⁹

One of the first acts approved in the Western Choctaw Nation permanently outlawed witchcraft. Passed on 6 November 1834, the law prescribed death for anyone killing a person denounced as a "witch or wizard." Further, any person accusing another of being a witch would receive sixty lashes "on his or her bare back," and anyone publicly claiming themselves as either a witch or wizard would receive the same punishment.¹⁰

The practice of sorcery was not outlawed, although the council did place limitations on the medicine man in October, 1837. The act permitted the sorcerer to charge and collect a fee for his services if the sick person was cured. However, if the ailing person did not recover and died, the doctor was not entitled to any of the deceased's property by way of a fee.¹¹

The Choctaw marriage ceremony was another custom

inimical to the teachings of the missionaries. Claiborne presented a childhood remembrance of a pre-missionary wedding. He stated that after a successful and mutual flirtation period, the male negotiated with the maternal uncle of the woman in question. After reaching an agreement on a proper wedding price, and the amount tendered to the uncle, the woman left the lodge of her parents and joined her new husband. Other writers claimed the ceremony included an exchange of symbolic articles. The man's gift proclaimed his willingness to provide for his bride-to-be and eventual family, and hers acknowledged the responsibility for taking care of the family. At all events, the marriage ceremony was a simple affair but without legality or the sanction of the church.¹²

The Americanization process for that custom culminated in an act of the General Council in October, 1835. The law decreed that marriages, in order to be lawful, must be performed by a "Preacher of the Gospel" or any Captain of the nation. The law also included the particular vows for the couple to exchange. Henry Benson attended one such wedding in September, 1843. The youngest daughter of a Choctaw woman, who was a member of Benson's church, married a young man of the nation. They were united in accordance with the laws of the nation and the "Discipline of the Methodist Episcopal Church." Benson believed this was probably the first modern marriage in the predominately fullblood Mushulatubbee District.¹³

In nineteenth century America, perhaps the best indicators of a civilized society were its outward appearances. The Choctaws, as with Turner's frontiersmen, were clad temporarily in "the hunting shirt and moccasin" during the initial pioneering phase. The normal dress for the male, in addition to those two items, consisted of a breech-clout, leggings of buckskin, and a blanket. Female dress was rarely described except the ceremonial garb consisting of decorated dresses, beads, and silver ornamentation. The clothes of both sexes were occasionally adorned with porcupine quills. Their housing was log cabins, or rude huts, often with dirt floors, and an animal skin pallet served for beds. The natives normally took their meals from a common bowl, using a single spoon made from a cow or buffalo horn.¹⁴

Those rudimentary lifestyles began to change in the 1820s. In 1828, the missionaries reported on the improving conditions they observed throughout the Eastern Nation. The Choctaws were developing an appreciation for the comfort provided through a civilized environment. They were improving their houses through the addition of furniture and utensils. Some of the houses were "supplied in a manner not inferior to that of new settlers in our own country," according to Kingsbury. Furthermore, the males of the tribe were overcoming their traditional dislike for labor and were assuming some of the tasks heretofore relegated to the females.¹⁵

To the best of their ability, the Choctaws transported their newly acquired possessions and habits of industry to the Western Nation. Due to space limitation, few of the symbols of civilization accompanied the tribal members on their migration. However, the people had to maintain those principles of hard work in order to re-establish their homes and lives. Loring S. Williams and Alfred Wright, the first two American Board missionaries in the Western Nation, reported the Indians were soon hard at work both in clearing and fencing fields and in providing "comfortable residences" for themselves.¹⁶

That atmosphere for self-improvement continued through the end of the period. In 1840, the secretary of the Baptist Foreign Missions visited the nation and claimed that all the Choctaws were sustaining themselves from their well-cared-for farms. In addition, he stated that although the cabins were small, they were comparable to any found in settlements that began on the frontier.¹⁷

Cyrus Byington provided a summation of the Choctaw efforts in an article he wrote for the New York Evangelist in October, 1852. He stated that the men plowed and planted their fields, sometimes with the help of their wives. The fields were orderly and fenced with protective rails in accordance with the laws of the nation, rather than with piles of brush as was the past practice. The men were rarely seen without hats, shoes, and pantaloons. Most of the houses not only had wooden floors,

but also contained chairs, tables, and beds. The households were supplied with such utensils of the white society as plates, knives, forks, and metal spoons. The meals often consisted of bread, meat, sugar, and coffee. Additionally, the woman had greater equality. Where the woman had previously walked barefoot behind the man on horseback, by the 1850s, if anyone walked, it was usually the man.¹⁸

By 1850 the Choctaws had prepared themselves for assimilation into the white community. A large number of them spoke English and could read and write in both languages. Their lifestyles as to dress and accommodations were typical of the American frontier. Moreover, the natives had discarded many of the superstitions and out-of-date customs in favor of American manners. However, David Folsom, chief of the Northeast District in the old nation, stated it best in 1829 when he said "we are simply a nation of red men," and although the tribe was well-advanced in 1850, that statement remained true.¹⁹

CHAPTER NOTES

- ¹Turner, The Frontier, 22-23.
- ²Missionary Herald, vol. 19, 285; vol. 23, 213-14; vol. 49, 11.
- ³Ibid., vol. 27, 9.
- ⁴Ibid., vol. 49, 11; Robert F. Berkhofer, Jr., Salvation and the Savage: An Analysis of Protestant Missions and American Indian Response, 1787-1862 (Louisville: University of Kentucky Press, 1965), 154.
- ⁵The Panoplist, vol. 16, 47-48.
- ⁶Missionary Herald, vol. 20, 283-84.
- ⁷J.F.H. Claiborne, Mississippi as a Province, Territory and State, with Biographical Notices of Eminent Citizens (Jackson, MS: Power & Barksdale, 1880; reprint, Baton Rouge: Louisiana State University Press, 1964), 502.
- ⁸Missionary Herald, vol. 25, 60, 350.
- ⁹Ibid., vol. 25, 377.
- ¹⁰The 1838 Constitution, 14.
- ¹¹The 1842 Constitution, 26.
- ¹²Claiborne, Mississippi as a Province, 516-17.
- ¹³The 1838 Constitution, 17; Benson, Life Among the Choctaw Indians, 149-51.
- ¹⁴Turner, The Frontier, 4; H.S. Halbert, "Funeral Customs of the Mississippi Choctaws," in A Choctaw Source Book, ed. John H. Peterson, Jr. (New York: Garland Publishing, Inc., 1985), 363; John A. Watkins, "The Choctaws in Mississippi," Ibid., 70.
- ¹⁵Missionary Herald, vol. 25, 153.
- ¹⁶Ibid., vol. 29, 465.

¹⁷Michael C. Coleman, Presbyterian Missionary Attitudes Toward American Indians, 1837-1893 (Jackson: University Press of Mississippi, 1985), 59.

¹⁸Foreman, The Five Civilized Tribes, 79, 84.

¹⁹Missionary Herald, vol. 26, 82.

CHAPTER V

VYING FOR INDEPENDENCE

The arrival of Anglo-Americans radically altered the lifestyle of the Choctaws. The fur traders brought items to the natives they could not attain on their own, in particular guns and other metal products. Further, white paternal governments developed a policy of gift-giving to the chiefs, who in turn distributed them to their followers. Through that trickle-down economy, all the other tribal members were introduced to foreign goods. With the resultant over-hunting and a reduction in the amount of gifts offered to the chiefs, the Choctaws, by the beginning of the nineteenth century, were reduced to a level of dependence previously unknown to them.

The Treaty of Dancing Rabbit Creek guaranteed to the Choctaws an independent nation. However, actual independence required more than simply possessing a territory. To decrease their dependence on the federal government, in the same context Turner ascribed to that process between the United States and England, the natives were compelled not only to become self-sustaining, but also to become a contributor to regional economies as well. In order for the Indians to achieve that goal, the entire

Choctaw Nation had to develop its commerce and enterprise that had been confined primarily to the mixed-blood segment of the tribe.

The concept of a market economy, other than fur trading, came with the white men who had settled and married into the tribe. Men like the Folsoms, LeFlores, Perrys, and Pitchlyns introduced cattle into the nation in the late eighteenth century to take advantage of the open lands policies of the tribe. Those men further benefited from the nation's fertile soils in cultivating large areas, mostly in cotton and corn, as a commercial enterprise. The Choctaws slowly accepted those ideas of capitalism as the fur-bearing game in Mississippi decreased; but just prior to removal, still only a small percentage of the tribe was employed in raising crops or livestock. Agent William Ward and his son Stephen presented some examples of Choctaw endeavors; in 1830, the natives were selling bushels of corn along the Natchez Trace. Still other members of the tribe had become major suppliers of beef and pork to the surrounding white settlements. However, historian Richard White analyzed the distribution of farm sizes and concluded that a maximum of only 20 percent of the Choctaws were involved even marginally in market agriculture. Of the remaining 80 percent, many were completely destitute or contributed nothing beyond their own support.¹

As with their household fixtures, those Choctaws who possessed livestock attempted to transport them to the

frontier in order to continue the occupation of herdsmen. That undertaking proved unsuccessful as many head of cattle were lost during the migration. Some people, Peter Pitchlynn among them, managed to retain a substantial herd only to lose them to one of the worst floods in the history of the Arkansas River in 1833.²

Their frontier nation did offer other opportunities for profitable enterprises. Even though the tribe had been well exposed to the American system of commerce, few of the members held any inclination towards it. Therefore, it was again the mixed-bloods who took the initiative to establish the ventures the nation required to become independent. Originally, those took the form of plantations and small businesses critical to the frontier regions.

The Western Nation possessed some fertile fields and valleys that provided the opportunity to develop profitable farms. The Red River valley was particularly suited to cotton and the slave-owning Choctaws settled themselves in that area. Pitchlynn moved his family into the southeastern section in 1834 after the devastating flood of the previous year. His slaves built houses and prepared the fields for planting cotton. Pitchlynn was never very successful with his efforts, however. Nevertheless, others managed to harvest yields to the extent that the Choctaw Nation exported five hundred bales of cotton in 1836.³

The most successful Choctaw entrepreneur was Robert M. Jones. Little background information was known of that mixed-blood who became the first millionaire in the Choctaw Nation. Using the funds accumulated through annuities in the 1820s and a profitable trading company, Jones soon established himself in the West. He not only operated the Berthelet, Heald, and Company trading post at Doaksville, but established other trading posts in the nation. Jones was very successful at agriculture. He owned the largest number of slaves in the Choctaw Nation and used them to maintain up to six plantations in the southeastern section of the nation. In 1849, he cultivated and shipped seven hundred bales of cotton to markets along the Mississippi and Ohio Rivers. Additionally, Jones owned two steamboats and used them to export his produce and import goods for his trading posts.⁴

No other person succeeded as did Jones, but many natives cultivated enough acreage to supply travelers and the nearby forts with garden produce. In 1837, the Indians along the Red River produced a surplus of fifty thousand bushels of corn, most of which was sold to Fort Towson. In 1842, when the price of cotton fell, some of the Choctaws normally cultivating that crop contracted to deliver corn to Fort Towson instead. The twenty thousand bushels supplied to the fort produced an income for the natives. Furthermore, and equally as important, it relieved the United States of the expense of shipping

supplies to the soldiers stationed at the fort.⁵

Corn had long been the staple foodstuff of the Choctaws, but through association with their white neighbors the natives developed an appreciation for wheat flour. By 1850, some of the Indians had diversified and were planting wheat in addition to corn. After processing the grain in the nation's mills there remained a surplus and the nation's inhabitants could have exported that product had there been more available markets.⁶

With the majority of the Choctaws engaged in either subsistence or commercial farming, some of the more enterprising individuals established businesses according to the needs of the frontier. In those rough and unimproved lands, blacksmiths and wheelwrights were much in demand. Most of the blacksmiths were white men working through a government contract as specified in the removal treaty, although there were a few Choctaw apprentices. The best wheel maker in the nation, according to Cyrus Kingsbury, was George Hudson. That mixed-blood had learned the trade while attending the Mayhew school in the Eastern Nation.⁷

Equally important to the frontier were the saltworks and various types of water-powered mills. In 1836, David Folsom had a saltwork in operation near Eagletown, which was but one of his many enterprises. That year there were at least two mills serving the nation. Joel Nail ran a saw and grist mill in the Apuckshenubbee District

near the Red River and Thomas Wall served the Mushulatubbee District with a saw mill and ferry on the Poteau River. As the cotton interests grew, so too did the number of gin mills. Just before the price of cotton fell in 1842, there were eight to ten mills in the nation processing cotton with most of the crop intended for export.⁸

With successful agricultural and related ventures, urbanization began. Doaksville and Skullyville were the two primary trade and gathering centers of the early Choctaw Nation. Along with the few other other villages, they needed shops, inns, and other basic settlement requirements. One of those was a post office. In 1842, Colonel David Folsom appealed to Peter Pitchlynn, asking him to use his influence in establishing that office in Doaksville. Folsom claimed that because so many of the Choctaws could read, they wanted to receive letters and newspapers in order to keep themselves informed. As a further request, he asked that Sampson Folsom be named postmaster in Doaksville. In addition to that post, Sampson desired to operate a store in the town and requested help from Pitchlynn in May, 1842. The Folsoms and others were successful in developing Doaksville. The Methodist Reverend William H. Goode offered a brief description of the town in 1844, stating that it was a neat looking place, possessed a number of stores, mechanic's shops, and "an excellent public house" operated by David Folsom.⁹

As Folsom indicated to Pitchlynn, the Choctaws in

in the 1840s were an advanced people. They progressed even further in 1848 with the publication of their first newspaper, The Choctaw Telegraph. The energetic and enterprising David Folosm served as its editor. That paper was rather short-lived and printed its final issue on 20 December 1849. The Choctaw Intelligencer, with J.D. Alsobrook as proprietor, succeeded the Telegraph on 20 June 1850. J.P. Kingsbury and J.E. Dwight were the editors of the second paper. The Telegraph was printed in English, while the Intelligencer was printed in both English and Choctaw. Both were published in Doaksville and featured items informing their readers of events in the nation and the United States, and carried selected articles on world affairs. The newspapers had to rely on outside sources for the latter two features, but the inhabitants of the Choctaw Nation no longer had to depend upon American publications to remain informed.¹⁰

As early as 1844, according to a report of the American Board missionaries, there was "a resolute determination on the part of the Choctaws, to strive after self-improvement; and an increasing disposition to rely on their own resources and endeavors." That attitude was most prevalent among a relatively few mixed-bloods. However, they had assumed the initiative to introduce those measures necessary to provide the Choctaw Nation with a semblance of independence. Certainly, the nation could not stand as completely independent, but its inhabitants

were largely self-sustaining with agricultural pursuits ranging from family-size subsistence garden farms to large plantations. More important, the natives had created internal works and income-producing ventures, and possessed a pervasive desire to be left to their own devices.

CHAPTER NOTES

¹Richard White, The Roots of Dependency: Subsistence, Environment, and Social Change Among the Choctaws, Pawnees, and Navajos (Lincoln: University of Nebraska Press, 1983), 104-09, 133-35.

²Baird, Peter Pitchlynn, 49.

³Ibid., 50; Foreman, The Five Civilized Tribes, 34.

⁴Michael L. Bruce, "'Our Best Men are Fast Leaving Us," The Life and Times of Robert M. Jones," in The Chronicles of Oklahoma, ed. Bob L. Blackburn, vol. 66, Fall 1988 (Oklahoma City: Oklahoma Historical Society, 1988), 295-96.

⁵Foreman, The Five Civilized Tribes, 47, 53.

⁶Missionary Herald, vol. 45, 169.

⁷Foreman, The Five Civilized Tribes, 34, 46.

⁸Ibid., 34, 47, 52; Thomas Wall to Capt. W. Armstrong, LS, 22 April 1840, Pitchlynn Collection, GI.

⁹David Folsom to Peter Pitchlynn, LS, 28 January 1842; Sampson Folsom to Peter Pitchlynn, LS, 24 May 1842, Pitchlynn Collection, GI.

¹⁰Choctaw Telegraph (Doaksville, Choctaw Nation), 20 December 1849; Choctaw Intelligencer (Doaksville, Choctaw Nation), 6 June 1850.

¹¹Missionary Herald, vol. 40, 387.

CHAPTER VI

THE CHOCTAWS AND NATIONAL LEGISLATION

As Turner concluded, the powers of the federal government were extended in the nineteenth century to accommodate the frontier. With a large populace migrating westward, there developed a need in the eastern United States to serve, and be served by, those settlers. Therefore, action for internal improvements were a necessary and vital consideration for congress. Additionally, with each acquisition of land, legislation was required to control the sale and disposition of the public domain.¹

Of particular importance was the territory encompassed in the Louisiana Purchase. The Choctaw Nation West itself came into existence through the availability of that frontier country. When Indian removal became a reality in the 1830s, the federal government then acquired a responsibility to extend to the Indians the same considerations as that offered to the white frontiersmen.

The issue of the public domain for the Choctaws was different, however. The tribe received its allocation of the free lands through the Doak's Stand Treaty in 1820 and its subsequent modification in the treaty of 1825. Thereafter, until the 1890s, federal control of the pub-

lic domain did not apply to the Choctaw Nation. The Indians did not control their own allotments at all. Their policy was for each individual to clear and put into use whatever that particular person desired. As long as the person made use of the land the other Indians respected his property rights.²

As with land allocations, railroad legislation enacted by congress did not pertain to the Choctaw Nation during the early years. The federal government was considering the necessity of extending railroads into the Indians's territory in the 1850s, however. Lieutenant A.W. Whipple had conducted a survey about 1853 for the possible construction of a railway connecting Fort Smith with towns in Texas. It did not appear that the needs of the Choctaws prompted the contemplated project; rather, it was proposed for the use of the military and the white inhabitants of Texas. The Choctaws, in fact, did not even want the railroad traversing their country.³

Likewise, those tariffs and other market protective devices enacted for the white frontier were not especially applicable to the Indians. It would appear some of the legislation did affect the Choctaws, however, At various times the natives were not allowed to market their surplus produce at the nearby forts, which had become a source of revenue for them. Neighboring white communities had contracted to supply the military and successfully prevented the competition. Otherwise, and with the

possible exception of large producers such as Robert M. Jones, legislation for that purpose was not intended for the Indians, nor were they particularly affected by any of the provisions.⁴

Being sovereign and possessing a guarantee from the United States promising not to pass laws over the nation, the Choctaws were not the subject of pertinent legislation. However, they, like their white counterparts, feared the wild Indians; specifically the Pawnee, Comanches, Wichita, and Kiowa who roamed the western portion of the Choctaw Nation. Additionally, the Choctaws were scared of white reactions in Texas. For those reasons, the Indians requested forts and the military presence as had the white settlers. The law affording the Choctaws the protection they demanded was embodied in the Indian Removal Act of 28 May 1830. Section Six declared:

That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever. 5

Prior to that lawful requirement, the United States maintained a body of soldiers at Fort Smith, later moving the military force to Fort Gibson in the Indian Territory. The two posts were originally established for the protection of the white settlers in Arkansas. Fort Towson, six miles from the Red River and in the Choctaw Nation, was built in 1824. By posting military units at

Fort Towson, the United States hoped to prove its commitment to Indian welfare and induce many of the Choctaws to migrate voluntarily. The fort was abandoned in 1829 and re-occupied in 1831 to accommodate the arriving Choctaws. Major S.W. Kearney commanded the four companies of the Third Infantry that manned the post in April, 1831.⁶

As more Choctaws, and members of other tribes migrated in the 1830s, the need for additional military posts increased. Brigadier General Henry Leavenworth directed the erection of the next fort. He was dispatched to Fort Gibson in 1834 with orders to undertake a tour of the southwestern portion of the Choctaw Nation. His mission was to meet with those tribes traveling through or living in those areas and creating unrest among the new arrivals from the East. During his trip, Leavenworth decided a more western fort would help to calm the various Indians. To that end, he chose a site on Little River near its intersection with the South Canadian River near present-day Holdenville. Work began on Camp Canadian, later renamed Camp Holmes, on 21 June 1834. The post was relocated the following year farther west on the South Canadian near the current town of Lexington.⁷

In 1837, the Chickasaws agreed to their removal from Mississippi and signed a treaty whereby they occupied a part of the Choctaw Nation. Their district comprised the western two-thirds of the territory and was the area in which the more hostile Indians roamed. To reassure the

Chickasaws, Brigadier General Matthew Arbuckle, on 14 January 1838, recommended the construction of a fort on the Washita River in the eastern portion of the Chickasaw District; but it was not until 1841 that further action was taken. General Zachary Taylor was then in command of the military forces in the Southwest. He directed Captain B.D. Moore of Fort Gibson to investigate the area between the Red, Blue, and Washita Rivers and select a suitable site for a fort. In May, 1841, Captain Moore chose a place about twenty miles from the Red River and about a mile from the Washita. In September General Taylor agreed with Moore's assessment. He then directed Captain G.A.H. Blake, assigned to Fort Towson, to prepare a permanent station. Captain Blake and fifty-eight men of Company A, Second Dragoons, arrived at the Washita site on 23 May 1842 and began the construction of Fort Washita. Even with the fort and its military contingent the Chickasaws did not feel secure enough to settle farther west and established their agency near the fort.⁸

Other than the forts to house the military, the only internal improvements offered to the Choctaws were a few roads; and they were intended primarily for the military. The first road was constructed to improve communications between the Arkansas and Red River areas under the instruction of Matthew Arbuckle. He assigned the task to Captain John Stuart who completed a primitive road from Fort Smith to Fort Towson on 16 June 1832. Similarly, as

the other forts went into operation, roads were constructed to connect them. A few of the natives made use of the roads to transport their produce to the forts or to the rivers for shipment to markets in the United States. Internal improvements to facilitate transportation of goods were not believed necessary for the Choctaws, as most of the Indians lived near waterways and could use boats to transport their goods.⁹

The United States did enact legislation solely for the Indian population. Congress passed an act on 9 July 1832 that authorized a Commissioner of Indian Affairs. The commissioner was in charge of all matters pertaining to the natives. The Trade and Intercourse Act was put into law on 30 June 1834, continuing a previous bill stating the policy of the United States towards the Indians. That same day Congress enacted legislation for the Organization of the Department of Indian Affairs. The law clarified the positions and responsibilities of the Indian agents and specified the locations for their offices.

The president signed into law other legislation in the 1840s. On 3 March 1847, both houses approved an amendment of a previous act intended to strengthen the regulations regarding Indian annuities and liquor in their countries. One of its stated purposes was to "preserve peace on the Frontiers." Finally, Congress transferred the Office of Indian Affairs from the War Department to

the newly created Department of the Interior on 3 March 1849.¹⁰

However, none of the above legislation, with the possible exception of the 1847 act pertaining to liquor and annuities, could be considered a result of the frontier. They were, instead, a product of the evolving Indian policy without regard to the area in which the natives lived.

CHAPTER NOTES

- ¹Turner, The Frontier, 24-27.
- ²Kappler, Laws and Treaties, 191-94; 211-14.
- ³Foreman, The Five Civilized Tribes, 92.
- ⁴Missionary Herald, vol. 45, 169.
- ⁵Grant Foreman, Advancing the Frontier, 1830-1860 (Norman: University of Oklahoma Press, 1933), 147; Prucha, Documents of United States Indian Policy, 52-53.
- ⁶Foreman, Advancing the Frontier, 83-86.
- ⁷Ibid., 129.
- ⁸Ibid., 99-101.
- ⁹Brad Agnew, Fort Gibson: Terminal on the Trail of Tears (Norman: University of Oklahoma Press, 1980), 93.
- ¹⁰Prucha, Documents of United States Indian Policy, 62-63; 64-68; 68-71; 75-77; 80.

CHAPTER VII

CONCLUSION

Behind institutions, behind constitutional forms and modifications, lie the vital forces that call these organs into life and shape them to meet changing conditions. The peculiarity of American institutions is, the fact that they have been compelled to adapt themselves to the changes of an expanding people -- to the changes involved in crossing a continent, in winning a wilderness, and in developing at each area of this progress out of the primitive economic and political conditions of the frontier into the complexity of city life. 1

With that postulate, Frederick Jackson Turner began his celebrated essay. He based that statement on his study of the white migrating pioneer of the eighteenth and nineteenth centuries. It was equally applicable to the Choctaw Tribe of Indians, who in the two decades following their migration from Mississippi to the wilds of present-day Oklahoma underwent the same experiences.

The Choctaws, in the pre-removal era, had made substantial progress towards assuming the traits of their white civilized neighbors. Their acquired habits meant they were no longer a band of nomadic people who could be moved from one forest to another without them encountering the difficulties the frontier presented to the American frontiersmen.

The Indian progress began with the introduction of

the teaching missionaries in 1818. Their presence in the Indian country was a result of the white men who had married into the Choctaw tribe in the eighteenth century. Their mixed-blood children had risen to positions of leadership and influence in the 1820s and advocated education as the method for tribal advancement. With leadership encouragement and missionary diligence, schools were established and requests from parents to accept their children soon exceeded accommodations and, as a result, more schools were put into operation. The missionaries offered a curriculum that included the basics of education and religion, and the habits of husbandry. By the end of the 1820s, when removal was a certainty, many in the tribe had received a rudimentary exposure to white civilization and understood the value of a well-tended farm. Thus, it was a progressive people who were transplanted on the frontier.

The early 1830s was a period of great change for the Choctaws. They went through a phase of regression, or stagnation, in their civilization efforts. In addition, the Indians began to adapt their old customs, or discard them altogether, and exhibit a new personality. Whether solely the frontier or through missionary efforts, the Choctaws were not the same as they had been a few years previously when residing in Mississippi. At that point it was difficult to differentiate between evolution and the effects of the frontier, but it would be unrealistic

to assume that the initial impact of the frontier on the Choctaws differed drastically from that ascribed to the migrating American.

For the first ten years on the frontier the system for educating the Choctaws continued as it had in the East. Then in 1842, with an increasingly knowledgeable populace, the Indians initiated one of their first major adaptations. That came as a result of some of the tribe's young men attending the Choctaw Academy in Kentucky. Their parents had been expressing their displeasure over the boys being so far away from home. However, those parents also fully realized the need for an educated youth and the solution to the problem fell to the tribe's leadership. Prompted by Peter P. Pitchlynn, the governing council financed almost entirely a school system that not only replaced, but expanded that of the one in Kentucky. The Choctaw boarding schools accommodated a greater number of students, offered the opportunity of an advanced education to the females of the tribe, extended to the less fortunate a chance to succeed through education, and was predominately independent of outside influences.

The movement toward self-reliance was reinforced with a marked democratic trend in the nation's government. In 1842 the Choctaws amended their constitution for the second time since arriving in the Western Nation. The resulting document required the election of nearly every officer of the nation and provided for a bicameral

legislature, equal representation for the nation's citizens, and a comprehensive bill of rights. In that era of democratic transformation, it was remarkable that the natives felt any inclination toward adopting further any of the white man's ways. Many of the tribe considered themselves betrayed by the very man they had trusted and assisted in earlier times -- most notably when the Choctaws fought along side Andrew Jackson during the Creek wars of 1813-1814. However, the 1842 constitution embodied the very substance of Jacksonian democracy.

In contrast to Turner's hypothesis of a composite nationality, an argument that a Choctaw could be classified as an American in 1850 could not be successfully defended, nor should it even be espoused. By the same reasoning, however, the tribe could not be described as having acquired none of the characteristics of an American. The Choctaws were no longer the traditional native, nor were they completely comparable to the conventional 1850 American. They were instead, somewhere between the two and the Choctaws were confronted with increasingly divided interests. While a great number of the tribe cherished their tribal identity, their enthusiasm for white education and religions created an individual who was becoming attached to those things American. They had become a people with two nationalistic ties and well after the 1850s, the Choctaws would lose virtually all their pre-contact cultural characteristics; the first two

decades on the frontier were but a germination period for that process.

As with the argument on composite nationality, other aspects of Turner's thesis were not entirely applicable to the Choctaw Indians. The federal legislation enacted in response to the public domain, market protecting tariffs, and internal improvements had little impact on the Western Nation. Nor did the natives particularly want the United States to pass laws that might endanger the sovereignty guaranteed in the Treaty of Dancing Rabbit Creek. There was one area in which the Choctaws demanded assistance; that of protection from the Indians roaming the plains in the western portion of the Choctaw Nation. The United States provided to the natives the same protection it provided to the other pioneers. A line of forts was constructed and manned by soldiers to keep the peace between those who inhabited the West and those who were migrating into the region.

Although the Choctaw Nation did not, of itself, have more than a minimal influence on federal legislation, the fact remains that the Indians were inhabitants of the frontier and within a relatively short period of time, all aspects of Choctaw tribal life underwent significant change. It is ludicrous to claim that the frontier experiences were identical for both Indians and other Americans. However, it would be equally absurd, after an evaluation of Choctaw progress in that primitive area,

to assume that the frontier had no impact and produced no results.

An analysis on the events of the 1830s indicates the evolutionary reaction of a progressing people to unfamiliar circumstances. The Choctaws used the knowledge and habits of industry they were acquiring to overcome the difficulties of the western wilderness. The frontier experiences resulted, in the 1840s, in a revolutionary solution to the problems the Indians had encountered. From the wilderness the Choctaws produced an educated, organized, independent, and democratic society of the type Turner attributed to the American pioneer.

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¹Turner, The Frontier, 2.

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