MILTON W. REYNOLDS: CRUSADE OF A FRONTIER JOURNALIST FOR THE OPENING OF THE INDIAN TERRITORY

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PREFACE

On March 22, 1889, President Benjamin Harrison signed a proclamation which provided for the opening to settlement of an area which was generally considered as America's last frontier. A month after the proclamation thousands of white settlers poured into the Indian Territory to homestead the new lands. President Harrison's signing of the proclamation was only a climax to years of work by many men who had dedicated themselves to securing the opening of the Territory. This thesis is an effort to show the role of one man in the crusade to have the Indian Territory opened to settlement. It is hoped that the facts herein may be a contribution toward helping the young state of Oklahoma bring her historical perspective into focus.

I should like to acknowledge the aid of several persons in completing this research. These include the chairman of my advisory committee, Dr. Helmer E. Sorenson, and my two committee members, Mr. Clement E. Trout and Dr. Loyd Douglas. I am most grateful to Mr. Robert Cunningham of the famed Cunningham Collection on early-day Oklahoma for placing me on the trail of "Kicking Bird" and for his many suggestions. I am grateful beyond measure to the personnel of the Kansas State Historical Society for its splendid co-operation. These include Mr. E. L. Langsdorf, Mr. F. R. Blackburn, Mr. Thomas T. Turinsky, and Miss Alberta Pantle. I am also sincerely grateful for the assistance of Mr. Donald Danker, archivist at the Nebraska Historical Society.

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CHAPTER I

INTRODUCTION

Some of the noble champions of Oklahoma never lived to enjoy the fruition of their hopes. Captain Payne is dead, died before entry into the promised land was allowed. Captain Couch was cruelly murdered during an altercation over a claim, when he ought to have had a choice of all the claims in Oklahoma, with no one to say him nay. The soft south winds languourous with the perfume of wild flowers and resonant with the songs of birds blow gently over the grave of Milton Reynolds. The tireless hands that never wearied in writing of the beauties of this land are folded in eternal rest, and the noble spirit from which emanated such grand and lofty sentiments has joined the throng....[1]

Thus in 1890 wrote Marion Tuttle Rock, who compiled the first history of Oklahoma and the Indian Territory. Other historians have written at length of the exploits of David L. Payne and William L. Couch since Rock's work was published. Though he worked for the admission of Nebraska to statehood, helped the state of Kansas chart her course politically and educationally just after statehood, and spent more than two decades crusading for the opening of the Indian Territory for settlement, Milton W. Reynolds has been an almost forgotten man in the history of the plains country and the Indian Territory.

In 1935 Dan W. Peery, who was a member of the first Territorial legislature, wrote in the Chronicles of Oklahoma:

It is to be regretted that the fame of the man who did so much to promote the opening of Oklahoma, which has resulted in the creation of one of the richest and best states that now constitutes the American Union, has almost been obscured by the dust of time while the more spectacular type of men have received all the honor.... If we could

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[1]Marion Tuttle Rock, Illustrated History of Oklahoma (Topeka, 1890), p. 104.

collect all the writings of Milton W. Reynolds, we would have a most valuable contribution to the history of the west.[2]

Statement of the Problem. This problem consists of examining Milton W. Reynolds' writings that pertain to the opening of the Indian Territory to settlement and enough of Mr. Reynolds' biography to include those activities that are a part of his crusade for the opening of the Indian Territory to settlement. The activities and writings are closely related, and biographical material is needed to show when and where, and often why, he did the writing.

The Hypothesis. The hypothesis of this research project is that Milton W. Reynolds, through his writings and other efforts, was influential in securing the opening of the Indian Territory to settlement.

The Need for the Study. Oklahoma is a young state, and much of her history is yet to be written. Many historians who have written of Oklahoma portray David L. Payne and William L. Couch as the persons most responsible, directly or indirectly, for securing the opening of the Indian Territory to settlement. Though many of Reynolds' contemporaries in journalism, politics, and history accepted as fact that he was one of the principal forces that helped open the Territory, these historians have rarely mentioned Reynolds. The author believes this research may fill a gap in historical research related to Oklahoma.

The Scope of the Study. Beginnings and endings of historical happenings are often difficult to ascertain as far as specific dates

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[2]Dan W. Peery, "Milton W. Reynolds," The Chronicles of Oklahoma, XIII (1935), 50.

are concerned. This is true whether such happenings be wars, crusades, or the fall of empires. Events may transpire gradually, and they may have roots which are not apparent on the surface. Such is the case of the crusade of Milton W. Reynolds for the opening of the Indian Territory to settlement. His writings for a clear-cut Indian policy began to manifest themselves in 1869, yet there is reason to believe that the foundations of his crusade may be in his coverage of the Indian councils at Fort Smith and Medicine Lodge in 1865 and 1867, respectively. The crusade may have had its beginnings even before that. For those reasons, the scope of this study extends from a brief presentation of research on Reynolds that outlines his background up to the time he entered Kansas, to his activities and writings pertaining to the opening of the Indian Territory shortly after the Territory was actually opened. The study includes many of Reynolds' contacts with persons influential in forming federal policy. It includes his coverage of the Indian peace councils as a representative of eastern newspapers and mention of his appointment to positions where his principal duties were to deal with Indian problems. These activities were a major factor in his establishing a reputation as an expert on Indian affairs. The study includes statements made at the time of Reynolds' death by well-known persons and newspapers, for these statements have a bearing on whether the hypothesis can be accepted, or at least to what degree, if any, it can be accepted.

It should be kept in mind that the principal aim of this research is to collect and examine Reynolds' writings that deal primarily with the opening of the Indian Territory to settlement. Other material is supplementary to that aim, since Reynolds was most widely known for his writings.

Procedure. The following method of procedure was used in seeking data concerning Milton W. Reynolds and his writings that pertained to the opening of the Indian Territory for settlement:

1. A survey was made of libraries at Oklahoma A. and M. College, the University of Oklahoma, the University of Kansas, and Kansas State College.

2. Visits were made to the Oklahoma Historical Society in Oklahoma City and the Kansas State Historical Society in Topeka. Correspondence was conducted with Mr. Donald Danker, archivist for the Nebraska State Historical Society at Lincoln.

3. Correspondence was conducted with newspaper publishers at Lawrence, Kansas, Parsons, Kansas, and Leavenworth, Kansas, to ascertain whether microfilm of newspaper files for various years between 1865 and 1889 was available. Similar correspondence was carried on with librarians of the New York Herald Tribune, the Chicago Times, and the Kansas City Times.

4. Miss Susay Reynolds, only surviving member of Milton W. Reynolds' immediate family, was located, and an interview was sought with her. She acknowledged one letter, in which she expressed a willingness to co-operate in efforts to gather information about her father; however, on November 18, 1955, Miss Reynolds died.

5. Several persons who have done considerable research relating to Oklahoma history were visited.

6. Files of The Chronicles of Oklahoma, published by the Oklahoma Historical Society, and of The Kansas State Historical Quarterly, published by the Kansas State Historial Society, were checked for information about Reynolds.

The libraries, the first of the sources listed above, revealed little or no information relating to the problem. The Oklahoma Historical Society has several references to clippings concerning Reynolds, but none of these was considered of significance in this study. The Nebraska State Historical Society is in possession of a 1955 sketch of Reynolds' life, which deals largely with his activities in Nebraska. A detailed reference to this sketch is made later in this chapter. Those persons contacted who have done previous research on Oklahoma history indicated that they had not encountered Reynolds' name or writings in their research. The correspondence with newspapers and the visit to the Kansas State Historical Society brought better results. Publishers at Parsons, Lawrence, and Leavenworth all reported that old newspaper files of their publications were available, either in bound form or on microfilm. The New York Herald Tribune reported that several stories concerning the Fort Smith Peace Council had appeared in 1865; thus it was possible to locate these stories in bound volumes. The Kansas State Historical Society has several clippings relating to Reynolds, a biographical sketch of his life up to about 1876, and, more important, files of many of the publications for which Reynolds wrote dating back to 1865. In view of these facts, the author did most of the investigation at the Kansas State Historical Society by searching material in the files of periodicals. Periodicals and the dates of publication examined included the Daily Kansas State Journal, 1865-1869; the Lawrence Republican Daily Journal, 1869-1871; the New York Tribune, 1865-1867; the Parsons Sun, 1871-1878; the Kansas Magazine, 1871; the Topeka Commonwealth, 1881-1882; the Leavenworth Press, 1882-1883; the Kansas City Times, 1884-1886; the Lawrence Daily Gazette, 1885; the Lawrence Weekly Journal, 1886-1887; and the Geuda Springs Herald,

1887-1889. Other publications checked less extensively, largely to trace Reynolds' whereabouts, included the Lawrence Tribune, the Hutchinson News, and the Leavenworth Times. The latter newspaper published considerable of Reynolds' correspondence in the closing months of his crusade to get the Indian Territory opened to settlement. From the periodicals cited above the author obtained most of Reynolds' writings included herein and the facts about his life since 1865.

Difficulties Encountered. As with any research project, numerous difficulties were encountered in compiling the material. At least two of these deserve mention. First, many issues are missing from periodicals during the era 1865-1889. Though the Kansas State Historical Society has done a remarkable job of collecting and preserving periodicals, the Society was not organized until 1876. During the years preceding the Society's organization, some of the files have been lost. For instance, the files of the Kansas State Journal and the Lawrence Republican Daily Journal, 1865-1871, have for the most part been lost or destroyed. Fortunately, some of Reynolds' accounts of the Fort Smith Council, his tour into the Indian Territory, and other important writings appear in the remnants of these files. The second difficulty, as far as any attempt to gather all or most of his writings on any subject, concerns Reynolds' productivity. He was so prolific in his writings that his production with the pen and paper and hand-set type would astonish the modern journalist with his modern facilities. His lucid, descriptive style and his high productivity earned him a title he cherished, "The Great Writist." On April 20, 1869, the Lawrence Republican Daily Journal reprinted an item from the Chetopa Advance, which is typical of numerous

descriptions printed about Reynolds. It was a description of the Journal's editorial staff.

> The Lawrence Journal, as a country editor sees it, must, in point of editorial ability, be regarded as the ablest paper in the state.... Reynolds, second in command, would be spoiled by a comparison. He is unique. Individuality is the only bump on the head of the "great writist." Out of the smallest rear appendage of the most diminuitive specimen of the genus porcine he can fabricate a whistle. He is the readiest of writers - in word, a perfect writing machine. He is a physical marvel of endurance, and never tires more than a velocipede. Point and pungency mark his editorials. As a correspondent he is racy, and his humorous moods, inimitable.[3]

Of the periodicals used in this study as source material, Reynolds sometimes wrote for two and three of them at one time. It would be impossible for anyone to collect or even locate all the works of The Great Writist. Those herein, whether complete articles or excerpts, were considered pertinent to his background or to his efforts to have the Indian Territory opened to settlement.

Organization and Presentation. Though this research is basically a collection of writings, these writings represent the major part of something larger--Reynolds' crusade for the opening of the Indian Territory for settlement. The other part of the crusade consists of his activities, which are closely associated with the writings. For this reason, the biographical material and the writings are woven together in their natural chronological order rather than separated into two distinct parts. Biographical material concerning Reynolds' life before he arrived in Kansas and began his crusade is embodied mostly in two brief biographical sketches. These are considered as previous research on Reynolds and not as part of his crusade. The information is

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[3]Lawrence Daily Republican Journal, April 20, 1869.

therefore included in this chapter as introductory material rather than as part of the main body of the thesis. This material is important because it provides an insight into those factors that prepared him for his writings and activities concerning the Indian Territory.

The division into chapters is based generally on some major activity or some major theme around which Reynolds' writings were centered at that time. Chapter II, for instance, deals with Reynolds' coverage of several councils which were concerned with Indian problems. The background that he obtained from attending the councils provided him with important material for his editorial campaigns and helped establish him as an authority on problems related to the Indians. Chapter III deals with Reynolds' tour into the Indian Territory since from that tour came his rare appraisal of conditions in the Territory and his suggestions for opening the Territory to whites. Also after the tour Reynolds prepared his report for the Commission of Indian Affairs, in which he suggested measures for solving the Indian problems. Chapter IV shows Reynolds using the theme "Justice to the Indian," and Chapter V sets forth The Great Writists' views on the raids of Captain David Payne into the Territory. Chapter VI shows Reynolds' writings reaching an almost nervous tempo with the "On to Oklahoma!" theme in the late and crucial stages of the crusade. Chapter VII brings Reynolds to "The Land of the Fair God" after President Harrison signed the proclamation for the opening of the Territory to settlement. Also in this chapter Reynolds makes his plea for the opening of the Cherokee Outlet to settlement. Not all writings in each chapter deal with the particular theme or activity mentioned in the chapter topic, but the activity or theme tends to dominate the respective chapters.

Kansas newspapers both quoted Reynolds extensively and wrote considerably about him in their editorial columns. When they did, Reynolds reprinted it in his own newspaper. He often quoted other newspapers and then attacked their points of view with editorials following the quotations. This was a fairly common practice in the era of personalized journalism during which Reynolds lived. When such material was considered as part of Reynolds' crusade or as reflecting his influence, it has been included.

With the exception of editorials from the Kansas City Times, the writings of Reynolds included in this project were signed by him or appeared in his editorial column under his name. For that reason, it was not deemed necessary to place his by-line on each of the articles.

Summary of Previous Research. Though Milton W. Reynolds established a reputation in at least three states for his activities as a scholar, an educator, an editor, and a statesman, most of the information about his life has remained unexplored in the issues of the many newspapers that he published and the publications for which he wrote. A few biographies have been written about him, each dealing generally with one particular phase of his life. The material on his family and early life is nearly all traceable to the following biographical sketch written in 1879:

> The Reynolds family in America are descended from four brothers who immigrated from England in the early days of the colonies, and settled one in North Carolina, one in New England, one in Pennsylvania, and the other in New York, this being the one from whom Milton W. traces his ancestry. His mother's people are not so well known. The Reynolds family, as far back as their history is definitely known, belong to the industrial classes. Alexander, the father of Milton W., was a farmer. His wife, Rebecca, was a superior woman in every respect, capable, intelligent, warm-hearted, and is remembered by her children with particular reverence. She was a faithful member of the Presbyterian Church as also was her husband, who for thirty years was an officer therein. They both lived and died in the faith -- the wife in 1848, the husband in

1876. Their son, Milton W., was born in Elmira, N. Y., May 23, 1833; at four years of age, he came with his parents from that state to Coldwater, Michigan, remaining at home assisting in the farm labors and attending school until he was sixteen years of age. Being determined to secure a liberal education, he early engaged in teaching to assist him in defraying his collegiate expenses, and entering Albion Seminary, remained there until he was thoroughly prepared for college, during part of which time he was engaged in teaching Latin and Greek classes. In 1853, he entered the University of Michigan, in the second year of his classical course, and graduated June, 1856, with the highest honors of his class. For mathematics he had no taste, and but little for the study of natural science, but delighted in metaphysics and language, having for some time as his preceptor in German and French the celebrated Professor Fasquelle, whose text books are generally known throughout the country. Professor Boise, now of Brown University, and a well known author of text books on language, was his instructor in Greek. After receiving his diploma at the University, Mr. Reynolds returned to his old home in Coldwater, and for one year occupied the editorial chair in the office of the "Coldwater Sentinel," at the expiration of which time he removed to Nebraska City.[4]

Rock, who also did a brief biography on Reynolds, described the latter's decision to leave in the following flowing terms:

Possessed of a romantic and roving disposition and an ideal and poetic nature, he naturally "took to the woods," and the prairies and the songs of the birds, and the beauty of blooming flowers, and the wild scenery of changing landscapes, had greater charms for him than the refinements and elegancies of the most advanced civilization. Though educated at one of the best institutions in the land, and a graduate in the classical department of the great University of Michigan ...he still "hungered" for the horizon, and pioneer people he liked better than college chums.[5]

A concise biographical sketch of Reynolds, dealing principally with his activities in Nebraska, has been prepared by Raymond Dale.

M. W. Reynolds became editor of the Nebraska City News, August 15, 1857, and continued upon the job until the latter part of October, 1861. An examination of the files of the paper show him to have been a strong, vigorous writer. As a Democrat he was strongly partisan and was a vigorous supporter of Stephen A. Douglas. When the Civil War broke out he vigorously supported the Lincoln administration in the prosecution of the War, although criticizing some of the details of management,

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[4] U. S. Dictionary of Biographies, Kansas (Chicago, 1879), pp. 602-604.

[5] Rock, p. 98.

especially the leaving of the frontier unguarded and the apparent ineptness of Cameron, secretary of War. In 1858 Mr. Reynolds made a visit to Michigan and married, June 1858, Miss Susan Galloway of Livingston, Michigan, who had graduated from Albion seminary as valedictorian of her class and had been a teacher in Lansing, Michigan. As a citizen of Nebraska City, Mr. Reynolds took a prominent part in community affairs. He was one of the militia with the rank of major, was one of the officers of the Everett Institute and took part in the program given, took part in the meetings to discuss making city improvements and improving trade with the West, delivered the July Fourth oration at Nebraska City in 1861, and in 1862, both he and his wife were members of the committee to prepare for a July Fourth celebration. It was in the field of politics that he exerted his best efforts; he regularly attended the Democratic county conventions, was a member of the Democratic county central committee in 1858, delegate to the Democratic territorial convention in 1862 and campaign speaker at various times. During the agitation for the annexation of the territory south of the Platte to Kansas he took an active part, was a delegate to the convention at Brownville, January 5, 1859, was a member of the committee appointed to draft an address to the people of the South Platte territory and of Kansas, and was secretary of the annexation convention in May, 1859. He also took part in a meeting in Omaha in December, 1859, to take steps to secure the admission of Nebraska as a state.

In October, 1859, Reynolds was a Democratic candidate for the territorial legislature and was elected. This legislature, the Sixth Session, met at Omaha, December 5, 1859. He voted: 1. against expelling the reporter of the Omaha Republican from the bar of the house; 2. against the bill to prohibit slavery in Nebraska; 3. for a bill to prohibit free negroes and mulatoes from settling in Nebraska; 4. for a usuary law, that is, a law to regulate the rate of interest; 5. for a bill to frame a constitution for state government. He was again elected to the legislature in the fall of 1861 on a Union ticket made up of both Democrats and Republicans. The Eighth Session of the territorial legislature convened at Omaha, December 2, 1861. He was a candidate for speaker and was opposed by both radical Republicans and Democrats. Mr. Reynolds would compromise with neither and on the sixth ballot, A. W. Jones of Omaha was elected speaker. As a result of the bitterness of the contest he was appointed to one insignificant committee instead of receiving three committee assignments as was customary. In this session, he voted: 1. to exempt certain property of soldiers from taxation; 2. for a resolution sustaining the Union; 3. for a bill to fix the rate of toll to be charged for grinding grain.

Milton W. Reynolds, after retiring from editorship of the News, continued to live at Nebraska City. This is evident from mention of him and his wife in news items. Sometime in 1862, he bought the Omaha Nebraskian from M. H. Clark for $500.00, but Clark backed out and Reynolds let him have it back for an additional $200.00. It would seem that Mr. Reynolds then went East in October or November, 1862, perhaps intending to remain. Mr. Clark got into communication with him there and they patched up an agreement whereby Reynolds was to be editor of the Nebraskian. Late in March he arrived at Nebraska City on his way to Omaha to take charge of the Nebraskian. This arrangement lasted

only a few months, for in December, 1863, both Clark and Reynolds disposed of their interest to Alfred H. Jackson, who became sole proprietor of the Nebraskian. It was apparently at this time that Mr. Reynolds returned to Michigan and became commercial editor of the Detroit Press. He seems to have remained about 18 months, for in June, 1865, he arrived in Lawrence, Kansas, to take charge of the Kansas State Journal.[6]

At least two other biographical sketches of Reynolds have been printed, both since 1900. "Historical Sketch of Milton W. Reynolds, Noted Edmond Pioneer" appeared in the Edmond Sun on January 23, 1936. This was mostly a reprint of an article by Dan W. Peery in The Chronicles of Oklahoma, to which reference has already been made. The Edmond Sun wrote:

Mr. Reynolds was one of the pioneers of Oklahoma who helped make history in the formation period of this state. He was one of the most prominent and one of the best known Oklahomans at the time of the opening, three months after which date he established The Edmond Sun. No history of Oklahoma could be written without extended mention of Milton Reynolds. He was a noted writer for newspapers and magazines and a man of known ability in his day. Historians these days are seeking more knowledge of Mr. Reynolds.[7]

After the preceding remarks, the Sun reprinted most of the material from Peery's sketch. Peery mentioned Reynolds' ability as a "brilliant newspaper correspondent and graphic writer," but the biography tends to consist more of comment than of factual data.[8] "He had long been considered the most reliable authority on Indian affairs," Peery wrote, "and his views pertaining to the opening of the public lands to white civilization were read everywhere."[9]

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[6]Raymond E. Dale, "Biographical Dictionary of Otoe County, 1854-1870 (unpublished manuscript at Nebraska State Historical Society Library).

[7]Edmond Sun, January 23, 1936.

[8]Peery, p. 52.

[9]Ibid.

The biographical material presented by Dale was largely concerned with Reynolds' life in Michigan and Nebraska before he moved to Kansas in 1865. Peery's biography dealt primarily with Reynolds' life after the Indian Territory had already been opened to settlement. With the intervening years this project is concerned. This begins in 1865 when Reynolds left Nebraska to seek his fortune in Kansas.

CHAPTER II

COVERING THE INDIAN COUNCILS

On June 1, 1865, Milton Wellington Reynolds, with Judge James Christian and W. S. Rankin as his partners, established the Daily Kansas State Journal at Lawrence. This, in one sense, marked the beginning of Reynolds' crusade for the opening of the Indian Territory to settlement, for in the Journal Reynolds first wrote of the Territory. The Journal was the first of many periodicals the Great Writist was to use in setting forth his views on policies concerning the Indians.

The Fort Smith Peace Council. Three months after his purchase of the Journal, Reynolds, as a correspondent for both his own newspaper and for the New York Tribune, was at Fort Smith, Arkansas, to cover the Fort Smith Peace Council. The Council was of vital importance. When Civil War hostilities ceased, all of the Indians of the Choctaw Nation were anxious for an early conference with representatives of the Federal government, in order that they might ascertain upon what terms they might restore their former friendly relations with that government. The peace council was called to meet on September 1, 1865, at Armstrong Academy, in accordance with the decision of the Grand Council of Confederate Indian Nations. After much correspondence, however, General Cyrus Bussey asked the tribes to send their delegations to the division

headquarters, Fort Smith. The peace council was finally convened there on Friday, September 8, 1865.[1]

For the New York Tribune Reynolds wrote brief daily dispatches about the proceedings of the council. Most of them were terse accounts of proposals and decisions and were printed on page one. His first dispatch concerned treaties for moving the tribes to new locations.

> The Indian Council yesterday was taken up in reading the stipulation to be imposed by the Government upon all treaties in the South-West. The stipulations propose a grand consolidation of all Indian Tribes into one nation, the territory of which shall be the present Indian Territory, and such other as the Government may decide upon. The tribes living in Kansas are to be removed south, and the South-Western tribes expected to compel the Indians of the Plains to observe the treaties.[2]

Whether or not inspired by Reynolds' stories, the Tribune printed a lengthy editorial urging justice to the Indians and a settlement that would result in peace with them.[3]

Most of the dispatches Reynolds sent to the Tribune were of only one to three paragraphs in length. It is highly probable that he wrote lengthy accounts of the council proceedings in his own newspaper, but unfortunately, his files have been destroyed for that period except for the issue of October 6, 1865, which described the closing activities, including a colorful war dance.

Reynolds' best account of the Fort Smith Council came in retrospect years later. In it he explained Payne's interpretation of the results and his own ideas.

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[1]Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People (New York, 1929), Vol. I, p. 371.

[2]New York Tribune, September 13, 1865.

[3]Ibid., p. 6.

The council of 1865 was a notable one. On the part of the government such distinguished statesmen and generals as W. T. Sherman, General Parker, Governor Stanley of Minnesota, Senator Henderson of Missouri, Judge Cooley, Commissioner of Indian affairs, acted as commissioners.

The representatives of the Indian tribes were no less conspicuous and brilliant. Indeed if the truth must be told, so far as power of expression, knowledge of Indian treaties, and real oratory were concerned, the Indians had decidedly the advantage. Their great leaders, John Ross and Colonel Pytchlyne, were still living, and were active participants of the great council. John Ross had been chief of the Cherokees for over 40 years...Col. E. C. Bardinat was then comparatively a young man, but he was then, as now, the most gifted and powerful in eloquence of all the Cherokees. His eloquence was heroic and impassioned, but not vapid or ebullient. He was a pronounced figure in the convention, and though difficult to restrain, he gradually became conservative and his ancient loyalty to the government was restored, and from that day to this no man among the Cherokees has been more loyal to the flag nor more desirous of carrying out the known policy of the Government towards the Cherokees and other Indian tribes. Mayes was then an unknown quantity. Ex-Chief Bushyhead has acquired his fame among his people since the date of that council.

The commissioners on the part of the government were charged with making known to all the tribes of the Southwest the policy of the Government, who were assembled, it was reported, seventy-five thousand strong, numbering not so many, but a very great multitude of chiefs, warriors, sachems, leading men, women, and children. The Cherokees, Cheyennes, Chickasaws, Choctaws, Seminoles, Creeks, and the tribes of the plains, including Kansas Indians, nearly all came. The Indians were told that the war had ended, peace had been proclaimed, that the work of reconstruction and rehabilitation was now being carried on between the North and the South, and that former relations of the semi-civilized tribes with the government must be restored; that they had gone into the rebellion, and consequently forfeited all treaty rights, and that all property once owned by them was now under the terrible ban of confiscation. But the Government, the commissioners said, was not disposed to deprive them of a home; that their red brothers who had remained loyal must be provided with homes; that the persons they had recently sold as slaves must be declared freedmen, and have the same rights as themselves if they chose to remain members of the tribe; and that consequently their former reservations, if restored to them, must be curtailed and restricted in order that the freedmen and loyal red brethren in the North inhabiting Kansas, Nebraska, and the Dakotas might have homes among them. It was largely a Kansas idea, and prominent Kansas men, were there to enforce it. Kansas was then plastered all over with Indian reservations. She wanted to get rid of the Indians. They had lost all rights of property and all title to lands. Consequently, they yielded whatever was asked. The Creeks and Seminoles ceded the western portions of their reservations, including Oklahoma — the home of the red man — to the Government...to colonize friendly Indians and freedmen thereon. Thus titles parted from the Indians, and Payne and his boomers declared it was public land and open to squatter

settlement. Practically they were correct; technically they were wrong as the ceded lands became Government lands but not public lands, as no act of Congress had thrown them open to settlement.[4]

One may observe here, as well as in later treaties, the basis of Payne's campaign to justify settlement of the Territory by entry in defiance of the government, in contrast to Reynolds' crusade for action by Congress to open the Territory.

In a matter of days after the Fort Smith Council, Reynolds appeared at another Indian Council. This was at the Canville Trading Post, Osage Nation, in Kansas. Reynolds was acting clerk at this treaty, in which the Osages ceded certain lands to the United States government and were to move to other parts of their diminished reservation. The ceded lands were later to be subject of much dispute, and Reynolds led a fight to have them opened up for settlement. The Osage Treaty was concluded September 29, 1865.

The Medicine Lodge Council. The next council that Reynolds attended was the Medicine Lodge Council, in which the government negotiated with the Kiowas, Comanches, Prairie Apaches, Arapahos, and Cheyennes. Reynolds again represented the New York Tribune and the Daily Kansas State Journal.

The trip to the Council may have resulted in the first meeting of Reynolds and David L. Payne. Years later William Fayel, reporter for the St. Louis Republican, who also attended the Council, wrote Reynolds, "I observe you are at old headquarters of Payne. He told me he had charge of the supply train on our expedition to Medicine Lodge Creek."[5]

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[4]Marion Tuttle Rock, Illustrated History of Oklahoma (Topeka, 1890), p. 8.

[5]Geuda Springs Herald, February 2, 1889.

While at the Council, Reynolds almost lost his life. He offended Black Kettle, a Cheyenne chief, and Black Kettle attacked him with a tomahawk. Kicking Bird, chief of the Kiowas, intervened to save Reynolds' life. Reynolds and Kicking Bird became great friends, and the latter always called him the "paper chief."[6] When Chief Kicking Bird died in 1875, Reynolds assumed his name for many of his writings, and it was under the name, Kicking Bird, that Reynolds became best known for his writings about the Indian Territory.

Reynolds' dispatches to the New York Tribune were similar in form to those he sent from the Fort Smith Peace Council. An example is as follows:

Medicine Lodge — The Indians have stolen some horses from the North Western Fur Company, near Fort Burford, and killed three men.

The latest information received from Superintendent Murphy, who is in charge of the Indians already assembled at Medicine Lodge Creek, where he remains as sort of a hostage, is of the following purport:[7]

One account of the Medicine Lodge Council written by Reynolds has been reproduced several times by writers dealing with the Council and its significance. This account was originally in the form of a letter to A. T. McNeal.

It was a great council on the part of the Indians. It is said that there were 15,000 present. At first they were sullen and morose and not disposed to treat; they were hungry and mad. They were filled, and, after feasting, they became better natured. It was at this council that I heard Satanta, in the presence of General Sherman, boast of the men he had killed and the horses he had stolen "up at Larned." He rode a big black horse which was branded U. S. Satanta was a fiery speaker, vehement, impetuous, tumultous as a torrent, generally believed to be a common liar and a most consummate scoundrel. Kicking Bird was the second chief of the Kiowas and afterward became principal chief. He was a good Indian. I slept in the same tent with him. He once saved

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[6]Topeka State Journal, August 19, 1906.

[7]New York Tribune, October 4, 1867.

my life and that of my friend, Colonel Murphy, but as that incident is only important to ourselves, I pass it by.

On one occasion we [the peace commission] came very near being gobbled up by the Indians, and probably would have been but for the presence of two old Indian fighters -- Governor Samuel Crawford and Gen. William S. Harney. It was a dull, dreary day. Listlessly and lazily drops of rain drizzled all day long. Towards evening the Indians became restless; they moved about sullenly, sluggishly and slow; they would not come into the council. Governor Crawford called General Harney's attention to the unpleasant signs which, to his practiced eye, were plainly visible. The troops of the escort were at once drawn up in a hollow square with the Peace Commission in the center, and a Gatling gun turned straight upon the camp of the Indians. Needless to say, there was no massacre such as occurred under similar circumstances in the lava beds of Oregon a few years later.

After many days of powwowing, the Indians treated. They were given homes in the Indian Territory. The commission gave away empires to the Cheyenne, Arapaho, Kiowa, Comanche, and Apache; they were given anything they wanted in the way of lands and hunting grounds in the Indian Territory -- anything to get them out of the state of Kansas.[8]

In the existing files of the Daily Kansas State Journal there are no further references to Reynolds' attending Indian councils for almost three years after the Medicine Lodge Council. Reynolds wrote frequently, however, of Indian problems and of his efforts to see that certain policies were adopted. In an editorial entitled "Sound Indian Policy," published March 28, 1868, Reynolds asked that peaceful means be used to settle Indian problems.

Three years ago we commenced writing up the civilizing and evangelizing process as applicable to the Indians. We took the bible instead of the bullet theory, and advocated the christianizing instead of the exterminating policy. For this we were grossly and bitterly denounced by nearly if not all the papers in the State except the Atchison Champion. We were stigmatized as an organ of the Indian Department. The St. Louis Democrat and the Eastern Press were assailed and denounced for drawing their inspirations on the Indian questions from the State Journal.[9]

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[8]Joseph Thoburn, A History of Oklahoma (San Francisco, 1908), pp. 113-114.

[9]Daily Kansas State Journal, May 7, 1868.

Reynolds indicates that 1865 was the year he commenced advocating the peace policy, and he never deviated from that stand in any of his efforts to have the Indian Territory opened for settlement.

Reynolds mentions that some newspapers were drawing their inspirations on the Indian question from his newspaper, and he maintains that several political leaders were looking to the State Journal for leadership.

> Senator Ross is an attentive reader of the State Journal, and it speaks well for his intelligence, his advanced and progressive ideas and enlarged patriotism, to know that he draws much inspiration on important questions from the columns of this paper; so also does Senator Pomeroy, Sidney Clarke, Gov. Crawford, Gov. Carney, and all other public men who have sense and brains enough to appreciate wise policies without stopping to inquire whether at the time they are popular or not.[10]

Clarke was later to have a major role in securing the opening of the Indian Territory to settlement, and it was he who years later delivered an oration at Reynolds' funeral. Even at the time of the above editorial, Clarke was chairman of the Committee on Indian Affairs of the United States House of Representatives. Though several bills had been introduced to organize the Indian Territory, Clarke's committee was the first to report favorably to the House of Representatives on such legislation.

The Osage Council. In May, 1868, Reynolds began a campaign in favor of the Osage Treaty, which involved attempts to remove the Indians from lands in Kansas to the Indian Territory. He began a series of columns on the subject on May 7 while en route to the Osage Council on the banks of Drum Creek. "The Osages apparently feel that the present

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[10]Ibid., March 28, 1868.

is a turning point in their history," he wrote. "They are asked to sell their reservation in Kansas, comprising nearly eight million acres of land, soil that is sacred to them, and remove from these happy hunting grounds to a distant home in the south."[11]

Reynolds' associates on the trip to Drum Creek included Governor Robinson and the Hon. N. G. Taylor, Commissioner of Indian Affairs.[12]

Reynolds undertook one more assignment, this time at the request of the government. This assignment was to give him more insight into Indian problems. On July 25, 1868, the United States Senate consented to the ratification of a treaty with the Pottawatomie Indians providing for a reservation in the Indian Territory for such members of that tribe as would choose to remove there.[13] O. H. Browning, Secretary of the Interior, on November 21, 1868, appointed Shelby T. Shipley, Milton W. Reynolds, and E. Reese Roxbury as a commission to proceed to the Indian Territory to choose a reservation.[14] The assignment was not carried out until 1869 and provided Reynolds with much material for his writings about the Indian Territory.

Reynolds' First Trip to Washington. In March, 1869, Reynolds went to Washington. This was the first of his many journeys there, and the dispatches and editorials he sent back to his newspaper made it plain that the Indian problem was foremost in his thoughts.

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[11] Ibid., May 7, 1868.

[12] Ibid.

[13] B. B. Chapman, "The Absentee Reservations of the Pottawatomies," The Chronicles of Oklahoma, Vol. 24 (1946), p. 298.

[14] Ibid.

In the first editorial he sent from Washington, entitled "A Peace Policy for the Indians," Reynolds advocated reservations for the Indians. He later wrote with some bitterness of the need for adopting such a policy.

> What has been done, and successfully done, by the establishment of schools and churches to elevate the African race, it is proposed to do, or endeavor to do, in the elevation of the original proprietors of the American continent. The military will not interfere with the civilized tribes of the Indian Territory. The reservation policy, that of segregating upon certain definite districts the wild tribes, and there teaching them the arts of agriculture, and inducing them to abandon their wild, nomadic habits, will be adopted.[15]

Reynolds also endorsed President Grant's "Quaker" Indian policy. After Grant had been elected to the presidency, a committee representing the Society of Friends (Quakers) called upon him and urged upon his attention the expediency and propriety of selecting religious men for appointments as agents of the various tribes, arguing that such men would endeavor to secure sober, upright, truthful men as agency employees as far as practicable.[16] Not only did he readily agree to adopt the suggestions of the committee of Quakers, or Friends, but in other instances he also sought to place them under the administrative care of officers who were detailed from the army for that purpose.[17] Reynolds was somewhat facetious in his endorsement of the policy.

> While I do not believe the President will appoint exclusively Quakers to these positions, no more than he will appoint exclusively Methodists or Presbyterians in any other department of the Government, I do consider it as a strong indication that he has determined upon the peace policy, the civilizing, Christian policy, which has been so

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[15] Lawrence Republican Daily Journal, March 20, 1869.

[16] Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People (New York, 1929), Vol. 1, p. 455.

[17] Ibid.

successful in the Indian territory in the general control and management of Indian affairs. I may add that these foreshadowings have caused great quakings among the present incumbents and applicants not of the Quaker persuasion, and that they are now engaged with commendable diligence in the study of the language of thee and thou and yea verily, and many of them are making large investments in broad-brimmed hats and shad-bellied coats.[18]

In another editorial from Washington, Reynolds outlined his plan for territorial organization and suggested for the first time that preparations be made for admission of the Indian Territory as a state. The reflective article presented Reynolds' conclusions after considering the Indian treaties and the policies of President Grant. He defines the Indian question as a question of great significance.

If there is any subject to which I have given any thought and attention, it is the Indian question. With reconstruction practically settled, and Mormonism soon to melt away by the advance of the Pacific Railroad, and the consequent influx of a Gentile population, the Indian question becomes the great question, especially of interest to Kansas and the West. I am satisfied the good sense of the President is being applied to this question in the proper spirit. Civilization is the key-note of his policy.... To carry out the spirit of this policy I am satisfied important changes should be made in the conduct and management of the semi-civilized tribes of the Indian Territory. These tribes have now reached a high degree of culture. They are now for the most part prepared to assume the prerogatives and privileges of citizenship, at all events they are prepared for the inchoate condition of a representative commonwealth...[19]

Reynolds suggested that Indian agencies be abolished and their employees, as useless luxuries, be dispensed with. Instead of agents, he advocated a territorial government in which a delegate from the tribes would present their claims and wants to Congress. After having passed through the proper period of tutorage and preparation, the Territory would be admitted as a state.

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[18] Lawrence Republican Daily Journal, March 27, 1869.

[19] Ibid.

Though Reynolds' attitude was to change drastically toward the Indians and their status in the later stages of his crusade to open the Territory to settlement, he now portrayed them as "fully prepared to enter at least the preparatory stages, the territorial form of government, that leads to the broad plane of citizenship and an equal share in the duties and responsibilities of the Government."[20]

> These tribes are no longer wandering, living upon the precarious subsistence of the chase. They have a possessory right in the soil.... They have earned the title and should be allowed to assume the prerogatives and privileges of citizenship.[21]

With his thoughts on the Indians and the Territory crystallized to this extent, Reynolds was prepared to make an excursion into the Territory to study first-hand the inhabitants and resources of the land.

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[20]Ibid.

[21]Ibid.

CHAPTER III

INTO THE INDIAN TERRITORY

In 1868 Milton Reynolds was appointed a member of a three-man commission which was to proceed into the Indian Territory and establish a reservation for the Pottawatomie Indians. After numerous delays, plans were finally made in March, 1869, to carry out the assignment. Inclement weather, swollen streams, and muddy roads were so disheartening to the Pottawatomie delegation that it refused to accompany the commission. On March 29, however, the commission headed toward the Indian Territory, accompanied by a delegation of Sac and Fox Indians to establish new homes for both the Pottawatomie and Sac and Fox tribes.[1]

The trip gave Reynolds an opportunity to make his first trip to the Territory since 1865, when he attended the Fort Smith Peace Council. The journey, partially by railroad and partially by horseback, was about 1,000 miles in length. Including delays in crossing swollen streams, examining the country, and marking the exterior boundaries of the reservation, the commission spent nearly two months in the Territory.[2]

The Beautiful Indian Country. Though the mission was for the United states government, Reynolds gathered much information for his own

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[1]Milton W. Reynolds, Report to the Commissioner of Indian Affairs, June, 1869, on file, National Archives and Record Service, Washington 25, D. C.

[2]Ibid.

newspaper. Some indication of his high productivity as a writer is revealed in the fact that Reynolds wrote approximately 17,000 words about the Indian Territory. The material was published in five consecutive articles in the Republican Daily Journal. The first four articles were highly descriptive, and one may observe in them the word pictures which Reynolds was to use again and again in his efforts to have the Territory opened to settlement. Such an approach was often necessary to stimulate a land boom in a specific area, for there was no shortage of land available for homesteading. As late as 1899 there were still 337,948 acres in three districts in Missouri subject to homesteading or purchase at $1.25 an acre.[3] Throughout the West thousands of honest and sincere homestead-seekers had been persuaded that certain land, which actually was of little value, was so rich that it would being them wealth, and the sacrifices they made in proving the falsity of the stories are almost too terrible to be recounted.[4] The madness of a land boom is beyond the ken of those who have not lived in it. As a rule, it is a manufactured article, although its foundation may rest upon honest optimism.[5]

At this stage it is probable that Reynolds was enthralled with the beauty of the land and sincerely optimistic about its potential for the white settler. In later stages of his crusade some of the words were to become rather time-worn.

As Reynolds and his party rode over the lands and by the homes of the Quapaws, Senecas, Shawnees, and through the famous Cherokee country,

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[3]State Labor Commissioner's Official Land Map of Missouri, 1899.

[4]John R. Spears, "The Boomers of the West," Munsey's Magazine, September, 1901, p. 850.

[5]Ibid., p. 852.

he observed the tribes making a new beginning in the Territory.

> Most of them...will soon be in a state of independence with their flocks and herds cropping the luxuriant grasses upon the picturesque hills that at intervals adorn and beautify this productive and beautiful country. The flowers, the greatest in variety and of the most delicate blossom anywhere to be found on this continent, are out in bloom. It seems as if one was making an all day's journey through one continuous garden. Here are acres of verbenas, pinks of every description and many other varieties that are sought after and cultivated with such care and attention in our choicest botanical gardens.[6]

As an appeal to the farmers, Reynolds wrote of acres and acres of natural red-top meadows, high as a horse's back, a wonderful wealth of rich and luxuriant prairie grass.[7]

From Fort Gibson, Reynolds traveled by pony into the Creek Nation. From Prairie Town he wrote of the Creek government and of economic conditions among the Creeks. As he moved on to Gano's Ford, he was moved again by the beauty of the Territory, and it may have been from these views that he later described the Territory as the "Indian parks." Such impressions as revealed in the following excerpt may have provided a strong motivation for his efforts to have the Indian Territory opened to settlement, and they could conceivably impress others seeking new lands:

> Imagine this ocean prairie a "silver sea," and the words which the enraptured poet ascribed to England will apply very well to this beautiful Indian Territory--
>
> "This other Eden, demi-paradise,
> This fortress built by nature for herself,
> Against infection, and the hands of war;
> This happy breed of men, this little world,
> This precious stone set in the silver sea,
> Which serves in it the office of a wall,
> Or as a mot defensive to a house,
> Against the envy of less happier lands."[8]

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[6] Lawrence Republican Daily Journal, May 30, 1869.

[7] Ibid.

[8] Ibid.

More concrete items also attracted Reynolds' attention on the journey. He studied the streams and water courses, the timber and coal resources, the salt springs, and possible railroad routes in the Territory. He observed the civilized tribes repairing the waste and the desolation caused by the Civil War. Though the Indians had been despoiled and plundered by both Union and Confederate armies, large farms were now being cultivated again, and the Indians were making good use of the fertile land they occupied.[9]

Since Reconstruction was nearly complete by 1869, Reynolds felt that the Indian question was the "only disturbing element to prevent a peaceful and prosperous reign" for President Grant.[10] In one of his lengthy articles written in the Indian Territory he praised Grant for his Quaker policy and for applying the principles of Christianity to the Indian problems. Reynolds wanted the problems settled during Grant's administration, and he demanded speed in finding a solution to them. His demand for urgency was not heeded to the extent that the action he wanted was taken before Grant left office.

Reynolds presented three phases of his argument that were to be used throughout his crusade. These were:

1. That the Indian question must be settled in justice to the settlers and to the Indians.

2. That the locomotive is a symbol of the break-through of civilization into the Territory and it cannot be stopped.

3. That Indians should hold lands in severalty rather than in common and thus reserve some of the land for settlement.

Not all of these arguments belonged exclusively to Reynolds, but

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[9]Milton W. Reynolds, Report to the Commissioner of Indian Affairs, June, 1869.

[10]Lawrence Republican Daily Journal, May 30, 1869.

they became a major part of his over-all argument, and many of his editorials were based on the three points.

Reynolds' observations also brought him to the conclusion that settlement of the Indian problem was essential in justice to both the write settler and the Indian.

> Considerations of humanity, long delayed justice to our frontier settlers and unprotected pioneers-men, not less than national policy, unite in urging an early solution and settlement of this question. The bleaching bones of hundreds of the too daring and hardy pioneers lie scattered along the great lines of travel across the western prairies, and whiten the sand plains of the Platte, the Smoky Hill, and the Arkansas.[11]

In consideration of the Indian, Reynolds felt that a great nation of forty million people should be strong enough to do justice to a "weak and inferior race of 300,000 Indians."[12] "Do not the demands of a Christian civilization and a common humanity alike impel us to make some effort to avert from the Indian race the terrible doom of a swift and sure annihilation?"[13] The annihilation to which he referred was largely by the locomotive. His observations, mostly en route to the Territory, were to become a major theme of his campaign for opening the Territory.

> The march of civilization is crowding and pressing upon the Indians. The thundering tread and tramp of the locomotive outstrips the speed of their fleetest horses. On the broad prairie, in the blooming valley, and through the thick forest, the scream of the engine and music of the water-wheel awaken the dull monotony of these primeval solitudes, and start new, strange melodies where the wild war-whoop summoned to the dance and the chase.[14]

Advocating Lands in Severalty. There was an answer, Reynolds believed, which would insure justice to both the settler and the Indian

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[11] Ibid.

[12] Ibid.

[13] Ibid.

[14] Ibid.

and which would prevent the annihilation of the Indians. The solution was to let each member of the tribe have one hundred and sixty acres and let the remainder of the land be appraised and sold to white settlers. The settlers would then become citizens of the tribe or nation, and the money paid for the land would be used for public improvements. At the time of this suggestion the various tribes held the lands in common, and members of each tribe roamed at will within the boundaries of the land their tribes held. Reynolds believed that each Indian, through this arrangement, could obtain a good home and be secure regardless of what arrangements the government might make in the future.

There is some confirmation and some contradiction to Reynolds' analysis of what the Indians thought about dividing up the land. Reynolds reported that a strong party in favor of sectionizing the lands was increasing in numbers. He believed that the ablest men in the tribes favored the severalty solution, but that they dared not advocate the policy openly.

J. H. Beadle, another newspaper writer who made a tour similar to that of Reynolds but one year later, said he found three distinct parties among the Cherokees, among which was one favoring white immigration, after setting apart a considerable farm to each Indian.[15] He discovered on further examination, however, that the party was very small among all the tribes and that members of it were regarded as traitors.[16] Beadle was strongly opposed to opening the Territory to white settlement and to the severalty policy. It is perhaps a paradox that Reynolds and Beadle

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[15]Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People (New York, 1929), Vol. II, p. 873.

[16]Ibid.

made similar tours through the Territory and presented many similar statements about the Indians; yet each presented a different solution to the question of what to do with the Indians and their lands. Beadle, like Reynolds, believed that if the Indians could not be civilized, the "race is doomed."[17] He believed, however, that the Indian's best hope lay in not opening the Territory to settlement.

Reynolds' analysis of the Indian Territory with recommendations on how to solve the Indian question appeared in the May 30th issue of his newspaper. This was at the conclusion of his tour into the Territory.

Shortly after his return he made a trip to Washington. His purpose was to report officially to Commissioner of Indian Affairs Ely S. Parker the status of the Pottawatomie and Sac and Fox reservations. His first editorial from Washington, dated June 15, 1889, showed that the Indian problem was on his mind and that memories of beautiful gardens were still with him.

> And the "great writist"...has again "swung the circle" of Washington. The odiferous perfume of the flowers of the beautiful Indian Territory still steal softly and sweetly over his senses, mingling with the aroma and fragrance of the cultivated varieties from every clime and nation and kindred in this capital.[18]

Before making his report to Parker, Reynolds first visited with President Grant and General Sherman. The subject of their discussion was protection of the frontier. Considering the fact that Reynolds had just returned from the Territory and in view of his later report to Parker, it is reasonable to assume that he made recommendations for solving the Indian question to the President.

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[17] Ibid.

[18] Lawrence Republican Daily Journal, June 24, 1869.

A Report to Commissioner Parker. After his interview with Grant, Reynolds called on Commissioner Parker and submitted his 28-page report. It undoubtedly received Parker's attention, for Reynolds wrote, "Having been able to read it in my handwriting proves him an educated man."[19]

In the document that he submitted to Parker, Reynolds went beyond a report on the sites for Pottawatomie and Sac and Fox recommendations. He recommended officially and in writing that certain steps be taken to solve the Indian question and prepare for the opening of the Territory to white settlement. Though the report bore the names of all three members of the commission, it was in Reynolds' handwriting and paralleled in many instances the recommendations that he had published in his own newspaper.

> In a spirit of liberal and broad catholicity to meet the wants of civilization and the insatiable demands of white settlers for more lands to settle upon and occupy, many of the leading men of these tribes are now agitating and favoring the sectionizing of their lands and throwing them open to white settlement upon some such terms as these -- each member of the tribe to have one hundred and sixty acres (160) of land in fee simple, the balance to be appraised and sold to white settlers upon their becoming citizens of their tribes, the proceeds to be devoted to internal and public improvements in proportion to the ration of lands owned and sold by each tribe.[20]

Reynolds presented the question to Commissioner Parker as one of great import and expressed hope that the government would aid in its solution "in the spirit of liberality and magnanimity which should characterize a great and liberal people."[21]

The Great Writist returned to Lawrence after making the report and resumed his writings concerning Indian problems in the Journal. He

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[19]Ibid.

[20]Milton W. Reynolds, Report to the Commissioner of Indian Affairs, June, 1869.

[21]Ibid.

remained in Lawrence for more than a year and then in February, 1871, he made his third trip to Washington, D. C. He was concerned with the matter of Indian lands on this trip, this time the Osage lands in Kansas. Reynolds sent a series of columns to his newspaper, describing visits with prominent Washington personalities. A comment in the Journal showed that his writings were receiving some notice.

> Mr. Reynolds leaves for Washington tomorrow, and while our readers will miss his ready pen at home, they will be more than compensated by his letters from that city. They have not forgotten his communications the last time he was there. No Washington correspondence of a Kansas paper has ever attracted so much or so favorable notice.[22]

There was, however, a notice of less favorable nature in the Journal while Reynolds was in Washington. One of the partners, I. S. Kalloch, announced that he was selling his interest to another partner, T. Dwight Thacher.[23] Thacher in turn announced that he hoped to keep Reynolds' valuable services with the Journal but that he would not decide until Reynolds returned from Washington. He apparently decided that The Great Writist was expendable, for on April 7, 1871, Thacher's name appeared alone on the masthead, and Reynolds was no longer editor.

On April 9, 1871, an advertisement one-half column in depth appeared in the Journal with Reynolds' signature. With the heading, "LET THEIR BE LIGHT — Prospectus of the Parsons Sun," Reynolds announced that he would establish a newspaper at Parsons. Amidst various lofty ambitions and noble purposes proclaimed by Reynolds, there was a hint that Reynolds had not fared well in political maneuvers. Thacher wrote,

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[22] Lawrence Republican Daily Journal, February 19, 1871.

[23] Ibid., April 5, 1871.

"The politicians have acted scurvily by him. We would rather be editor of such a paper as we know he will make at Parsons than to run a dozen Lawrence post offices."[24]

Reynolds left for Parsons, where he made some of his most determined efforts to have the Indian Territory opened to settlement.

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[24]Ibid., April 9, 1871.

CHAPTER IV

JUSTICE TO THE INDIAN

On June 17, 1871, Reynolds began publishing the Parsons Sun. "Our purpose is plain," he wrote in his first column. "The Sun is established for the pecuniary interest of its proprietors, to promote the growth of the rising young city of Parsons, advance the interests and aid in the development of Southern Kansas and the State."[1]

Reynolds was to participate in many political battles in the eight years he spent publishing the Sun. Many of his efforts were devoted to problems concerning the Indians, but the one problem that occupied most of his attention was the Indian Territory and getting it opened to white settlement. Reynolds wrote some of his most pointed and forceful editorials while at Parsons. Throughout most of them one central theme emerges: The opening of the Indian Territory should be speeded up in justice and fairness to the Indian.

Intrusion of the Railroads. His first article on the Indian Territory appeared on the first day of publication of the Sun. Reynolds cited a decision of the United States Supreme Court which upheld the right of federal tax agents to collect tobacco taxes in the Territory.[2] This, in Reynolds' judgment, established without question the right of

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[1]Parsons Sun, June 17, 1871.

[2]Ibid.

the federal government to legislate for and control the affairs of the Indian Territory. The article, like many others he was to write, utilized the figures of speech which Reynolds had used in his earlier editorials. The decision "crumbles to pieces the Chinese Wall," he wrote, "and leaves the question of legislative action as relates to organization and control of the Territory one simply of state or national policy."[3] Again picturing the locomotive as the symbol of civilization, he wrote, "The engine is more powerful than the Indian.... The engine carries with it schools, churches, ...and in the breath of its nostrils every shadow must retreat."[4]

The Indians at this time feared the railroads almost as much as they feared a white man's government over them.[5] They had not, however, manifested any opposition to them when the original rights of way through the Territory were granted by the treaties of 1866.[6] In these treaties the Indians had consented to the grant of right of way for two railroads, one to cross the territory from north to south, one from east to west. On July 26, 1866, only a week after the execution of the treaty with the Cherokees, Congress passed an act authorizing the Union Pacific Railway Company, Southern Branch, to extend its road from the Kansas line south through the Indian Territory, along the valleys of the Grand and Arkansas rivers, to Fort Smith.[7] On the next day the

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[3]Ibid.

[4]Ibid.

[5]Grant Foreman, A History of Oklahoma (Norman, 1942), p. 172.

[6]Luther B. Hill, A History of the State of Oklahoma (Chicago, 1910), p. 160.

[7]Victor E. Harlow, Oklahoma, Its Origin and Development (Oklahoma City, 1935), p. 220.

Atlantic and Pacific Railroad Company was incorporated by Act of Congress to build a road from St. Louis to San Francisco.[8] In 1870 the Union Pacific Southern Branch, its name now changed to Missouri, Kansas and Texas Railway Company, began the construction of the first railroad in the Indian Territory. By February of the next year, 1871, trains were running into Muskogee, and by December the line was complete across the Red River into Dennison.[9] The Atlantic and Pacific entered the Cherokee Nation at Seneca in May, 1871, and reached the Missouri, Kansas and Texas at Vinita in November of that year.[10]

Thus, in 1871, as Reynolds started publishing the Parsons Sun, the railroads provided him with considerable material for his crusade. The intrusion of the railroad and its attendant effects greatly disturbed the peace of the Indians, and by the time it arrived at the Arkansas River the situation became actually alarming.[11] At the temporary terminus known as Gibson Station a considerable town sprang up in a few days. Railworkers, bridge-builders, and merchants numbered several hundred, but there came also hordes of gamblers, thieves, prostitutes, whisky sellers, and all the unsavory followers of frontier camp life.[12] Like a devastating pestilence the construction of the railroad passed through the country with its noisome concomitants, leaving the people greatly relieved, but still shaken from the contact and evil association and new problems introduced by this strange contrivance of the white

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[8] Ibid.

[9] Ibid.

[10] Ibid.

[11] Foreman, p. 181.

[12] Ibid.

man.[13] Through the influence of the railroad, word had gone out of beautiful and fertile acres, and misrepresentations of the projected opening of the country to settlement. The way the Indian affairs had been administered led to the belief that where the white man was sufficiently aggressive and persistent the supposed rights of the Indians would have to yield. The result was the intrusion of several thousand white people crossing from Kansas into the Cherokee Nation, settling and laying off regular allotments in the belief that their claims would ultimately ripen into valid titles.[14]

One of the earliest articles that Reynolds wrote concerning the railroads also dealt with the question of whether the lands of the Creeks and the Seminoles were subject to settlement as public lands as a result of the 1866 treaties. His editorial was inspired by an article in the Lawrence Tribune written by a correspondent from the Indian Territory named "Montauk." Reynolds believed that this correspondent was the first to call attention to this large and inviting homestead area.[15] He also mentioned that the position taken by Montauk was fortified by collateral statements by another correspondent.

> We happen to know that the "prominent Cherokee" is not only a member of the tribe, but is one of the very ablest men in the Territory. He is an educated man and would be an ornament in the halls of Congress. He need never fear and does not fear coping and contact with "the superior civilization of the whites."[16]

There is little doubt that Reynolds is referring to E. C. Boudinot as the author of the collateral statements. Boudinot's writings and

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[13] Ibid., p. 183.

[14] Ibid.

[15] Parsons Sun, August 12, 1871.

[16] Ibid.

lectures later caused several premature colonization movements in the Territory. It is possible that the material in Reynolds' editorial is one of the first of Boudinot's published contentions that the title to the Indian Territory was absolute and vested in the United States, and that it ceased to be a part of the Indian country when the treaty of 1866 was completed. Boudinot, in 1875, tried to establish a newspaper at Muskogee with Reynolds' brother, George, as one of his partners. The Creek Indians, however, ordered the press moved out of the Creek Nation within ten days; thus was ended the venture.[17]

Reynolds accepted as a foregone conclusion that the Indian Territory would be opened to settlement at an early date.[18] He pictured the Eastern traveller riding the Missouri, Kansas and Texas railway through Kansas and Missouri, viewing farms, orchards, and growing towns.

> But as soon as the Indian Territory is reached the scene changes. Here, for 250 miles, scarcely a farm is seen, and hardly an acre of cultivated ground. Hardly a dozen Indians, even, will be seen on the entire route, though they are the proprietors of 50,000,000 acres of land. The aggressive dominant spirit of Anglo-Saxon civilization will hardly suffer such a picture long to remain. The magnificent park cannot be preserved for gaming purposes. It must be subdued and subjected to cultivation.[19]

Reynolds renewed his suggestion for sectionizing the lands. He modified his earlier suggestion to the extent that he recommended that the head of every Indian family be given 320 acres and each other member of the family 80 or 160 acres. The remainder would be sold at $1.25 per acre for the benefit of the Indians.[20] "Let justice be done the Indian

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[17] Foreman, p. 208.

[18] Parsons Sun, August 12, 1871.

[19] Ibid.

[20] Ibid.

before it is too late," he pleaded, "and before the aggressive spirit of the American people has obtained active possession of the lands."[21]

Though he never advised settlers to go upon Indian lands, Reynolds believed that white intrusion was inevitable.[22] The settlers might be driven back by the military, but no sooner would the troops be removed than the settlers would flock back. From his point of view there was only one solution:

> The Indian Territory must be opened to settlement, and that speedily. This is an inevitable fact. Every border man knows it, and feels it. The intelligent men among the Indians know it and feel it. Plainly it is the duty of Congress this winter to settle this question. Justice to the Indian demands it.[23]

On November 18, 1871, the Sun reprinted a brief note from the Emporia News announcing that Reynolds had been re-elected president of the Kansas Press Association and termed it a well-earned compliment.

On November 25, 1871, Reynolds mentioned in his own column that "Washington dispatches indicate that M. W. Reynolds has been appointed Receiver of Public Moneys at Humboldt, Kansas."[24] He thanked his friends, including Senator Pomeroy, Senator Caldwell, and Hon. Sidney Clark. Reynolds accepted the position in Humboldt but decided he would also continue publishing the Sun.[25] He began his duties at Neodesha rather than at Humboldt, possibly because Neodesha was much closer to Parsons.

Shortly after he accepted the position at Neodesha, Reynolds announced that a new publication would be started in January, 1872.

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[21] Ibid.

[22] Ibid., September 9, 1871.

[23] Ibid.

[24] Ibid., November 18, 1871.

[25] Ibid., January 13, 1872.

"The good health and vigorous life of the pet of Kansas people and the Kansas press, the Kansas Magazine, seem to be assured," he wrote.[26] He decided to begin publication of the magazine with 2,000 subscribers, at a price of $3.00 a subscriber, and to augment the number with thousands of other copies. The Kansas Magazine was printed on "fine white paper," and its general make-up and appearance was patterned after the style of Harper's and Atlantic Monthly.[27] In the Kansas Magazine Reynolds wrote his most widely acclaimed article in behalf of opening the Indian Territory to settlement. The article appeared in June, 1872. Before that, however, Reynolds encountered some difficulties concerning his job at Neodesha. Some of his political skeletons were being rattled.

Reynolds Accused of Accepting Bribe. The Kansas State Legislature, on January 24, 1872, passed a resolution establishing a joint committee to investigate all charges of bribery and corruption connected with the Senatorial elections of 1867 and 1871. Though the committee ostensibly was to investigate attempts to bribe and influence members of the legislature, it turned its attention to S. C. Pomeroy, Sidney Clarke, and Reynolds. The committee reported that Pomeroy and Clarke, in March, 1866, jointly paid one thousand dollars and promised to pay further the sum of two thousand dollars for which they executed their joint notes to Reynolds, in consideration that he would use the columns of the State Journal at Lawrence to secure the election of Pomeroy to the Senate in

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[26] Ibid., December 9, 1871.

[27] Ibid., January 6, 1872.

1867 and Clarke to Congress in 1866.[28] Reynolds later sued on the notes but lost when Clarke and Pomeroy pleaded illegal consideration. The committee reported that Reynolds had the case prepared for the Supreme Court but decided not to proceed, and soon afterwards he was appointed to the land office at Neodesha.[29] As he often did when unfavorable comments were made about him, Reynolds printed the committee report in its entirety on the front page of the Sun. He neither defended himself nor acknowledged the truth of the political report.

"The Indian State." Though Reynolds was involved in several political arguments, he still held the job at Neodesha, directed publication of the Sun and the Kansas Magazine, and found time to continue his writings advocating the opening of the Indian Territory to settlement. In the June, 1872, issue of his magazine and in the June 15, 1872, issue of the Sun Reynolds printed his lengthy article entitled "The Indian State." Sidney Clarke said of the article that it "had a powerful effect in determining the great controversy in favor of settlers."[30] Marion Tuttle Rock described it as outlining fully the policy of the government to be pursued in settling the Indian question.[31] Reynolds, in 1888, looked back upon the article as the beginning of his his "unfaltering faith and persistent purpose" in getting the Territory

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[28]Ibid., March 9, 1872.

[29]Ibid.

[30]Marion Tuttle Rock, Illustrated History of Oklahoma (Topeka, 1890), p. 104.

[31]Ibid., p. 101.

organized and opened to settlement.[32] The article, in essence, was Reynolds' own thesis that the Indian Territory should be opened to settlement.

From Reynolds' point of view the problems of Reconstruction had now been settled. The warring states had now returned to their normal political activities. The Negro was enfranchised, and civil rights for all had been guaranteed by the force and power of the Constitution.[33] Now another question demanded a solution. This was the much discussed Indian question.

> The question cannot be put down. It must be met, discussed and settled. Justice to the unprotected frontiersman demands its solution and settlement. Humanity to the Indians requires it. The irresistible march of civilization forces it upon the people, and the people turn to Congress for its speedy, prompt, just and honorable adjustment.[34]

Reynolds recalled that in 1865 the commissioners of the government were instructed at the council held at Fort Smith to inform the civilized tribes that it was the wish of the government that lands should be ceded for the occupancy of the wild tribes of the plains and of Kansas. Treaties for the sale of the lands were subsequently made and ratified, and the work of removal was done about as fast as could be expected. The organization of the Territory in some form seemed now a foregone conclusion.

> The time is opportune for the organization of the Territory upon a broad and liberal basis, one that shall be commensurate with the present wants and future requirements of this great domain of 50,000,000 acres of land, and that shall do justice to the Indian, meet all the aspirations of his race for future growth and progress and development, and will not

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[32] Geuda Springs Herald, February 25, 1888.

[33] Kansas Magazine, June 1872, pp. 481-487.

[34] Ibid.

engage in the futile tasks of attempting to beat down the rising wave of settlement and civilization.[35]

Reynolds believed that even the Indian could not fail to see the significance of the approach of the railroad and the encroachment of civilization on all sides. The Missouri, Kansas and Texas Railway would be completed by the following October. The Missouri River, Fort Scott and Gulf road was at the northern boundary of the Territory, as was the Leavenworth, Lawrence, and Galveston road. Other roads from Missouri, Arkansas, and Texas were moving toward the Territory. From every direction might come an avalanche of civilization and white settlers.[36] Since the Indians could not long withstand such an avalanche, the wisest move would be to give them a perpetual guarantee of citizens' rights and open the Territory to settlement. Reynolds' idea was to let Congress organize the Territory as other territories had been organized, first securing to every man, woman, and child of each tribe a special allotment of 160 acres of land to each. The Indians should have the best land and should be given one year to make a selection.[37] Reynolds' views were very similar to those that he expressed to Commissioner of Indian Affairs Parker in 1869, but his analysis was much more detailed.

In "The Indian State" Reynolds established moral, legal, and economic bases for opening the Indian Territory to white settlement. This was the last of his articles of such length, research, and organization. Most of his subsequent articles dealt with only one phase of the Territory problem.

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[35]Ibid., p. 481.

[36]Ibid., p. 483.

[37]Ibid., p. 485.

In March, 1875, Reynolds visited Washington again, but if his purpose concerned the opening of the Territory, it was not revealed in the dispatches from there.

On July 5, 1875, Reynolds was invited to be principal speaker at a celebration of the civilized nations of the Indian Territory. The speech was made at Atoka, I. T., and when it was reproduced in the Sun, it filled almost the entire front page. Though Reynolds praised the Indians for their progress toward civilization, most of the speech was highly descriptive and appeared to be an exercise of Reynolds' vocabulary.[38]

A personal item in the Sun on July 17, 1775, mentioned that "Col. E. C. Boudinot, the Cherokee orator, is visiting in the city."[39] Boudinot was involved in the tobacco tax case mentioned earlier in this chapter and was largely responsible for some of the early colonization attempts in the Territory.

Reynolds Elected to Legislature. In 1875 Reynolds made his first campaign for public office since serving in the Nebraska legislature 1859-1863. Reynolds nominated himself for the legislature in Kansas.[40] He was elected on the Republican ticket by a majority of 43 votes over G. W. Gabriel and became representative of the 43rd district in Kansas.[41]

Shortly after his election on November 2, 1875, he received considerable newspaper support for speakership of the Kansas House of

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[38] Parsons Sun, July 17, 1875.

[39] Ibid.

[40] Ibid., October 16, 1875.

[41] Ibid., November 6, 1875.

Representatives. On November 20 the Sun reprinted editorial endorsements from the Paola Spirit, Independence Courier, Lawrence Standard, Neosho County Journal, Kansas City Times, Wichita Eagle, and Oswego Independent.[42] On November 24 endorsements appeared from the Chetopa Advance and the Kansas City Times again. On December 4 the Sun reprinted endorsements from the Cherokee Index, Winfield Cowley County Courier, and the Sedalia Bazoo. Other endorsements came from the Wyandotte Gazette, Kansas City Journal, Wathena Reporter, Humboldt Union, and the Crawford County News.[43] The endorsements may have helped, but they were not enough. Reynolds printed the notice of his defeat by D. C. Haskell of Lawrence.[44]

Toward the end of 1875 Reynolds helped found the Kansas State Historical Society.[45]

Reynolds was present when the state legislature convened in Topeka early in 1876. He wrote columns regularly for publication in the Sun and now signed them with his new pen name, "Kicking Bird." The famed Kiowa Chieftain of that name died May 3, 1875. From this time on Reynolds published most of his writings over the name of the man who had saved his life at the Medicine Lodge Council in 1867. In the legislature Reynolds was concerned mostly with educational measures. He was finally successful in securing passage of a bill to restore the sale of 500,000

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[42]Ibid., November 20, 1875.

[43]Ibid., December 11, 1875.

[44]Ibid., January 15, 1876.

[45]The Kansas State Historical Society Quarterly, Vol. 7 (1902), p. 565.

acres of public lands to the common school fund after an editorial campaign and a two-hour speech in the legislature.[46]

Though he made no mention of it in the Sun, Reynolds was city superintendent of schools in Parsons in 1876.[47] He was also appointed by Governor Osborn as a member of the State University Board of Regents in that year.[48] In January, 1876, Reynolds was chosen by the students at the University of Kansas to deliver the oration before the University literary societies.[49]

In spite of his many activities, Reynolds found time to continue his crusade to have the Indian Territory opened to white settlement. The railroads, their lobbyists, and members of Congress on whom they relied had never abated their activities in support of legislation in which they were interested.[50] Since one of their major interests was the Indian Territory, the Indians also found it necessary to maintain representation in Washington.[51] Reynolds' editorials attempted to allay fears that the railroads might "gobble up lands in the Indian Territory."[52] He expressed alarm at the "ignorance existing over certain home matters" and thought the people close to the Territory ought to know more about it.[53]

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[46] U. S. Dictionary of Biographies, Kansas (Chicago, 1879), p. 604.

[47] Ibid.

[48] Ibid.

[49] Ibid.

[50] Foreman, p. 209.

[51] Ibid.

[52] Parsons Sun, April 1, 1876.

[53] Ibid.

The railroads will not get a single acre of land by opening the Indian Territory to settlement. A large body of choice lands will be thrown open to settlement. The advocates of Territorial organization are advocates of the rights and interests of settlers. It is also largely to the interests of Kansas to speedily organize their society and open it to settlement.[54]

With the Osage lands in Kansas and the Indian lands in the Territory foremost in his mind, Reynolds went to Washington again early in April, 1876. He wrote a series of columns for the Sun from Washington, and there is an indication that his correspondence was also published in the Kansas City Times.[55]

The Fort Scott Monitor made note of Reynolds' departure for Washington and accused him of being an agent for the railroads. "...the railroads are the very head and front of the movement in favor of opening the Indian Territory; and in all probability Milt Reynolds has been sent to Washington by the railroads to use his influence in favor of the Oklahoma bill," the Monitor charged.[56]

"It is very easy for parties who always vote with the railroads to make mean inmuendoes," Reynolds wrote from Washington. "The opposition to Territorial organization is largely made up of two classes, cheap knaves and small idiots, and some of them belong partly to one class and partly to the other, and are made up of both."[57] In his closing paragraph he established that his interest was in Territorial organization rather than in railroads per se.

If the gentlemen from Pike county, Missouri, who now run the Monitor cared to inquire they could learn that Milt Reynolds supported

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[54]Ibid.

[55]Ibid., April 8, 1876.

[56]Ibid., April 1, 1876.

[57]Ibid.

Territorial organization years before they had heard there was such a state as Kansas, and before a mile of the M. K. & T. was ever built. The railroad did not have to buy him. He was committed before they had spent a dollar west of the Mississippi river.[58]

After the Osage land case decision was rendered, Reynolds returned to Parsons. In August, however, he went to Washington once more and from there went to the New York Centennial. He wrote numerous articles from both places, but his writings do not reveal whether he did any lobbying on behalf of opening the Indian Territory to settlement.

Reynolds announced on November 11, 1876, that the Sun would be discontinued. "It would be better to close," he decided, "than to run a half-starved, dirty contemptible blackmailing sheet."[59] That was not his style of doing business, and he would continue to operate just the job-printing shop.[60] After about one month he apparently changed his mind, and the publication of the Sun resumed. On December 24, 1879, however, he sold the publication to H. H. Lusk. A few days later the Lawrence Daily Journal reported that Reynolds had been named chief of the Exodus Bureau in Parsons.[61] He spent approximately two years in that position, and sometime in the autumn of 1881 he returned to newspaper work as a Washington correspondent for the Topeka Daily Commonwealth.

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[58] Ibid.

[59] Ibid., November 11, 1876.

[60] Ibid.

[61] Lawrence Daily Journal, January 11, 1880.

CHAPTER V

PAYNE, PETITIONS, AND MONOPOLIES

Between the time when Reynolds left the Parsons Sun and the time when he joined the Topeka Commonwealth, other efforts were being made to open the Indian Territory to settlement. These were largely attempts to colonize the Territory without consent of Congress.

On February 17, 1879, the Chicago Times published a communication from Colonel E. C. Boudinot, wherein he announced that the great bulk of the lands of the western part of the Indian Territory, which had been ceded or relinquished to the Federal Government by the Chickasaw, Choctaw, Creek, and Seminole tribes under the terms of their respective treaties made in 1866, was in reality a part of the public domain of the United States and, as such, was subject to settlement under the homestead land laws of the Government.[1] Shortly after that, the press was filled with reports and rumors of the invasion of the Territory that was soon to take place from many quarters.[2] Though some immigrants did slip by military patrols into the Territory, the number was somewhat exaggerated in newspaper reports, and the ostensible leaders of the first colonization movements soon disappeared.[3]

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[1]Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People (New York, 1929), p. 510.

[2]Ibid., p. 511.

[3]Ibid., p. 513.

The man who succeeded these first leaders was not so easily dissuaded. He was David L. Payne, who is sometimes regarded as the "father of Oklahoma." A native of Indiana, Payne came to Kansas at the age of twenty-one and settled in Doniphan County. After serving three years in the Civil War, Payne was discharged from the Army. He returned to Kansas and was elected a member of the Kansas legislature in 1864. In 1867 Payne was commissioned a captain of the 18th Kansas Cavalry, a battalion raised for service against the Indians of the plains. He was in charge of the supply train to the Medicine Lodge Peace Council in 1867, which Reynolds covered for the New York Tribune. Payne later served another term in the Kansas House of Representatives and was later appointed assistant doorkeeper of the House of Representatives at Washington, D. C. He remained there until 1879.

Payne had been busy perfecting his Colonization Association, and on January 1, 1880, he announced his plan to move upon the "Oklahoma Lands" about March 15, with a colony of five to ten thousand persons.[4] Payne was promptly arrested when he entered the Territory, taken back to Kansas, and ordered not to return. Ignoring the order, Payne re-entered the Territory about a month later. He was arrested, taken to Fort Smith, and there made bond for an appearance at the November term of court. On May 2, 1881, a judgment of $1,000 was assessed against Payne in a civil suit. Since there was no process by which the judgment could be collected, Payne was at liberty again. The judgment, however, had a sobering influence on the lawless intruders, who were not active during 1881.[5] This lull probably accounted for the fact that Reynolds wrote nothing

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[4]Grant Foreman, A History of Oklahoma (Norman, 1942), p. 215.

[5]Ibid., p. 216.

of Payne in the Commonwealth, for which he became Washington correspondent in the latter part of 1881.

In his first column from Washington, Reynolds described briefly a visit with President Chester Arthur and compared it with his earlier visits with Grant and with James G. Blaine.[6] He did not state whether or not he discussed the opening of the Indian Territory to settlement.

In several of his columns Reynolds made it plain that he was still much concerned with the Indian question and that his views had not changed. Writing about a bill granting right of way to the St. Louis and San Francisco railroad in the Indian Territory, he reiterated some of the views he had expressed two years previously in the Parsons Sun.

> The most important fact connected with the bill is the settlement by the senate, as a precedent for future action, of the right of congress to legislate in the Indian Territory that the engine, as a public necessity and as a great public fact, is more potent than the Indian, that Indians have no more rights than white men, and in the judgment of the senate, the right of eminent domain, and the right and power to exercise it in the Indian Territory exists in Congress. The debate was not without profit in settling important facts and principles that ere long will be applied to the Indian Territory, the force of public necessity requiring such application.[7]

Thus, he felt that Congress itself had established the importance of the railroad and the right of eminent domain in the Territory.

Shortly after the preceding article Reynolds wrote another column entitled "The Indian Problem — Not So Much Difference in Races as in Individuals." For the first time he presented the Indian as intellectually equal to the whites, at least potentially, but lacking in the opportunity.

> At present the Anglo-Saxon is the dominant race, but there is individual excellence among other races. And in comparison to the age

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[6] Topeka Commonwealth, December 30, 1881.

[7] Ibid., April 23, 1882.

of the world it was not many years ago that these fierce, wandering, Nomadic, Angles and Saxons, these free-booters and the Bedouins were less civilized than the Zuni Indians have been for centuries. When Greece was the nursery of art and Rome filled the world with her military camps, our ancestors were too poor for the armies of Caesar to plunder. They had nothing for him to steal.... And thus while the wonderful processes of intellectual culture are unfolding, revealing the fact of one race in one age of development possessing the supreme mastery in another and not distant age another race has control and is master of the world. Still in every age individual excellence appears, showing that genius is confined to no age, intellectual culture to no race or clime.... It will take the slow, mysterious process of time to develop the Indian race, but that the race has individual representatives, not few, capable of high mental growth, cannot be doubted.[8]

Reynolds remained in Washington until the latter part of 1882, including in his columns frequent but brief references to the Indian Territory. He then returned to Kansas and became editor of the Leavenworth Daily Press. Though his tenure on the Press was short-lived, he wrote numerous articles urging the opening of the Indian Territory to settlement. The most important of these was entitled "Organization of the Territory is Humanity to the Indians."[9] In it he pictured the Indian question as now a contest between the railroads and the settlers as to which would gobble up the ceded lands. The railroads and the cattlemen, who were obtaining leases from the Indians and fencing up land for pasturage, were depicted as "great monopolies." They in turn were trying to break up the "largest land monopolist" on the continent, the semi-civilized tribes.[10]

Reynolds showed some inconsistency in his analysis of the status of the Indians. "A corrupter and cheaper set of small politicians can nowhere be found than among the tribes of the Indian Territory," he wrote

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[8]Ibid., May 19, 1882.

[9]Leavenworth Daily Press, December 15, 1882.

[10]Ibid.

in the first paragraph.[11] In a subsequent paragraph, however, he took a somewhat different view as he answered the question, "Can the Indian compete with the rushing tide of progress and white settlement that surges and swells across the prairies and valleys?"

> They have schools and churches. Their representative men - the Adairs, Downings, Boudinots and Rosses - will compare favorably in intelligence and legislative ability with the average membership in our State legislatures and the halls of Congress. If justice is done... they will march on to a higher, grander, and purer form of civilization than the wildest dream of the philanthropist or the statesman has conceived to be possible. Isolation is stagnation.[12]

Reynolds compared the Indian Territory and its land policies with conditions in the South before and after the Civil War. There, he said, the policy of large-landed proprietors had been tried and resulted in stagnation, a dwarfed growth, and partial development.

> ...under the inspiration of free labor and the opening of small farms, the regenerated South is just emerging into new life and strength. Like causes, under similar circumstances, produce like results everywhere. At present lands in the Indian Territory are held in common.... In the place of this worse than feudal system, that invites only stagnation and barbarism, and offers no inspiring incentives to individual effort, let Congress organize the Territory....[13]

In the early part of 1883 Reynolds first wrote about Payne and his boomer movement. In February, 1883, there left Arkansas City for the Oklahoma Lands an expedition composed of 250 persons, including women and children, with from eighty to one hundred wagons filled with provisions and forage to last for a month or more and with tents, furniture, and agricultural implements. An army officer observing this party headed by Payne said they seemed to be a well-to-do quiet set of farmers, but all

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[11] Ibid.

[12] Ibid.

[13] Ibid.

well armed with rifles and carbines.[14] The would-be settlers were soon removed back beyond the Kansas line. This attempt, together with Congressional legislation imposing more stringent penalties on trespassers in the Territory, brought forth rather pungent comments from Reynolds.

> The trouble heretofore has been that no penalty but a little fine has been attached to the law that attempts to keep settlers off from the Oklahoma lands, or rather out of the Indian country. To the average raider, a fine has not terrors. The government beats him in the suit, but he beats in the execution of the judgment. Extensive litigation of this kind would be not only expensive, but if carried on long enough would bankrupt the oldest and richest government in the world.[15]

The legislation introduced by Senator Dawes provided that every person found upon the Indian lands would, for the first offense, be fined not more than $500 and be imprisoned at hard labor for not more than one year. Further offenses would bring a fine of up to $1,000, a maximum of two years in prison, and forfeiture of wagons, teams, and other possessions of the trespasser.[16] Though Reynolds was opposed to the provisions of the bill, he believed it should be brought up for debate and consideration in order that the people might become better informed on the status of the Territory. He felt that such a debate would bring out the necessity of legislation concerning the land itself rather than those who trespassed upon it.[17]

The Method of Handling Payne. Reynolds regarded as "too farcical for a practical people" the manner in which the Oklahoma question was being handled. His opinion applied especially to the handling of

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[14] Foreman, pp. 215-216.

[15] Leavenworth Daily Press, February 6, 1883.

[16] Ibid.

[17] Ibid.

David L. Payne.

...the farce of arresting Payne every few weeks and never bringing him to trial should cease. It does seem rather farcical, it must be confessed...and to make the farce absolutely pitiable in its contempt, Payne brings suit against General Pope for false imprisonment, and Payne thus far doesn't seem to be much more fortunate in settling and collecting a judgment against Gen. Pope than does the government in collecting its little fines and judgments against Payne and his impecunious following of hungry land hunters.[18]

Reynolds Joins the Kansas City Times. In the latter part of February, 1883, the Press ceased publication, and Reynolds was once again out of a job. He remained in Leavenworth until the autumn of 1883, and at some time near the end of the year he joined the staff of the Kansas City Times. As a member of the Times staff, he became associated with Dr. Morrison Munford, publisher of the Times, who was later to become very active in the movement to have the Indian Territory opened to white settlement.

The Times took action shortly after Reynolds joined its staff, which may have indicated his influence in editorial policy. It adopted an editorial platform pledging itself to aid in several enterprises. The fifth plank in the platform was a pledge to help secure the opening of the Indian Territory to settlement.[19] The Times, for its platform, was attacked editorially by the New York Star, and Reynolds' influence is apparent in the wording of the reply.

It is wrong to settlers seeking homes upon the public domain to erect this barricade of barbarism on the borders of Kansas, and say the advancing column of civilization shall turn back, and leave the green pastures and inviting fields of the Indian Territory, an imperial park and hunting ground for a few squalid Indians.[20]

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[18]Ibid.

[19]Kansas City Times, January 8, 1884.

[20]Ibid.

The words and figures of speech may seem redundant in retrospect, but they were now written for a larger and different public.

Until the autumn of 1884 Reynolds wrote editorials almost daily regarding Payne and his followers. He did not endorse Payne's actions but used them as a constant reminder that Congress should do something. Often he pictured the situation as a conflict between the wealthy corporation and the poor settler or between the big stock rancher and the small cattle grower. "It is a crime for a settler to use 160 acres to grow stock but it is all right for eighteen men to have 6,000,000 acres of the lands for that purpose," he wrote.[21]

On November 27, 1884, Payne, the great Oklahoma leader, died very suddenly at Wellington, Kansas, where he was organizing another colony for the invasion of the Oklahoma country. He was succeeded by William L. Couch, one of his most active lieutenants, whose name was also to become forever associated with the opening of the Indian Territory to settlement.

Whether Milton W. Reynolds ever discussed the Oklahoma question with Payne personally has not been established. Rock says that Reynolds "was the early friend of Captain David L. Payne, and always enjoyed the confidence and friendship of Capt. W. L. Couch and the other Oklahoma leaders."[22] At the time when Reynolds was publisher of the Kansas State Journal, Payne was a member of the Kansas state legislature. When Reynolds attended the Medicine Lodge Council in 1867, Payne may have been in charge of the supply train. In 1871, when Reynolds founded the

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[21]Ibid., October 3, 1884.

[22]Marion Tuttle Rock, Illustrated History of Oklahoma (Topeka, 1890), p. 101.

Parsons Sun, Payne was again a member of the state legislature. For several years, ending in 1879, Payne was an assistant doorkeeper of the House of Representatives at Washington, D. C. During this time Reynolds made several trips to Washington. The two men had ample opportunity to discuss the Indian Territory problem, but if they did, it has not been mentioned in the writings of either man.

In later writings, Reynolds left little doubt that he admired and respected Payne. He also paid tribute to Payne as being largely responsible for the action of Congress that ultimately opened the Territory to settlement.

> Payne was a typical boomer, big-brained, big-hearted, broad-breasted and broad-shouldered. He was built to carry a great burden of responsibility. He was as brave as a Numidian lion. It was his constant agitation of the question of opening Oklahoma to settlement, together with the wise counsels and fearless acts of such dauntless spirits as Captain Couch, that finally compelled Congress to act.[23]

Reynolds remained on the Times staff throughout the remainder of 1884 and the early part of 1885. He wrote fewer editorials in this period; most of them were repetitious of those printed earlier.

Back to Lawrence. It may be recalled that up to this time Reynolds had done most of his journalistic work on newspapers in smaller communities. His style of writing had been very informal and his own name might appear as often as six or eight times on the editorial. The Times was a much larger newspaper, and his highly personalized approach in editorials was curtailed. A desire to return to the earlier way of life may have prompted him to leave the Times at some time during 1885. A competitor, W. F. Chalfant, announced a new newspaper

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[23]Ibid., p. 10.

and Mr. Reynolds' return to his old home town, Lawrence. The introduction of Reynolds was something less than flattering.

> We found on our table this morning the first number of the Lawrence Daily Gazette...Mr. Reynolds is so well known in this state as a pungent and vigorous writer and the hero of so many worthy but unfortunate ventures that he needs no introduction from us. As a writer he is entirely without convictions on any subject and writes solely for the mighty dollar in the dim distance and the pleasure it gives him to do so.[24]

Chalfant had reference to the Gazette's goal to fill "a long felt want," a daily organ to advocate the principles and policy of the Democratic party in Douglas County.[25] Reynolds had been a Democrat in Nebraska but had supported Lincoln during the Civil War. In 1869, when he and his partners founded the Lawrence Republican Daily Journal, the purpose had been to "meet an unmet want in the Kansas Press," to give Kansas its first Republican newspaper.[26]

> ...but since the star of Democracy has risen again in national politics, he seems to have feathered out as a champion of Democratic measures. But to a Bohemian of his peculiar turn of mind and elastic conscience, politics is only a "means to an end," an important factor whereby he can solve the perplexing bread and butter problem.[27]

With such an introduction, he and his two partners, Osbun Shannon and Paul Leek, began publication of the Gazette, a four-page sheet which provided him with a means of resuming his prolific, personalized writing and his efforts to have the Indian Territory opened to settlement. Though his newest venture lasted less than two months, he published numerous articles advocating opening of the Territory. Most of his

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[24] Lawrence Herald Tribune, September 3, 1885.

[25] Ibid.

[26] Lawrence Republican Daily Journal, February 24, 1869.

[27] Lawrence Herald Tribune, September 3, 1885.

articles were editorial attacks on cattlemen who had leased lands in the Territory from the Indians.

> No doubt the bullock barons will give up the grip on Oklahoma with weeping eyes. They wanted a monopoly of that country...but the cattle companies must go. Oklahoma will be appropriated by settlers in tracts of 160 acres.[28]

The Daily Gazette published its last issue on November 3, 1885, and Reynolds was once again without employment. Within a few weeks, however, he joined the staff of the Lawrence Weekly Journal, a descendant of the Kansas State Journal, which he had founded more than twenty years previously.

He remained in Lawrence throughout 1886 and part of 1887. In 1886, while editor of the Journal, he wrote a series of biographies of famous Kansans for the Kansas City Times. In spite of this, however, he was critical of the Times for what appeared to be an about-face on the Indian question since he had departed more than a year before.

> The editorials in the Kansas City Times on the Indian Territory of late sound very much as if they had been written by a preacher who had been turned out of the church and found unfit for the sacred calling. They are marvelous for their lack of real good sense and appreciation of what can be accomplished and is attainable in connection with the Indian Territory.[29]

He was pessimistic about possibilities of legislation for the Indian Territory in 1886 but re-iterated his belief that, in fairness to both Indians and settlers, the Territory should be opened to settlement.[30]

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[28]Lawrence Daily Gazette, September 13, 1885.

[29]Lawrence Weekly Journal, June 3, 1886.

[30]Ibid.

CHAPTER VI

ON TO OKLAHOMA!

As Reynolds predicted, the Oklahoma bill did not pass in 1886. The opposition to the bill came largely from those elements that Reynolds had criticized the most, the cattlemen who had large herds of stock in the Territory and the Indians themselves.

To Geuda Springs. Before Congress convened again in December, 1887, he moved again. An article printed in the Lawrence Tribune and reprinted in his newspaper announced:

> Hon. M. W. Reynolds, who has been a resident of Lawrence off and on for more than twenty years, has purchased the Geuda Springs Herald and will change his residence to that famous watering place in a few days. Mr. Reynolds is noted as a pungent and vigorous editorial writer and a literary man of rare scholarship and ability. Under his management the Herald will become as famous as his numerous contributions over signatures of "Kicking Bird."[1]

Thus, he, now known largely by his nom de plume, "Kicking Bird," purchased a newspaper in a town located in the heart of the Oklahoma movement. From there he waged his greatest battle in behalf of opening the Indian Territory to settlement.

From October 22, 1887, the date of the first issue of his Geuda Springs Herald, until April, 1889, he wrote consistently for the opening of the Territory, using as his slogan "On to Oklahoma!" in nearly all the writings.

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[1]Geuda Springs Herald, October 22, 1887.

The full extent of his writings during this period and how widely they were distributed can probably never be measured. From references included in this chapter, however, it can be determined that his articles concerning the Territory appeared in at least four newspapers. These were his own Herald, the Kansas City Times, the Leavenworth Times, and the St. Louis Post Dispatch.

He renewed his campaign from Geuda Springs with an expression of pessimism over prospects of passing the Oklahoma bill in the winter of 1887. With only a short session of Congress coming up and a national election in prospect for 1888, he believed that there would be too much "president-making" and movements on the "political chess-board."[2] In spite of this, he still felt that it was only a question of time when Oklahoma and the whole Indian Territory would be opened to settlement, and he believed the whole question would be settled immediately if Robert T. Lincoln or James G. Blaine could be elected.[3]

As Reynolds worked from closer proximity to the Territory, he applied a new urgency to his somewhat time-worn figures of speech. Often he devoted one part of an editorial to describing the beauty of the Territory and another part to tell of the plight of the white settlers.

> It does not stand to reason that the hundreds and thousands of houseless and homeless land-hungry immigrants will forever allow these great Indian parks to remain untilled and untouched, while the people are taxed to support the Indians in their idleness. The Indian reservations must go! The tribal relations of the Indians must go! The farce of the blanketed and breech-clouted nation within a nation must go! The home seekers must have homes. The land-hungry must fill the broad prairies and rich valleys of the Indian Territory.[4]

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[2]Ibid., October 29, 1887.

[3]Ibid.

[4]Ibid.

Kicking Bird also pointed out that the Cheyenne and Arapaho reservations contained 4,441,600 acres. Each Indian on the reservation could be given 160 acres, and it would still leave 3,802,830 acres, enough for comfortable homes for 23,000 whites.[5]

When the Fiftieth Congress convened, in December, 1887, the Oklahoma legislation was introduced and, as before, was championed by its old friends, General James B. Weaver of Iowa and William M. Springer of Illinois, both members of the United States House of Representatives. They were joined this time by Representative Charles H. Mansur of Missouri. During the winter and the early part of the following spring the Oklahoma bill occupied a great deal of attention in Congress. Its friends were no more determined than its enemies, however, the latter being aided by strong lobbying forces.[6] Very active in efforts against the Bill were the cattlemen, whom Reynolds had labeled the "bullock barons," and the Indians. On January 6, 1888, Representative Springer introduced a bill providing for the opening of certain lands then included in the Indian Territory to homestead settlement and also for the organization of a Territory of Oklahoma. Two other Oklahoma bills had been introduced, respectively on the same day, by Representatives Townshend and Weaver. Neither of these, however, was brought up for consideration. On the same day, Representative Bishop W. Perkins, of Kansas, introduced a bill to provide for the opening of certain lands in the Territory to homestead settlement.[7]

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[5]Ibid., November 12, 1887.

[6]Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People (New York, 1929), p. 530.

[7]Ibid.

While the Oklahoma movement was gaining momentum, Reynolds seized upon almost any incident, trivial or otherwise, to emphasize the need for speedy action. He made the most of almost any such situation. In one instance several men entered the Indian Territory and were promptly arrested by the Indians. To him these were vagabond Indians who had joined the confederacy, and they were now allowed to arrest old Union soldiers who were merely looking for some driftwood to keep their families warm. It was, to him, a miserable travesty on justice.[8]

> If the lazy Indian louts who are allowed to roam about at their own sweet will through the great park...were set to work as white men are obliged to work, such wrongs could not be committed by Indians at least.[9]

At this time he received a letter from Captain W. L. Couch, who had become leader of the boomers when Captain David L. Payne died in 1884. Couch had never lost interest in the Oklahoma movement and is considered a major factor in its eventual success. Under the heading "The Oklahoma Leader Endorses It," Reynolds published the brief letter.

> Douglass, Kan., Jan. 27th, 1888.
> My Dear Kicking Bird:
>
> I have read your article in the Kansas City Times of Jan. 27th, in reference to the lands and Indians in the Territory. I endorse every word of it, and hope you will continue to give the public what you know.
>
> W. L. Couch[10]

The article to which Couch had reference was similar to most of the others that he wrote during this period. The letter indicated that both leaders and followers in the Oklahoma movement were being reached by Reynolds' editorials.

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[8] Geuda Springs Herald, January 14, 1888.

[9] Ibid.

[10] Ibid., February 8, 1888.

That Kicking Bird might be attracting some attention in the East was indicated by a note in the Topeka Journal, reprinted in the Herald.

> Eastern people hearing of Kicking Bird, in the reports of the Oklahoma meetings, take him to be some Indian chief who has separated himself from the traditions of his ancestors and is ready for the pale faces to occupy the last stronghold of his race.[11]

The Kansas City Convention. In the early part of 1888, shortly after the Oklahoma bills were introduced in Congress, leaders of the boomer movement and others interested in the legislation decided to have a mass convention to which representatives should be invited from several states of the West and the Southwest, for the purpose of stimulating popular interest in the regions immediately contiguous to the Indian Territory and also for the purpose of making a demonstration that would tend to convince Congress that there was a strong sentiment behind the movement, in addition to the boomer organization, which, unaided, had kept up the fight so long.[12]

This gathering, which had a large attendance, convened in Kansas City, February 8, 1888. The convention voted to select a legislative committee of nineteen members to present a memorial to President Cleveland urging upon Congress the enactment of immediate legislation for the opening of the Oklahoma lands to homestead settlement.[13]

Reynolds later wrote of his own participation in the convention and of his appointment as a member of the nominating committee. In this position he was able to have Dr. Morrison Munford, his old friend and

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[11] Ibid., February 18, 1888.

[12] Thoburn and Wright, p. 531.

[13] Ibid.

employer of the Kansas City Times, named chairman of the Oklahoma delegation to go to Washington.[14] He considered Dr. Munford an excellent chairman and praised him for his speech to President Cleveland.[15]

Reynolds was now writing column after column on the Indian Territory, reporting progress of the Oklahoma bills, urging speedy action, and replying to the objections of those who opposed the opening of the Territory to settlement. There were some who believed that opening the Territory would hold back progress in Kansas more than five years and that people who would otherwise become citizens of Kansas would move on to Oklahoma. This, they believed, would mean a loss to Kansas of more than one hundred million dollars of taxable wealth. Reynolds ridiculed the idea and one of its proponents, the Ottawa Republican.

> New York was not "put back" in her grand career by having Ohio opened to settlement. Virginia did not lose her prestige when Daniel Boone went to Kentucky. Ohio was not put back when the land-hungry commenced hunting houses in the howling wilderness of Michigan. When the voiceless prairies of Illinois became tenantable Michigan did not become depopulated. The settling of Iowa's billowy prairies did not reduce Illinois to a desert and depopulate her prosperous homes. Iowa fairly commenced her boom and bounded at once to a giant state of towering strength in the west. Open Oklahoma and the same result will be witnessed in Kansas. We will get our three millions of people in five years instead of waiting ten years.[16]

As the House Committee on Territories unanimously reported in favor of the Oklahoma bill, Kicking Bird took some delight in the Hutchinson News headline announcing the event. It read, "Kicking Bird's Voice Heard and Heeded by Congress -- The House Committee on Territories Reports Favorably the Bill to Organize the Territory."[17]

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[14] Geuda Springs Herald, March 31, 1888.

[15] Ibid.

[16] Ibid., February 25, 1888.

[17] Ibid.

The news of the favorable action on the Oklahoma bill also caused the elated Reynolds to predict three booms for the town of Geuda Springs. It would make Geuda Springs the great health resort of this continent, cause speedy opening of the Oklahoma Territory for settlement, and would cause a boom for John J. Ingalls for President of the United States.[18] Kicking Bird also felt that this was the time to take pride in his own unfaltering faith and persistence for a quarter of a century to get the Territory opened.[19]

Beginning in the early part of 1888, Reynolds made extensive use of an editorial device which he perhaps thought would spur action on the Oklahoma legislation and at the same time keep his readers informed. In nearly every issue of the Herald he published from a half-column to a column of brief but pointed comments, ranging generally from one to three sentences in length. The comments, such as those that follow, also purported to show the public sentiment regarding the opening of the Territory to settlement.

The Oklahoma bill will probably be acted on in the house in ten days.[20]

The Kansas delegation seems to be sound on the Oklahoma question. We never believed they were liars or cowards. We always believed them, each and all, to be men of good sense, truthful, honest and capable.[21]

Dr. Munford of the Kansas City Times made a very nice little speech introducing the Oklahoma delegates to the President.[22]

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[18]Ibid.

[19]Ibid.

[20]Ibid., March 3, 1888.

[21]Ibid.

[22]Ibid., March 10, 1888.

The Lawrence Board of Trade has passed strong resolutions in favor of opening the Indian Territory. They are doing it all over the country.[23]

It is generally believed the Oklahoma bill in some shape will pass the house. No apprehensions need be feared of the President vetoing the bill.[24]

The Kansas City Times' Washington correspondent thinks the Oklahoma bill will pass by a two-thirds vote. Delegate Voorhees, son of Senator Voorhees, is also of this opinion.[25]

There will have to be further agitation on the Oklahoma bill before it moves.[26]

Mr. Springer succeeded in getting up the Oklahoma bill Tuesday. It was ably discussed by Messrs. Warner and Springer. No action was taken.[27]

Wheat would not be $1 per bushel and the great corn crop of Sumner and Cowley counties would being 50 cents per bushel to supply a home market if the Indian Territory bill had passed the present congress. On to Oklahoma![28]

The voice of the Kansas Legislature this winter must be clear and distinct in favor of the immediate opening of Oklahoma to settlement. The great outrage of keeping hungry home seekers from an opportunity to settle upon unoccupied government land will not longer be tolerated.[29]

Reynolds increased the urgency of his regular editorials through very frequent use of the heading "On to Oklahoma!" Usually from one to three editorials with that heading appeared in each issue. Reynolds was not the only editor to employ the "On to Oklahoma!" slogan; however, whereas other editors dealt with the Oklahoma movement occasionally, for

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[23]Ibid.

[24]Ibid.

[25]Ibid.

[26]Ibid., July 28, 1888.

[27]Ibid.

[28]Ibid.

[29]Ibid.

Reynolds the crusade to have the Indian Territory opened to settlement was now an almost full-time job.

On March 24, 1888, Kicking Bird expressed confidence that the Kansas delegation in Congress would act wisely and prudently on the Oklahoma legislation. He published a brief letter from Senator Preston B. Plumb to show that the actions of the senators and representatives would express the determined purpose and wish of the people of Kansas. In the letter Plumb urged that Reynolds come to Washington before adjournment of Congress. "You might shed some light on the Oklahoma questions," he wrote, "and at all events you would be pleased to see Washington as it will be in a few weeks and compare it with what it was when you first saw it."[30] This was one instance in which Reynolds failed to influence the person concerned. Plumb eventually worked vigorously to defeat the Oklahoma legislation.

In April Reynolds visited Kansas City to talk with Dr. Morrison Munford, chairman of the delegation appointed to visit Washington. His purpose was to gather information in order that he might inform the people of the status of the Oklahoma bill and its progress in Congress.[31] Munford had remained in Washington for several weeks at his own expense to help push the legislation through the Committee on Territories and get it reported favorably to the House.[32] He advised Kicking Bird of the incessant efforts exerted by Sidney Clarke, Captain William L. Couch, Col. Sam Crocker, and many others in securing consideration for the bill. The bill had gained supporters from almost everywhere except among

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[30] Geuda Springs Herald, March 24, 1888.

[31] Ibid., April 21, 1888.

[32] Ibid.

cattlemen, oil trusts, and coal syndicates, and Munford believed it had a fairly good chance of passing the House.[33] Moreover, Reynolds had received assurance that the legislation would also pass the Senate if it reached that body soon enough. "Of course," he told Reynolds, "if it comes over from the House just on the heels of adjournment, we can hardly expect the Senate to take it up and pass it. But if it comes over in reasonably good time the Senate will pass it, and if it goes to the President, he will sign it."[34]

In spite of efforts to stimulate action on the Oklahoma bill, Congress had still not acted when January, 1889, rolled around. Impatience manifested itself more and more among those on the border of the Indian Territory, and there was talk of forcible entry into the Territory. One rumor of a plan for entry attracted national attention. One group of boomers was reported considering a plan to bring Gordon W. Lillie, known popularly as Pawnee Bill, to southern Kansas to lead a raid into the Territory.[35]

Though Reynolds recognized the great disappointment along the border when Congress failed to act before its recess, he felt that this should neither justify nor provoke a raid into the Territory in the absence of congressional action. Reynolds at first doubted that such a movement actually was under consideration. Geuda Springs and Arkansas City had always been a rendezvous of the boomers. Payne had published his Oklahoma War Chief at Geuda Springs. The railroad came through Arkansas City into the Territory and brought many who were watching and

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[33]Ibid.

[34]Ibid.

[35]Ibid., January 5, 1889.

waiting for the time when they could enter the coveted lands lawfully. If a raid were being contemplated, Reynolds felt that he would know about it.[36]

A few days later Reynolds apparently decided that a raid was actually being considered. As he acknowledged the possibility, he also voiced a blunt opinion about it.

> You have no doubt noticed the crazy move of long haired idiots, contemplating a raid on Oklahoma Feb. 1. It is a foredoomed fizzle. It is a farce and can only end in failure. The thing has been attempted by a good deal better men than "Pawnee Bill," or any other lengthy haired imitator of savagery. Couch and Payne found that the U. S. government is stronger than any number of raiders.... Pawnee Bill, or any other Oklahoma leader, could not raise a dozen men to go with him on such a brainless mission in Arkansas City, the headquarters of the Oklahoma movement.[37]

The raid of Pawnee Bill and the boomers never materialized, although the threat of it may have created additional pressure on Congress to do something about the Territory.

As interest mounted over possibilities of entering the Territory, either through legal or illegal means, Reynolds received many inquiries from those who wanted to come to Oklahoma. He published one of the letters and his reply, which he felt would serve as an answer to many. The letter was from a W. G. Lewis of St. Louis, Missouri, who had read an article by Reynolds in the St. Louis Post-Dispatch. Like many others, Lewis and his friends wanted to enter Oklahoma without coming in conflict with the national government.[38] Reynolds advised that there was but one way to open Oklahoma and told the settlers how they could help.

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[36] Ibid.

[37] Ibid., January 12, 1889.

[38] Ibid.

The power rests with Congress. The great crime of debarring settlement in the Territory rests with congressman. From every quarter of the country, letters should pour in upon Congress protesting against the further villainy of depriving home seekers of getting lands to live upon. The papers up north that are trying to boom the contemplated raid of the crazy, long haired Bill are committing a great crime against the Oklahoma movement, which is an honest one and in the interest of the highest public policy.[39]

All of the pressures exerted on Congress finally brought results on February 1, 1889. On that day the United States House of Representatives passed the Springer Bill by a vote of 148 to 102. This was the biggest step yet toward the opening of the Territory to settlement. Now, if the bill could be put through the Senate and were signed by the President, the opening of the Territory would become a fact. With this development, Pawnee Bill was virtually forgotten. Instead, meetings were planned at Arkansas City, Kansas City, and other cities to select delegations to go to Washington. Reynolds was highly elated over passage of the bill, and he immediately urged the cities to send their delegations on to Washington to put pressure on the Senate.

Topeka ought to send a strong Oklahoma delegation to Washington, headed by ex-Gov. Crawford.[40]

Wichita sends a strong Oklahoma delegation to Washington, headed by Col. M. M. Murdock.[41]

Come on, Brother Easley, let us make it unanimous. Hutchinson ought to send a strong delegation to Washington headed by R. M. Easley, editor of the News, instructed to work for the opening of Oklahoma.[42]

On to Oklahoma! Well, we are getting there as fast as we can, as the old sheriff of Labette said when asked to join the Democratic party -- "Well, aint I getting there as fast as I can?"[43]

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[39]Ibid.

[40]Ibid., February 9, 1889.

[41]Ibid.

[42]Ibid.

[43]Ibid.

The big meeting at Arkansas City was planned for February 13, and Reynolds predicted it would be the greatest mass meeting ever held in southern Kansas. Its purpose was to voice the sentiments of the great Southwest with regard to the opening of Oklahoma.[44] All of the towns of Kansas were being urged to send delegates, and Kicking Bird was appointed on a committee to visit the Boards of Trade of Kansas City and of St. Louis to induce them to send delegates.

When Reynolds arrived in Kansas City, he found that the city had already gone into action. A meeting had already been held, and $1,500 had been raised to send a delegation to Washington.[45] Among those named to go to Washington were Milton W. Reynolds and his old friend, Dr. Morrison Munford.[46] As he observed the great enthusiasm and prompt action of the people in Kansas City, Reynolds conceded that one of his long-expressed hopes must now be abandoned, but he had faith that another just as great would soon materialize.

> For twenty years we have stood by Kansas City and prayed that Kansas might gobble her. But Mohammed goes to the mountain, the latter remaining upon its rock-ribbed foundations. We see with the eye of faith and a fixed destiny another Kansas City spring up in the southwest. On to Oklahoma![47]

Reynolds Goes to Washington. As meetings were being held in southern Kansas, and even before the Arkansas City meeting, Reynolds left for Washington to help push the Oklahoma legislation through the United States Senate. He arrived in Washington on Monday, February 11,

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[44]Ibid.

[45]Ibid.

[46]Ibid.

[47]Ibid.

1889, and established himself at the headquarters of his old friend, Sam Crawford, former governor of Kansas, with whom Reynolds had traveled to the Medicine Lodge Council in 1867.[48]

Reynolds spent several days in the nation's capital investigating the status of the Oklahoma legislation. He concluded, after some study, that the Senate was hostile toward the bill, but he still felt that the majority of the Senate would vote favorably.[49] Though the bill had certain objectionable features, Reynolds believed it would be fair enough to the Indians and enough in accord with public policy that fair-minded senators would support it.[50]

There was one great factor working against the bill. Time was running out, and unless the bill passed the Senate within a few days, it might die without even being subjected to a vote.

> It is getting late for the passageof the bill. Every hour is worth a day of ordinary legislative time. It will require great skill in steering the bill through successfully. A single amendment will probably be fatal.[51]

The worst fears of the backers of the Oklahoma bill were realized. Though the measure on February 18, 1889, was reported favorably to the Senate by the Committee on Territories, efforts to have it called up for consideration were unsuccessful. Although it looked as if the bill were doomed to failure, its leaders and backers were not lacking in resourcefulness at this critical juncture. Assured of the friendship of a strong majority in the House, they naturally turned to that body

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[48] Ibid., February 23, 1889.

[49] Ibid.

[50] Ibid.

[51] Ibid., February 23, 1889.

in their extremity.[52] After a hasty consultation they decided to resort to an expedient to force legislation for the opening of the Unassigned Lands to homestead settlement. To this end they formulated an amendment to the Indian Appropriation Bill, which had not yet passed the House, such amendment to provide for the opening to settlement of the lands ceded or to be ceded by the Creek and the Seminole nations.[53]

This decision was reached so late in the session that it called for very quick work to get such an amendment printed in time to have it considered in the final action on the Indian Appropriation Bill. Even as late as March 5 Reynolds reported that the bill had not yet come from the printer. "Just what it is," he said, "very few people know -- perhaps a half dozen members of the house and three or four Senators."[54] His comment came after the bill had already passed both houses of Congress, for the Senate, though strongly objecting to the procedures employed, was forced to accept the measure or see the Indian Appropriation Bill fail of enactment. The Senate action came on March 2, 1889; it brought great rejoicing all along the Indian Territory border and especially among the people who had kept up the agitation for the opening of the Oklahoma lands to settlement. Now the major phases of the battle had been won. All that was needed was approval by the President, and this came in the closing hours of President Cleveland's administration. On March 22, 1889, the new President, Benjamin Harrison, issued the proclamation that April 22 would be the day for the opening of the new lands at high noon.

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[52]Thoburn and Wright, p. 532.

[53]Ibid.

[54]Geuda Springs Herald, March 16, 1889.

For many the crusade to open the Indian Territory would end on April 22. For Milton W. Reynolds, however, there was still some work to be done.

CHAPTER VII

LAND OF THE FAIR GOD

With the signing of the proclamation for the opening of part of the Indian Territory to settlement, there remained for Milton W. Reynolds two more phases of his crusade. Both are somewhat anti-climactic in view of the steps which had already been taken. One of these phases was participation in the actual opening of the Territory. The other was to demand that the Cherokee Outlet, known as the Cherokee Strip, be opened to settlement.

Reynolds left Washington soon after the President signed the proclamation for the opening of the Territory and began plans immediately to take part in the event for which he had worked for two decades. His writings indicate that on Sunday, April 21, he arrived at the site where the run would take place. There he observed, twenty-four hours previous to the legal opening, that attempts to get into the land were numerous and that the hills of Guthrie were covered with snow-white tents. Town lots were already staked out; the woods were full of concealed boomers. The immigration fever raged fiercely.[1] Reynolds' account of the scene, though written later, reflects how vividly he was impressed.

> All along the line of Southern Kansas the camp fires of the anxious emigrants were lighted, and the country was aroused as it had rarely been in the history of the immigration of mighty peoples. The

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[1]Marion Tuttle Rock, Illustrated History of Oklahoma (Topeka, 1890), p. 11.

prow of Aneas' vessel as it kissed the proud waves of the blue Aegean in search of another Troy caused no ripples of excitement compared with the scene that was witnessed as the steam-driven locomotive came plunging down the quiet cottonwood valley and unloaded from its fifteen trains in half a day over ten thousand people, so that nightfall when

> At evening's mellow close
> Mustered here the savage foes,
> But when the morning sun arose
> Cities filled the land.

Metaphorically, newspaper writers talk about building cities in a day. Here was a city of fifteen thousand souls congregated and assembled on less than a section of land in less than half a day, and most of them came to stay.[2]

After the run itself had occurred, Reynolds seemed somewhat less emotional, although he had located and laid claim to a lot. No less than 15,000 persons had camped on the town site. Ten trains had arrived from the north, with each train carrying approximately 1,000 persons. From the south had come 5,000 more hopeful land seekers. These, plus the wagon trains, buggies, and men on horseback, brought the total who camped at the town site to between 15,000 and 20,000.[3]

Reynolds was concerned now that the "poor homesteader," for whom the Territory was opened, might be cheated by those who had entered the Territory before the scheduled time.[4] Scores of deputy marshals had been sworn in to preserve the peace. Now, it was claimed, the officers had entered the Territory, resigned just before twelve o'clock, and then claimed all the eligible lots. When Reynolds first arrived, more than one thousand persons had already staked claims to the valuable lots.

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[2]Ibid.

[3]Geuda Springs Herald, April 27, 1889.

[4]Ibid.

Only one homesteader had been heard from, that being when a man was shot in a scuffle over a claim.[5]

Reynolds' arrival in Guthrie has been described briefly by Frank Greer, another early-day Oklahoma newspaperman, who visited Reynolds' printing plant for the Guthrie Herald.

> Among the early-day arrivals of the State Capital was Milton W. Reynolds, Kicking Bird, who was the pioneer journalistic booster, even back in the days of Capt. David L. Payne. He was a real newspaper man. I shall never forget with what tremor I looked over the fine printing plant he installed on South Second Street about 10 days after the opening. But the field soon became too strenuous for him and he sought a new location in Edmond.[6]

Thoburn and Wright have mentioned Reynolds along with several other writers in their discussion of the settlement of the Territory and its causes.

> It may be truly said that, if it had not been for publicity, Oklahoma might even now be just emerging from a wilderness. In other words, had it not been for the newspaper space that was given to the preliminary agitation for the opening of certain unoccupied lands to homestead settlement, all of the organized movements to that end probably would have ended in failure. Moveover, the newspapers in neighboring states and in the eastern states would have failed to carry any Oklahoma news or stories, had it not been for a very few correspondents, who never failed to throw a glamour of romantic association and picturesque interest in everything that they wrote.
>
> The dean of this little corps...was Milton W. Reynolds,.... Distinguished more for the brilliancy of his rhetorical style than for the absolute accuracy of his statements, his contributions never failed to attract instant attention and hold it to the end. After the death of Kicking Bird in 1875, Reynolds had assumed the name of his Kiowa friend as a nom de plume and it was over the signature of Kicking Bird that he made the name of Oklahoma a household world. Payne and Couch might be the leaders of the forlorn hope for the right to effect a settlement in the Oklahoma country, but "Kicking Bird" was always and ever its prophet. He it was who coined the phrase "the Land of the

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[5]Ibid.

[6]Joseph B. Thoburn, "Frank H. Greer," The Chronicles of Oklahoma, Vol. XIV (1936), p. 265.

Fair God" — a resonantly impressive phrase, but unfortunately or otherwise, utterly lacking in the elements of association or significance.[7]

Whatever impressions he made or left, Kicking Bird lost no time after arriving in the Indian Territory in demanding that the Cherokee Strip be opened to settlement. His writings on this subject bear a strong resemblance to those in behalf of opening the Territory in general. He again refers to the bullock barons and the Indian monopolists, and this time employs "On to the Cherokee Strip" as his banner, whereas in the past it had been "On to Oklahoma!" The Strip consisted of an area that was later to make up the Oklahoma counties of Kay, Grant, Woods, Woodward, Garfield, Noble, and Pawnee.

Reynolds believed that the Strip could be opened to settlement, and he proposed three steps to get the job done. He suggested that the Indians be informed that the time had arrived when the United States Government needed the land for use and occupancy, that it could no longer remain as solitude or waste or for purposes of great cattle monopolies. He proposed that the government next recognize a quasi-Indian title to the extent that it would pay the Indians $1.25 per acre. This would net the Indians far more than they were receiving from cattle leases. As the last step, Reynolds proposed that, if the Cherokees failed to accept the offer of the government, then the government, under existing treaty rights, should move friendly Cheyennes, Arapahoes, Wichitas, Kiowas, and Comanches onto the Cherokee land and pay fifty cents an acre for it. This plan, Reynolds believed, would secure a successful negotiation in thirty days.[8]

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[7]Joseph B. Thoburn and Muriel H. Wright, Oklahoma, A History of the State and Its People (New York, 1929), p. 761-762.

[8]Geuda Springs Herald, April 27, 1889.

But if the commission higgles and piggles and pow wows and injects a mass of New England cant and Pecksnifflan piety and mock maudlin sympathy for the "poor Indian" in place of practical square dealing, there will be no negotiation...It is time for prompt and prudent action.[9]

Unless a "squeeze play" such as Reynolds suggested were adopted, he felt that a delay would result, and this would necessitate the use of military force to prevent trouble in the Cherokee Strip area.[10]

To constantly remind his reading public of the Cherokee Strip and to put special emphasis on the problem, Reynolds used an editorial device similar to that which he had employed in urging the opening of the Indian Territory. Often he printed from a half-column to a column of brief editorial jabs on his editorial page. Some of these were only one or two lines long, and each generally included one point of his argument to open the Strip or a well-worn phrase about the "bullock barons." "On to the Cherokee Strip as soon as negotiations are made," he urged.[11] "The Globe Democrat thinks the bullock barons and the Indians must go, and the Cherokee Strip must be thrown open at once. It is the logic of necessity. The bullock barons must go."[12] To him the Strip problem was a grave one, and there should be "no dilly-dallying and shilly-shallying in connection with the Cherokee commission. It's business from now on is hard hitting and straight from the shoulder.[13] On to the Strip in a legal way. The Strip must be opened."[14]

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[9]Ibid.

[10]Ibid.

[11]Ibid., April 27, 1889.

[12]Ibid.

[13]Ibid., May 4, 1889.

[14]Ibid.

It may be recalled that Reynolds purchased the newspaper at Geuda Springs in 1887. He remained there until April 22, 1889, when he made the run into Oklahoma. On June 29, 1889, just a little more than two months after he arrived in the Territory, Reynolds announced in the Herald:

> The entire plant I shall immediately move to Edmond, Oklahoma Territory, where I will publish the Edmond Sun, retaining, however, my interest and editorship of the Oklahoma Daily State Herald, published at Guthrie.[15]

With the sale of the Herald, Reynolds severed his last ties with Kansas and brought his equipment to Edmond. This was the second newspaper he founded and named the Sun. The other was at Parsons. Both of these newspapers still exist today, but some of Reynolds' other enterprises were short-lived.

Because he had been so prominently associated with the movement to open the Indian Territory to settlement, Reynolds was often mentioned for public office in Oklahoma. He was editorially endorsed for the governorship of the Territory by a number of Kansas newspapers and was the almost unanimous choice of the republican leaders for the office of Secretary of State. "His theme was of the West and he had long been identified with the movement to open Oklahoma to the white man. He was one boomer that was not a sooner. He should have been appointed."[16]

In spite of sentiments expressed for Reynolds for high offices, he was not chosen either for governor or secretary of state. He was, however, honored with political office. A year later, when the members

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[15]Ibid., June 29, 1889.

[16]Dan W. Peery, "The First Two Years," The Chronicles of Oklahoma, Vol. III, No. 3 (1936), p. 265.

of the First Territorial Assembly were to be chosen, twenty-five districts were defined for the election of the same number of representatives, while one representative was to be elected at large from the whole Territory — an arrangement which had been made for the special purpose of permitting Kicking Bird to represent all of the people of Oklahoma.[17]

In those days nominations for public offices were made by conventions instead of primary. Reynolds had not announced his candidacy for Representative at Large, but he was drafted by the Convention of his party, and in the election, because of the general knowledge that the settlers had of his great work in bringing about the Congressional action that permitted the white settlers to come into Oklahoma, there was little effort made to defeat him by the opposing party.[18]

Though Reynolds won the election, defeating E. E. Mitchell of El Reno, he never took office and never saw the completion of his efforts to have the Cherokee Strip opened to settlement. On August 9, 1890, Reynolds died suddenly at his home in Edmond, ten days before the legislature was to convene on August 19. Thus was stilled the voice of Kicking Bird, The Great Writist, shortly after he had written his last editorial, which read in part:

> We have known drier years, but it is drier this year than usual. We want to say that Oklahoma is all right. Ten years from now Oklahoma will be one of the brightest states in the Union. Ten years from now there is not a settler upon a claim in Oklahoma, who, if he is industrious and sober and has his health, will not be worth from $10,000 to $15,000. Our lot is cast in a goodly land and there is no land fairer than the Land of the Fair God.[19]

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[17] Thoburn and Wright, pp. 761-762.

[18] Dan W. Peery, "Milton W. Reynolds," The Chronicles of Oklahoma, Vol. XIII (1935), p. 53.

[19] Ibid.

Kicking Bird's death occurred twenty years after he submitted his report to Commissioner Parker urging the opening of the Territory to settlement and eighteen years after he wrote his famous article in The Kansas Magazine. On August 19, 1893, President Cleveland issued a proclamation announcing that the Cherokee Outlet would be opened to settlement on September 16, 1893. More than a quarter century had elapsed from the time when Reynolds first set eyes on the Indian Territory in 1865 until his dreams were realized with Cleveland's proclamation in 1893.

The day of Reynolds' funeral in Edmond was one never to be forgotten by those who were there and witnessed it. Sidney Clarke, another Oklahoma benefactor and prominent orator, came to Edmond to deliver the oration at his bier. Clarke and Reynolds had known each other since as early as 1868, when Reynolds published the Daily Kansas State Journal and Clarke was a member of Congress. It was a characteristic pioneer audience that assembled to pay its last respects to Reynolds. The orator, the preacher, and the professional man were there from all parts of the Territory, dressed in the garb of that day. The working man was there in his work clothes; the farmer was there in what he wore as he tilled the then new and virgin soil of Oklahoma Territory. They were there because each class and every one of them realized that this man had been foremost and never failing in the battle that had finally been won to provide for them homes and to many of them a new start in this new country.[20]

At that early day few, if any, communities had arranged for cemeteries. Consequently, his pioneer neighbors buried him beneath a

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[20]E. B. Howard, "Recollections of Milt W. Reynolds," The Chronicles of Oklahoma, Vol. XIII (1935), p. 61.

blackjack tree in the school section adjoining the then town of Edmond.[21]

I was one of the pioneers who helped dig his grave, and as we deposited his remains in the grave, most of the people of the territory felt, by reason of his character, his love of mankind and the great work that he had done, to Oklahomans this grave in the future would be a shrine to which people would come to pay respects to the memory of a great benefactor.[22]

Instead of his grave becoming a shrine, it remained unmarked for years and almost became lost. His daughter, Susan, eventually had Reynolds' body removed to the Gracelawn cemetery in Edmond and placed a marker at the head of the grave.[23]

Most leading newspapers of the West published accounts of the death of Milton W. Reynolds, and many of them gave a synopsis of his life and public service. Typical of the editorial remarks were those in the Kansas City Star.

Oklahoma and Kansas are joint mourners at the grave of Milton Reynolds. He was all to Kansas at the time of her need that he was to the young territory which owes its existence largely to his efforts.[24]

Said the Topeka Daily Capital:

For twenty years his pen and voice have been almost constantly employed in advocating the opening of Oklahoma to settlement, and since the day his fondest hopes were realized he has been working as earnestly for its development. Many of his friends advised him to stay in Kansas where pioneering was at an end, but he always replied that he wanted to show his faith in Oklahoma by his works.[24]

Thus, with a flurry of editorials by those who had observed his work and a few brief articles written later by those who had known him,

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[21]Ibid.

[22]Ibid.

[23]Kansas City Star, August 11, 1890.

[24]Topeka Daily Capital, August 11, 1890.

for the most part the mention of Milton W. Reynolds ended. Historians of Oklahoma history today seem not to know his name.

CHAPTER VIII

SUMMARY AND CONCLUSION

Milton W. Reynolds arrived in Kansas in 1865. From then until his death in 1890 he devoted most of his professional efforts to the problems concerning Indians and the land they occupied. The problem that occupied most of his attentions was that of opening the Indian Territory to settlement by whites.

He, either by himself or in partnership with others, founded eight periodicals during the twenty-five-year span. These were the Kansas State Daily Journal, the Kansas Republican Daily Journal, the Parsons Sun, the Kansas Magazine, the Lawrence Daily Gazette, the Geuda Springs Herald, the Oklahoma Daily State Herald, and the Edmond Sun. All of these, except the latter two, were used in his crusade to have the Indian Territory opened to settlement.

During this time he also wrote for at least six other periodicals. These were the New York Tribune, the New York Herald, the Leavenworth Press, the Topeka Commonwealth, the Kansas City Times, and the St. Louis Post-Dispatch.

He traveled widely during this period, both to gather material for writing about the Indian Territory and to influence Indian policy. He visited Washington at least four times. One of these trips came just after he had attended the Indian councils, another after he had made his extensive tour of the Indian Territory. The third was as Washington correspondent for the Commonwealth, in which capacity he remained in

Washington for more than a year. The fourth trip was as a member of the Oklahoma delegation which went to Washington to help push the Oklahoma legislation through the United States Senate. On each of these trips the opening of the Indian Territory to settlement was apparently foremost in his mind. On these trips he conferred with Ulysses S. Grant, Chester A. Arthur, and James G. Blaine. He submitted a report to Commissioner of Indian Affairs Ely S. Parker on the Pottawatomie and Sac and Fox Reservations and also urged that plans be made to open the Territory to white settlement.

During the period 1865-1890 he held offices, a fact which indicated that he was a person whose opinions might be respected by others. He was president of the Kansas Press Association for two terms, a member of the Kansas State Legislature, a member of the University of Kansas Board of Regents, Chief of the Exodus Bureau at Parsons, and superintendent of schools at Parsons.

From the time he entered Kansas and began his crusade until Oklahoma became open to settlement, he was associated with those whose names are prominent in the movement to open the Territory. These include Hon. Sidney Clarke, whom Reynolds mentioned in the article of March 28, 1868, as drawing much of his inspiration from Reynolds' newspaper. It also includes Governor Sam Crawford of Kansas and Dr. Morrison Munford, editor of the Kansas City Times. There is evidence that he knew David L. Payne and that he might have enjoyed the confidence of William L. Couch. Couch's letter to him in Chapter VI indicates that Couch respected his writings and information.

He made the run into Oklahoma and established newspapers at Guthrie and later at Edmond. He was elected a member of the first

territorial legislature but died on August 9, 1890, before he took office. His funeral attracted citizens from all walks of life, and his death brought editorials of tribute from many newspapers who regarded him highly influential in securing the opening of the Indian Territory to settlement.

Conclusion

Influence has been defined as "a persistent, shaping effect upon the thought and behavior of human beings, singly or collectively."[1] If such a definition is employed, can Milton W. Reynolds be considered a man of great influence in bringing about the opening of the Indian Territory to settlement, or was he an unsuccessful crusader on the fringes of a significant movement?

Unfortunately, there is no objective measuring stick of influence that can be applied in all situations. Usually it will be found that other factors cannot be eliminated entirely. Hence, influence with rare exceptions is best conceived of as part of a complicated and not easily separable puzzle.[2] In this light the influences which resulted in the opening of the Indian Territory to settlement must be considered. There were many influences, and it is impossible to separate them into isolated elements.

In attempting to evaluate Reynolds' influence or lack of it, one must consider certain factors not necessarily favorable to the hypothesis. There is lack of evidence, for instance, to show that Reynolds in any way influenced Captain David L. Payne in beginning or carrying out the

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[1] Louis Gottschalk, Understanding History (New York, 1950), p. 233.

[2] Ibid., p. 250.

Oklahoma colony movement. There were also others who were at one time or another urging or demanding that the Indian Territory be opened. Their roles, like that of Reynolds, are difficult to measure in the complex movement. It may be recalled that many of Reynolds' contemporaries praised him at the time of his death for his contributions toward securing the opening of the Territory. Many of these writings unquestionably stemmed from emotion rather than from objective observation or knowledge of the facts. Finally, the greatest pressures to have the Oklahoma legislation passed came apparently in the closing hours of the Cleveland administration. This was one of the most crucial times, and influences counted very much. Whence such influences came has not been entirely ascertained, although Reynolds and many other of the leaders of the movement were present at the time.

Other factors indicate that Reynolds was more of a central figure in the great movement. First, his crusade was a persisting one. There were other voices and other periodicals joining the movement, but his efforts began before most of the others began their participation and continued after some of the others gave up. Second, and perhaps more important, was the contribution of journalists, including him, in calling attention to the unsettled lands. As pointed out in Chapter II, there was still much land available for homesteading in other areas, and the written word made the Indian Territory seem particularly appealing to those seeking homes. It was also pointed out in Chapter VII that, had it not been for the newspaper space that was given to the preliminary agitation for the opening of certain unoccupied lands to homestead settlement, all of the organized movements to that end probably would have ended in failure. He was considered the leader of this newspaper

corps, and there is little doubt that he was the most consistent and the most prolific of the journalists insofar as the Oklahoma movement was concerned. A third factor that indicates that he was in the center of the movement was his participation in the organized efforts. He was on the nominating committee that named Dr. Morrison Munford as chairman of the delegation from Kansas City that was sent to Washington to work for the passage of the Oklahoma legislation. He was also a delegate serving with Munford. He attended and helped promote the "On to Oklahoma!" meetings along the southern Kansas border. It is perhaps of some significance that, after the Territory was opened to settlement, he was drafted as a candidate for Representative at Large of all the Territory. The office was created to permit him to serve all the Territory as a tribute to his efforts to have Oklahoma opened to settlement. Such a tribute must have been founded on a belief that his influence was more than trivial.

> We must be prepared to realize but rarely the conditions of a certain inference; we are too little acquainted with the laws of social life, and too seldom know the precise details of an historical fact. Thus most of our reasonings will only afford presumptions, not certainties. But it is with reasonings as with documents. When several presumptions all point in the same direction they confirm each other, and end by producing a legitimate certitude.[3]

Of Milton W. Reynolds and his efforts to have the Indian Territory opened to white settlement the presumptions do point in the same direction. He foresaw as early as 1869 the possibilities of territorial organization, opening the Indian Territory to white settlement, and eventual statehood. He worked incessantly to achieve those ends, sometimes alone and sometimes as part of organized movements. Though there are no adequate

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[3]Charles V. Langlois and Charles Seignobos, Introduction to the Study of History (New York, 1912), p. 260.

devices to measure influences, the evidence seems adequate to place the name of Milton W. Reynolds beside the names of David Payne, William Couch, Sidney Clarke, E. C. Boudinot, and others who have become widely known for their contributions to the Oklahoma movement.

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APPENDIX

THE INDIAN QUESTION[1]

The Semi-Civilized Tribes--Wealth and Resources of their Splendid Domain--Shall the Lands be Sectionized?--The Road to the Gulf, and the Route it Should Take.

Nominally the Pacific Railroad is completed, and with the last spike the coffin of Mormonism was finished. Reconstruction is complete, or will be by the early snows of autumn. The Indian Question alone remains a disturbing element to prevent a peaceful and prosperous reign for Ulysses, the blest. And this problem is in a fair way for a speedy solution upon the humane terms that the sword and pen of the Christian soldier always dictate and indite. And it is time that this question should be disposed of. It were well that it be done quickly. Considerations of humanity, long delayed justice to our frontier settlers and unprotected pioneers-men, not less than national policy, unite in urging an early solution and settlement of this question. The bleaching bones of hundreds of the too daring and hardy pioneers lie scattered along the great lines of travel across the western prairies, and whiten the sand plains of the Platte, the Smoky Hill, and the Arkansas. The timid wife of the settler is startled at the rustling of a leaf, fearing the approach of the dusky savage with his gleaming tomahawk and scalping knife. And still the resistless wave of immigration surges and swells across the continent, enriching and fertilizing the waste places, and causing the desert to blossom and bloom as a rose.

The march of civilization is crowding and pressing upon the Indians. The thundering tread and tramp of the locomotive outstrips the speed of their fleetest horses. He courses the choicest valleys, and chases away the buffalo. Their game is rapidly disappearing. They seek newer and better hunting grounds.

On the broad prairie, in the blooming valley, and through the thick forest, the scream of the engine and the music of the water-wheel awaken the dull monotony of these primeval solitudes, and start new, strange melodies where the wild war-whoop summoned to the dance and the chase.

The clear, incisive intellect of Grant has marked out a new policy for the conduct of Indian affairs. It is such as a humane soldier and Christian statesman would have chosen. It is the policy of peace, of civilization, and Christian enlightenment. To carry out this peace

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[1] Lawrence Republican Daily Journal, May 30, 1869.

policy men are chosen as agents and superintendents who, in worldly affairs, are honest, frugal and self-sacrificing, and whose religion is a practical exemplification of the great founder of Christianity, and would apply these principles in the daily avocations of life. Recognized the world over as the apostles of peace, the Friends are now called upon to enforce their tenets in the government of a race just emerging from the dark rule of barbarism, and who, being in contact only with the worse forms of civilization, and being plundered and outraged, have learned to look upon the white man with distrust, even bearing gifts. That the problem is a difficult one for the Friends to solve all will admit; but that they are deserving of the confidence and sympathy and earnest support of all good men ought everywhere to be admitted and recognized. Instead of jeers and taunts and flippant criticism and denunciations of the policy as being a farce, as too many of the border papers are declaring, in order to throw prejudice and distrust upon the movement, the Friends should be encouraged and supported in their humane and philanthropic efforts to improve the Indian and avert from the border settlements the horrors of an Indian war, for unless religion be a delusion and the desire to ameliorate the condition of humanity everywhere a cheat and a sham, the theory of the Friends is correct, and the wish of the thieves and the contractors for a general Indian War that shall afford increased opportunities for plunder and pelf, an outrage and a wrong. Grant has recommended the policy; he will give it a fair trial; common courtesy would give it a fair trial; fair play asks this much. The Friends do not ask for the disbursement of moneys. They simply ask of the President that these disbursements shall not be used, as heretofore, to demoralize and debauch the Indian, and that where so much is expended there shall be some adequate returns in the advancement of the Indians to show for these liberal disbursements. A great nation of forty millions of people ought to be strong enough to do justice to a weak and inferior race of 300,000 Indians. Do not the demands of a Christian civilization and a common humanity alike impel us to make some effort to avert from the Indian race the terrible doom of a swift and sure annihilation? Will it not be the lasting shame of the American people if, after having robbed the Indian of his lands, of an entire continent, they shall neglect to provide at least that the remnant of a once proud and dominant race shall have some hope for the future, by affording educational means and facilities for their mental, moral and spiritual improvement?

THE CIVILIZED TRIBES

Fortunately the Friends, in their endeavors to advance and improve this race, are not, even in their treatment of the wild tribes of the plains, entirely without encouraging precedents. The civilized tribes of the Indian Territory have reached a degree of civilization, Christian advancement, wealth and independence that proves beyond peradventure that the race is susceptible of improvement and is not doomed to sudden and swift annihilation. Among the Cherokees, Creeks, Choctaws, Chickasaws and Seminoles, the church membership in the ratio of population is as large as in any of the Western States, and their schools are quite as well attended. Justice is administered through regular forms of law,

and safety and security to property and person are as sacredly guarded and guaranteed as anywhere in the United States. Indeed, the reign of law is better assurance there than in many of the States. The rule of brutal passions and instincts, breaking out in the form of mob violations of law, is here unknown. The Government has never yet been called upon to suppress a single mob or riot by one of these civilized tribes.

AREA AND WEALTH OF THE INDIAN TERRITORY

The Indian Territory lies south of Kansas, west of Arkansas, and north of Texas, and is 388 miles long, and 208 miles wide. It contains 70,456 square miles, and nearly 50,000,000 acres of land. It would make seventy States the size of Rhode Island, ten States the size of Massachusetts, seven States the size of Vermont and New Hampshire, and is nearly twice as large as New York. There is scarcely a quarter section of this 50,000,000 acres that is not susceptible of cultivation.

STREAMS AND WATER COURSES

The principle streams and water courses are the Arkansas river, navigable as far as Fort Gibson, running from the northwest to the south a distance of nearly 200 miles, through the Territory; the Red Fork of the Arkansas, running from the west nearly east, 150 miles; the Grand or Neosho river, and the Verdigris, coming down from the north, and emptying into the Arkansas at Fort Gibson. These rivers have their sources far up in the State of Kansas, and traverse the entire northern portion of the Territory. On the east side of the Arkansas is the Illinois river, rising in the mountainous region southeast of Fort Gibson, and uniting with the Arkansas about thirty miles above Fort Smith. This is, without exception, the most charming and the prettiest river on the continent. Its banks are gravelly, and its bottom is covered with pebble stones of uniform size and almost every variety of color. The scenery along its banks is bold and picturesque. Lofty mountains, craggy peaks, abrupt changes in the course of the stream, rugged cliffs, and sloping hill-sides covered with forest trees, vines, and every variety of wild flowers, form a picture rarely witnessed on southern and Western waters. The stream is full of trout, bass, pike, sun-fish, flat-heads, and perch. The chief attraction of the stream is sparkling, crystal-like waters. From their mirrored surface every object is reflected with a peculiar and charming brilliancy. Colors are drawn out with great force and animation beneath its pure and limpid waters. Dr. McGowan, the European traveler, who spent some twenty years in Japan as a missionary, pronounces this the third prettiest sheet of water in the world. He names first in the class Lake Geneva; in Switzerland, whose transparent and resplendent beauties have been limned and traced by the pencil of Byron in his immortal verse, forming the theme of some of the most delightful of his descriptive writings; the second is the waters in the harbor of Japan, and the third is the charming Illinois of the Indian Territory. Good water power for mills and manufactories can be found at every half mile on this stream.

West of the Arkansas, the Canadian river has its source way up on the western plains, and running a distance of 250 miles through the center of the Territory. Its tributaries are the North Fork, Deep Fork (emptying into the North Fork,) Little River, To-jos-ki, We-wo-ka, and numerous smaller streams and creeks. Wichita and Red rivers rise in the Washita Mountains, and running south of east, pass through all the southern portion of the Territory. The affluents of these rivers are the Kiniski, Boggy, Middle Boggy, Clear Boggy, Blue River, Wild Horse, Beaver Creek, Cash Creek, Mulberry, Sweet Water, etc. On the map, very much of this rich and productive country, with its broad and fertile valleys, its streams and abundance of timber, appears without streams and timber, and is marked as a portion of that great terror of the old geographers, the Great American Desert, but which has been compelled to assume very diminished proportions. The surveys of the Indian country have necessarily been meagre and unsatisfactory, boundary lines only having been required to be made, which will account for the imperfect location of the streams, and the want of accurate information in relation to others, except those on the line of survey.

TIMBER

The one great want of this western country, and which causes the thoughtful to look forward with forebodings to the future, is timber. There is a world of hardy, rugged endurance, and patient, plodding use of muscle among the first settlers and pioneers of a new country, but they are usually thriftless and wasteful of the abundance that nature has given they husband not the resources of the soil, and the poet's injunction, "Woodman, spare that tree," has little restraint upon them. A generous soil is impoverished, and waste and extravagance consume the little "patches" of timber and no trees are planted to make provision for the future. We are now paying from $85 to $100 per thousand for pine lumber brought from Chicago, Native timber, such as oak, walnut, hackberry, etc., is from $35 to $40 per thousand. But we have fields at the south of us at a distance of from 300 to 400 miles, that can supply all our demands so soon as facilities for transportation are afforded. Pine and spruce are found in abundance on the Arkansas and Illinois rivers.

At the mill, eight miles from Cabin Creek stage station, inch pine lumber is selling at $22.50 per thousand; siding $12.00. The strip of pine timber here is about fifty miles in length by twenty miles in breadth. The Indians have had the good sense to keep down the great annual prairie fires, and consequently we find more timber in this country than in any of our western territories. Heavy bodies of timber are found on all the rivers, creeks, and mountains, consisting of oak, walnut, ash, hickory, pecan, cottonwood and pine. These forests cover thousands of acres. The river bottoms are broad, and covered with a dense growth of trees. The streams are belted with timber, and the hillsides are fringed with all kinds of wood that grow in this country. In the western part of the territory the prairies are usually small—from three to four miles wide.

COAL

IS discovered in all parts of the territory. The Cherokee vein crops out in the southeastern part of Kansas, in a vein about two feet in thickness, and increases in depth as it proceeds south into the Indian Territory, where it reaches a depth of from four to six feet.

The banks of Cabin Creek, Verdigris, and the Arkansas, are literally full of coal. Specimens of the Verdigris and Arkansas coal in our possession show that the quality is of the very best, especially the Verdigris. Of the exhaustless supply there can be no question.

SALT SPRINGS

These are innumerable, and of the purest quality. The Indians have for years supplied, with their rude methods of manufacturing, the surrounding tribes, and the people of Western Arkansas and Northern Texas. The best springs are found on the Illinois, Grand and Canadian rivers. In the extreme western part of the territory are the great salt plains, where salt is scraped by the bushel and wagon load.

POPULATION, LANDS, ETC.

The following is the population of the several tribes of the Indian Territory, the amount of lands owned by each tribe, funds held in trust by government for them, etc.

CHEROKEES

This tribe numbers 14,000. The females outnumber the males more than 1,800. Ten years ago the tribe numbered 25,000, but the ravages of war, the exposure of the refugees in northern climates when they were driven out from their homes during the rebellion, and other causes, have operated to produce this wonderful diminution of numbers. The Cherokees now own in fee simple about 4,000,000 acres of land, and the United States government holds in trust for them $1,000,000. The Cherokees are the most enlightened tribe of the southwest. They have made most commendable progress in civilization. Many of them are finely educated, and are men of culture and refinement. Before the war they had a number of good schools and academies, and the children of the more intelligent and wealthy were educated in eastern colleges. They have a legislative form of government, with a council and House of Assembly, a Governor or principal chief, elected by the people, courts, and other officers. Their country is divided into districts or counties. They held slaves, but to use a western provincialism, that is "played out." Their former slaves are now treated with consideration and respect and will soon become the principal men of the tribe, as they are industrious,

and seem to have a greater desire to accumulate property than the native Indian. In proportion to their numbers, the Cherokees, previous to the war, were the wealthiest people on the face of the globe. They owned immense herds of cattle, horses and hogs. Large shipments of cattle were annually made by them to New Orleans and other markets. One man owned 20,000 head of cattle, another 15,000. There were many that owned 10,000, 4,000, 2,000, 1,000, and 600 head of cattle each. He was considered a poor Indian — in fact a very near relative of "Lo! the poor Indian," who did not own 300 head of stock. A happier and more contented people were nowhere to be found than the Cherokees, when the demon of secession entered their midst, and with serpentine tongue and poisonous lips, urged them to join their "brothers of the south!" They had always been loyal and faithful to their treaty stipulations, and loved their Great Father at Washington, but in a evil hour they listened to Albert Pike and other agents of the southern confederacy, and desolation and ruin followed. No portion of the south has suffered so much as the Cherokees, Chocktaws, Chickasaws, Creeks, and Seminoles. Innocent of any crime and desirous of remaining loyal to the government and faithful to their treaty stipulations, they were robbed and despoiled by both parties. A former Superintendent of Southern Indians, Col. Sells, estimates that 300,000 head of cattle were stolen from the Indians of the Indian Territory during the war, under the connivance, to the shame and disgrace of the Federal uniform be it said, of Union officers. The country is so finely adapted to stock raising, that the only labor attached to the business is to gather them up in the spring and brand them. The "brand" is the proof of ownership, and death is the penalty of its violation.

THE CREEKS

The tribe of Creeks numbers 14,200, including the freedmen, who, under the late treaties, have become citizens of the tribe. The females outnumber the males about 1,500. Eight years ago this tribe was 21,600 strong. War and its incidents and accompaniments has reduced the numbers 30 per cent, in this brief period. The Creeks own nearly 4,000,000 acres of land, and the United States government holds in trust for them, on which annual interest is paid, $1,519,000. This tribe is considerably advanced in civilization, and before the war they had schools and seminaries. They owned great quantities of stock, and lived upon the products of the farm and their large herds of cattle. They have a legislative form of government; their government consists of one principal chief, who, with the chiefs of bands and subdivisions, constitute the council, and enact the laws for the people. They have sheriffs, who are peace officers; also a mounted police they call the "Light Horse," whose duty it is to preserve the peace and arrest offenders.

THE SEMINOLES

This tribe numbers 2,236, including the freedmen, who are citizens. The decrease among this tribe is astonishingly rapid, amounting to nearly

50 per cent, during the last ten years. Their present reservation consists of 200,000 acres of land, and the United States government holds in trust for them $670,000. They have made good progress in civilization, and at the breaking out of the war were in independence, by cultivating the soil and raising stock. They had schools, churches, smithshops, and were rapidly advancing in intelligence.

THE CHOCKTAWS AND CHICKASAWS

These tribes number respectively 25,000 and 4,600. Their decrease has been about 25 per cent during the last ten years. These tribes have substantially the same form of government as the Cherokees. There are many men of wealth and intelligence among them. Many of their principal men have been educated in eastern schools. They have a liberal school fund, and their institutions of learning are in a prosperous condition. The ravages of the war were not so heavy upon them as the other tribes. They will soon be surrounded with large herds of stock, and possess prosperous and happy homes. The government holds in trust for the Chocktaws $1,385,000, and for the Chickasaws $400,000.

AFFILIATED TRIBES

The Wichitas and Kiowas, and their affiliated bands, occupy a portion of what is known as the leased lands. They are predatory in their habits, and of a roving disposition. They have no reservation of their own, and have made but little progress in civilization. They have for a long time been supported by the government, and have little or no fund in the hands of the government. They number only 1,800.

CLIMATE

The climate is delightful, mild and pleasant. There is but little weather that can be called wintry. The grass remains green all winter on the bottoms, and by the first of March preparations are made for planting. During the last of February, the small garden seeds, such as onions, lettuce, radishes, etc., are planted. The soil is well adapted to corn, wheat, oats, cotton and tobacco. As a fruit country it is unsurpassed. The Indians have as fine peach orchards as can be seen anywhere. Apples, pears, plums, etc., bear profusely, and are of excellent quality. Wild grapes grow abundantly all over the territory, and in size and quality are nearly equal to the cultivated varieties. They are entirely different from the wild grapes that grow in northern latitudes. The flowers are beautiful beyond description. The prairies are one vast conservatory, blooming with every variety of flowers; the verbena, the cactus, the flowering althea, and hundreds of other flowers and shrubs are found in infinite variety and abundance, and bloom with freshness and beauty throughout the entire summer season, and until late in the autumn.

LANDS IN SEVERALTY

As the general reader is probably aware, the lands of these several tribes are held in common. There is, however, a strong party in favor of sectionizing the lands, which is rapidly increasing in numbers, and would be greater if the leaders dared to advocate, openly, this policy. The ablest men among them see that the resistless march of civilization, that breaks down all barriers in its way, will not suffer this magnificent domain always to be held in common, by comparatively a few Indians, and that they will have to adapt themselves to the regulations of the whites, and divide the lands up in severalty. The more intelligent portion are already prepared for some such arrangements as this — let each member of the tribe have one hundred and sixty acres, the balance to be appraised and sold to white settlers, who shall become citizens of the tribe or nation, the proceeds to go to the fund of the tribe owning the lands, for public improvements and other purposes.

This is a long step in advance of the present communist theory; but will hardly meet the increasing demands and encroachments of modern civilization. One thing is plain, the Indians should sectionize their lands, and each one obtain a good improved home. Then, whatever arrangement the Government may in the future make, they will be secure, at least, in their homes. To the civilized tribes, it must be confessed that this is a question of profound interest, and merits all the discussion and thought that their leading men can possibly give it. Seeing, in this connection, so clearly the events of the future, we know that we are giving good advice when we tell every soul of them to get clear and indisputable title to a good home of one hundred and sixty acres, and that speedily.

THE GREAT NORTH AND SOUTH RAILROAD

We have given a bird's eye view of the undeveloped resources of this magnificent domain where, as Douglass Jerrold said of the rich soil of Australia, "tickle it with a hoe and it will laugh with harvest;" but, as a writer in the North British Review truly says, "fertility is not everything. The rose gardens of Cashmere would be worthless, the vineyards of Champaign yield no profit, if they were inaccessible. A good road is as important a consideration as a temperate climate and a teeming earth." The great want of the Indian Territory is a north and south road to develop its resources. The Indians see and appreciate this fact, and are for the road, to a man, and have made liberal provisions for its construction. In treaties with the Government, the Cherokees, Choctaws, Chickasaws, Creeks and Seminoles, granted the right of way through their lands, and gave liberal grants of land to aid in their construction. The party of progress is constantly and largely on the increase among the Indians. These men want a railroad communication, and will aid any company that will undertake, in good faith, the construction of a railroad through their Territory, connecting the gulf with the northern lakes. Large subsidies can be obtained from the tribes mentioned for the building of a railroad, if

the right men are selected to conduct the negotiations. They should be thoroughly conversant with the Indian character, and must have the confidence of the Indians, and be prepared to deal honorably with them, and always redeem the promises and pledges made to them.

A NATURAL RAILROAD ROUTE

The most natural, easy and practicable route for a railroad from the southern boundary of Kansas is as follows: Striking across from Humboldt or vicinity, to the Little Verdigris; thence on a straight line across the Arkansas, at Gano's Crossing, about fifteen miles above the Creek Agency, in the direction of Preston, Texas, where the road will intersect with the Northern Central Railway of Texas, about one hundred and fifty miles of which is now completed and in running order. Gano's Crossing, on the Arkansas, is the only practical crossing on the Arkansas river, and is in the direct line. You then pass over the level portion of the Creek country, across the North Fork, near North Fork town; thence across the Canadian, at the mouth of Little River, and over a level country to Preston. The distance from the southern boundary of Kansas to Preston, Texas, is less than two hundred miles. The gradients are light, and in no country in the world can a road be constructed so cheaply, or operated at so light an expense. Having traversed this route, we speak with a good degree of confidence of its entire practicability.

To the Hon. Ely S. Parker
Commissioner of In. Affairs
Washington, D. C.[2]

Sirs,

The undersigned commissioners, appointed by the Hon. Secretary of the Interior to "proceed to the Indian Country in company with a delegation from the Sac & Fox of the Mippippi tribe of Indians, and a delegation from the Pottawattomie tribe of Indians, to make a selection of the new reservation for each of said tribes," having discharged this duty beg leave to make the following report.

Upon receiving official notice of their appointment the commission at once proceeded, in pursuance of instructions, to Atchison, Kansas, the headquarters of the Central Indian Superintendency, and acquainted the Hon. Thos. Murphy, Superintendent of the this Superintendency, with the objects of our mission, and requested that at as early a day as practicable delegations from the tribes named be selected to accompany us to the Indian Country, in accordance with instructions received by him from the Department of the Interior "to select a suitable delegation from each of said tribes to accompany you (us) to the Indian Country, and to provide necessary means for the transportation and subsistence of said delegations while absent from their tribes with you" (us). We also communicated with agents Wiley and Palmer of the Sac & Fox and Pottawattomie tribes, acquainting them with the nature of our mission and requesting that all diligence be used by them to foreword us in the discharge of the duties assigned us. From these gentlemen, prompt responses were received, stating, however, that as they were very busily engaged in making up their annual reports some delay must necessarily ensue in the assembling of the Indians in council, the selection of the delegations, and their preparation for the proposed trip to the Indian Country, owing to unfortunate dissensions and divisions among bands or factions of the Sac and Fox tribe, the principal chiefs or leaders of which are Keokuk and Chicons Kuk, Agent Wiley, acting under instructions of Supt. Murphy, met with many vexatious delays and difficulties; and not until repeated communications were made with the departmentment and finally authority was given him to appoint the delegation if a selection was not made promptly by the Indians in council could a selection of delegates be obtained. Upon the receipt of this official order by Agent Wiley from your predecessor in office, The Hon. N. G. Taylor, the delegation was selected by the Indians; and the commission are pleased to report that in their judgment the delegation, comprising

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[2]Milton W. Reynolds, Report to the Commissioner of Indian Affairs, June, 1869, on file, National Archives and Record Service, Washington 25, D. C.

eleven members of the leading men and chiefs of the tribe was most wisely and judiciously chosen. It apparently was selected from the best men of the tribe, and though the different parties or bands were all represented, and with a fair and equitable representation, yet there was entire harmony and accord among the delegation, and the most pleasant relations were maintained throughout between them and the commission in all business interviews, and in the final selection made for them and their people every member of the delegation signed the agreement or statement that such selection had been made with unusual promptness and cheerfully.

Though hardly required to do so by their instructions, the commission, in consequence of delays that seemed unavoidable, felt it their duty to hold councils with both the Sac & Fox and Pottawattomie tribes on several occasions and urged them to use all diligence and select their best men to further the wishes of the government in the work to be performed by them in accordance with existing treaty stipulations.

The Pottawattomies, it was first said, did not wish to go South, and would not send delegations. But after the whole matter was laid before them in council by the commission they determined to select a delegation which was accordingly done. The representative man of this delegation soon afterward left for Washington, and the delegation after coming as far as Topeka stopped, and alleged that they wished to go no further until his return. After waiting a considerable time for his return from Washington they turned back, and started for their homes. The swollen streams, in clemency of the weather and excessively muddy condition of the roads, making an extended trip at this season of the year (January & February) quite impracticable if not absolutely impossible, afford some justification of the course of the Pottawattomies in turning back to their homes. The past winter throughout the west and especially in Kansas, has been unparalleled not in severity, but in disgusting disagreeableness. What with alternate freezing and thawing and constant rains the alluvial soil of this prairie state has been kept constantly mixed to an unmeasured depth and, thorough consistench, resembling more than anything else a mixture of petroleum and paste. The impassable condition of the roads, the swollen streams, and the difficulties in getting the delegation selected will account for the annoying vexatious delay in starting for the Indian Country, preventing as prompt a discharge of our duties as we should have desired. In this connection we desire to state that Supt. Murphy, with the promptness and efficiency that have always characterized his official acts, did all in his power to assist the commission in a prompt discharge of duty; but he could neither contrive the elements nor at all times very materially hasten the proverbial tardiness of the uncultivated Indian in the discharge of business.

After repeated postponements had been made of a day for starting, with instructions from your predecessor in office (accompanying this report marked "A") to locate the Pottawattomies should they refuse or fail to accompany us, and informing them that on the 29th day of March we should leave the Sac & Fox Agency, thirty three miles south west of Lawrence, Kansas, and that they would be expected to there join us, we repaired to the agency & left on that day in company with the delegation of the Sac & Fox tribe, Agent Wiley having the delegation in charge and furnishing them with the transportation and subsistence under instructions

from Supt. Murphy, together with subsistence for the commission. We took a route nearly south, bearing to the west, and passing through the Osage lands, both the Trust and diminished reserve -- thence nearly along the line of 96 degrees through the tract promised to the Osages by treaty of May 1868 not yet ratified, to Gano's Ford on the Arkansas & to the Northern boundary of the Indian Country. Here a halt of two days was made. The Indian delegation desired to examine this country. They were informed that this was a portion of the country promised to the Osages, and should the treaty be ratified, as was expected during the then existing session of the Senate, they would not get the lands. They insisted that this was the very country that they desired and their people desired. They were informed by the commission that they would be expected to go farther south and examine at least the leased lands, and they were requested to go and look at the country and perhaps upon examination they would be as well pleased with it as the portion they desired which had been promised to the Osages. It was with extreme difficulty, however, that they could be induced to cross the Arkansas and go even to see the country further south. Finally they consented to go and look. But they could find nothing that pleased them so well as the Southern portion of the country promised to the Osages in the yet unratified treaty of May 1868, and which was finally selected for their reservation, upon the commission learning that the Senate had adjourned without ratifying the Osage treaty & receiving verbal instructions from Supt. Murphy to so select if the delegation insisted upon choosing this land. The Reservation chosen is described as follows: Beginning at 96 degrees where it crosses the Northern boundary of the Creek country, about four miles from Gano's Ford of the Arkansas running thence west ten (10) miles, where we erected a post upon a high promontory, inscribed as follows: "S. & F. L. -- S. W. C" -- and also built a monument of rock lettering a slab of rock by the side of the monument as above: thence north twenty (20) miles where we erected a post and monument, lettering the post "S. & F. L. -- N. W. C"; thence East to 96 degrees, where we erected a post and built a monument, lettering the post "S. & F. L. -- N. E. C"; thence south to place of beginning, comprising 128,000 acres more or less. For plat and map of said reservation, and statement on agreement of Sac & Fox delegation to select said reservation, please refer to accompanying papers marked "B" and "C."

This work was done after our return from the Creek country, with the delegation, and they had persisted in preferring this reservation.

While the Reservation comprises, in the opinion of the commission, no better land, in fact, is inferior to that marked out in the Creek country, to be described hereafter in this report, it was impossible to make the Indians so regard it in the selection of a home for them. They were determined and decided in their preferences for this reservation, and in the simplicity of their language they said that when they had returned and told their people what they had done & the home that had been selected for them their little children would all be pleased and their people would again become united, prosperous and happy.

The Reservation is well timbered and watered, with broad and beautiful valleys & rich and productive uplands. The principal streams are the Delaware, Bison and Hominy Creeks, with their numerous affluents.

Along all the streams there is a heavy body of oak, walnut, ash, hickory, and huckleberry timber. The indications of coal are frequent, and as coal exists in great abundance all through the Indian Territory, especially along the Arkansas, Grand and Verdigris rivers and Cabin and other Creeks, we do not doubt that coal will be found in abundance on this reservation. Some excellent Salt Springs are also found here, which before the war were worked by the Cherokees and considerable amounts of salt were manufactured.

Upon our arrival at the Arkansas we found the stream so swollen that it was impossible to cross even at Gano's Ford, which is one of the best Rocky Fords, usually shallow, on the river. We consequently passed down the river to Brown's ferry, thence to Deep Fork of the Arkansas, where we were obliged to remain one week on account of high water. Here the train returned to Cowieta, and the commission proceeded to lay out the reservations as follows: The Sac & Fox Reservation commences on the North Fork of the Canadian where the Creek line crosses said river thence running north to the Red Fork of the Arkansas, 46 miles, thence up this stream seventeen (17) miles in a south easterly direction -- thence south forty-two (42) miles to the north fork of Canadian -- thence down this stream to the place of beginning, embracing seven hundred and fifty (750) square miles.

As stated in the commencement of this report the Pottawattomie delegation not accompanying us, the commission acting under instructions from your predecessor in office proceeded to lay off a Reservation for the Pottawattomies as follows: Commencing at a point on the north fork of the Canadian at a point where the Sac & Fox (Proposed Reservation) reaches this stream seventeen (17) miles from the point where the Creek line crosses the stream, thence north forty-two (42) miles to Red Fork of Arkansas thence following this stream in a south-easterly direction twenty-five (25), thence south to North Fork of Canadian twenty-eight (28) miles; thence following this stream to place of beginning. At the corners of each of these Reservations posts were erected and monuments built properly lettered, similar to those described above in the selection of the Sac & Fox Reserv.

We desire and feel it a duty to seek to impress upon the Department of the strong and earnest desire of the Sac & Fox tribe of Indians to obtain for themselves and their children the reservation marked out for them north of the Arkansas. Here they promise that their people shall again become united, that dissentions shall cease, and there is every hope and assurance that with the good example and kindly influences of their nearest neighbors on the east, the Cherokees, the most enlightened tribe of the Indian Territory and the farthest advanced in civilization, the Sac & Fox tribe will soon accumulate wealth in this rich country, so specially adapted to agriculture and stock raising, secure for themselves and their children prosperity and happiness, and make rapid advancement in culture and civilization. Should, however, the department in consequence of a pending treaty with the Osages, or for other reasons, not grant these lands to the Sac & Fox tribe they will receive under a mild but firm protest lands to the south of the Arkansas, and in the event of their going south of that river they desire the reservation marked

out for them by the commission as described above between the Red Fork of the Arkansas and North Fork of the Canadian.

It will be seen that the distance traveled overland by the commission was about 1,000 miles -- time consumed two (2) months, including delays in crossing swollen streams, examining the country and marking the exterior boundaries of the reservation.

In closing this report, though hardly germane to the questions involved in the discharge of our official duties, your commission desires to make the following suggestions and observations for the consideration of the honorable Commissioner of Indian Affairs.

1. We desire to urge the imperative necessity of a speedy removal of the tribes in Kansas to their new homes in the Indian Country. The advancing wave of civilization is crowding and pressing upon them. It is rapidly pushing them from the lands granted to them by solemn treaty stipulations. The demands of modern civilization for increased opportunities for growth and expansion are each year growing more insatiable. No where is this more signally visible than in the rapidly developing West, where Rail Roads are built at the rate of half a score of miles per day, and a system of railway communication is gridironing the young states of the west in every direction. Time and space are annihilated, and the east and the remote west are blended in unity. The rich lands heretofore occupied by these Indians are coveted by the new settlers, and the demands of civilization recognize no rights guaranteed to a weak and despised race though secured by solemn treaty enactment. To meet these demands and do half justice to a race whom we have robbed of empires and despoiled of a continent, we should speedily make provision for the segregation of all the Indian tribes upon reservations, secure to them a territorial form of government, with ultimate admission as states of the confederacy. The Sac & Fox tribe desire to remove to their new home early the coming fall, so soon as their crops can be gathered. Already the settlers are crowding upon this diminished reserve in Kansas, although by treaty they are to remain in undisturbed possession until they are removed to their new homes. In many instances the settlers have moved into the Indian houses, driving the occupants from them, and in other and many instances they are despoiling the timber of the allotments to the half-breeds. These half breeds are in an anomalous condition, having the advantages of neither civil or military law. Geographically within the jurisdiction of a state, the robbers of this valuable timber are not amenable to the civil courts, and owing to a variety of reasons the military have thus far been powerless to protect them in their rights. Remove the Indians as a tribe to their new homes, and the half-breeds can assert and maintain their rights as citizens before the civil courts. The same observations as to the necessity of a speedily removal of the Sac & Fox tribe south, apply to the Kaws, Osages, and all other tribes in the state.

2. The building of the Kansas Pacific Railway has brought a wonderful influx of immigration to the central and western portions of the state. The rich valleys of the Republican, the Solomon, Salina and their numerous affluents are being settled up with wonderful rapidity. With the advantages of settlement and production the railroad has also brought the

vices of modern civilization. Rum shops and whiskey saloons are in more than plentiful abundance in close proximity to the present Pottawattomie Reserve. As a consequence in a few months the noble work done through long years of toil and patience by self sacrificing missionaries in Christianizing and advancing the material interests of the Indians is rapidly being dissipated by these modern engineries of human destruction, doubly self-destroying to the Indian, for he has not yet sufficient self-control to resist the vices and temptations and demoralizations of border communities. If all that has been accomplished for the advancement and progress of the Pottawattomies is not to be lost they should be speedily moved to their new homes in the Indian Territory where they will be placed under better counsels and influence.

3. The Sac & Fox tribe are extremely anxious that their reserve should at once be surveyed, so that they may know its exact geographical limits, that they may not become trespassers upon the rights of others, and others be allowed to trespass upon their rights.

4. It would seem to be very desirable and important also that a survey should be made to determine the exact location of 96 degrees, as it is believed that many Cherokees and others have already settled west of that line and are opening farms and making valuable improvements which will raise the future grave questions as to settlers and the right of occupancy.

5. In our visit to the Indian Territory your commission during the limited time at their disposal took every possible means at their command for acquainting themselves with the condition and progress made by the civilized tribes; and it affords us the sincerest gratification to report that they have made and are now making most commendable advancement in the arts of civilization. They are rapidly repairing the waste places and desolation caused by the late civil War, in which they were despoiled and mercilessly robbed and plundered by both Union and Confederate armies--the one taking what the other left. Large farms are being again opened, and immense heards of stock are crossing the rich and luxuriant grass of the prairie and the valley. These five (5) tribes of the Indian Territory -- the Cherokees, Choctaws, Chickasaws, Creeks and Seminoles -- occupy an empire of itself -- a domain the richest in agriculture, stock raising and fruit-growing on the western continent, and they are making good use of the fertile lands they occupy and the advantages secured to them. But they are too small in numbers to occupy and cultivate this magnificent domain; and seeing the advances that have been made in settlement upon lands lately owned by Cherokees in Kansas, with only the claim of possession for title, they feel that the advancing march of civilization will soon sweep down upon them and perhaps despoil them also of their homes and lands. In a spirit of liberal and broad catholicity to meet the wants of civilization and the insatiable demands of white settlers for more lands to settle upon and occupy, many of the leading men of these tribes are now agitating and favoring the sectionizing of their lands and throwing them open to white settlement upon some such terms as these -- each member of the tribe to have one hundred and sixty acres (160) of land in fee simple, the balance to be appraised and sold to white settlers upon their becoming citizens of their tribes, the proceeds to be devoted to internal and public improvements in proportion

to the ratio of lands owned and sold by each tribe. The question is one of grave import to these tribes, and it is to be hoped the government will meet it and aid in its solution in the spirit of liberality and magnanimity which should characterize a great and liberal people.

We are, Very Respectfully,
Your obedient servants—

G. T. Shipley
M. W. Reynolds
E. R. Roxbury

Special Commission
to locate Sac & Fox,
Pottawattomie Indians

THE INDIAN STATE[3]

Reconstruction is settled at last. The shooting States have returned to their political orbits. The wayward sisters come in peace. The negro is enfranchised. Perfect equality is established before the law. Civil rights for all are guaranteed by the force and power of the constitution and the laws made in pursuance thereof. Justice and equality are enforced by "appropriate legislation."

But there is another question that justice, good faith, humanity and a burdened treasury conspire to demand a faithful adjustment, a pacific and honorable solution of. This is the much-talked-of and frequently discussed Indian question. The Indian question is freighted with consequences of a grave and serious nature. Its solution is surrounded with difficulties on every side. What to do with our barbarian brethren is now up for discussion. The question cannot be put down. It must be met, discussed and settled. The responsibility cannot be shuffled. Justice to the unprotected frontiersman demands its solution and settlement. Humanity to the Indians requires it. The irresistible march of civilization forces it upon the people, and the people turn to Congress for its speedy, prompt, just and honorable adjustment.

For years it has been the dream of the philanthropist and the wish of the statesman that in the beautiful and naturally rich and productive Indian Territory, lying to the south of Kansas and west of Arkansas, the foundations of an Indian State might be laid -- that here an Indian Commonwealth might be established that would reveal the possibilities of the Indian to attain the highest order of culture, of civilization and enlightenment.

So long back as in 1865, following close upon the termination of an exhaustive civil war, with all the difficult problems of reconstruction and restoration to grapple and dispose of, the commissioners of the government were instructed at the council held at Fort Smith, Arkansas, in the fall of that year, to inform the civilized tribes that it was the wish of the government that lands should be ceded for the occupancy of the wild tribes of the Plains and of the adjoining State of Kansas. After much discussion and mature deliberation the propositions were acceded to. Treaties for the sale of the lands were subsequently made and ratified, and the work of removal has been done as fast, and generally speaking, as well as could have been reasonably expected.

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[3] Kansas Magazine, June, 1872, p. 481.

The organization of the Territory in some form is now a foregone conclusion. It is no longer a matter over which one or two border States or organized bands of land-sharks indulge in "doubtful disputations." Railroad companies no longer hope or expect to "gobble" great tracts of these choice, rich and beautiful lands. Their longing eyes will have to turn to "other fields and pastures new." The time is opportune for the organization of the Territory upon a broad and liberal basis, one that shall be commensurate with the present wants and future requirement of this great domain of 50,000,000 acres of land, and that shall do justice to the Indian, meet all the aspirations of his race for future growth and progress and development, and will not engage in the futile tasks of attempting to beat down the rising wave of settlement and civilization that is breaking down the barriers that hitherto impeded its progress and threatens in contravention of law to do greater violence to treaty rights and stipulations than any legislation could effect in its interest.

The Indian Territory is not a Utopia. It was never designed as such. It has a clear running streams and broad and beautiful parks; but they were intended for pastoral purposes, for culture and the plough, rather than for an elysium and paradise of barbarism. Such an undiscovered bourne within the limits of this country, where no traveller is allowed to sojourn and settlements are debarred, would be an anomaly. This is a practical age and time in which we live. Class and caste legislation cannot be tolerated under a free government. Though not a Utopia, the Indian Territory is one of the richest and best portions of our unsettled domain. It lies to the south of Kansas, north of Texas and west of Arkansas. It is surrounded by a cordon of States that are being rapidly peopled, and under the inspiration of free institutions and the quickening influence of the modern civilizer and miracle worker -- the engine of the railway train -- are being settled up and reduced to cultivation with astonishing rapidity. Its near neighbor, Missouri, has a population of 500,000; Kansas, on the north, with scarce five years of undisturbed settlement, has nearly 500,000 inhabitants; and Texas, on the south, by the passage of the Southern Pacific Railroad bill, is bursting into new life and activity. This great undeveloped State is susceptible of division into five states as large as the commonwealth of Pennsylvania -- the historical key-stone of the federal arch -- and is able to support and sustain the whole population of the United States, and still be much less densely populated than many countries in Europe. The Southern Pacific Railroad will afford to this state the stimulus of a new life, and the time is not far distant when its annual product of cotton will exceed that of the entire present product of the United States, -- a product amounting in export the last year to a cash value of $227,027,624, nearly one-half the entire exports of the United States. The engine has already entered the border of the hitherto sealed and sacred soil of the Indian Territory, and the Indian, with his ordinary sagacity and shrewdness, cannot fail to see the significance of the approach of the iron horse who chafes and pants to cross the Red River and enter the rich cotton-fields of Texas. The Missouri, Kansas and Texas Railway will be completed to the Texas border by October next. The Missouri River, Ft. Scott and Gulf road is completed to the northern boundary of the Territory, and for two years has been chafing under the restraint that has forbidden ingress. The Leavenworth, Lawrence, and Galveston road

is now completed to the northern boundary of the Territory. The South-west Pacific road from St. Louis has crossed the track of the Missouri, Kansas and Texas road at Cabin Creek, and during the coming season will be far on its winding way up the broad, rich and beautiful valley of the Arkansas. A road from Memphis and Little Rock will, by July next, have reached the south-eastern border of the Territory. And still another road from Galveston north is rapidly nearing Red River upon the south. And thus the railroads from every direction are preparing to pour in a flood of civilization and an irresistible avalanche of white settlements that will overwhelm the meagre and partial civilization of the Indian tribes, their rights and treaty guarantees, if some means be not devised, and that speedily, for the perpetual guarantee of citizens' rights to the Indians and the opening and settlement of the Territory in pursuance of law and in obedience to the dictates of justice to the present occupants, — conceding something also to the claims of the higher law of progress and civilization.

This territory, for the support and sustenance of a densely settled agricultural and pastoral people, has no equal on this continent containing the same number of square miles. It is nearly four hundred miles in length from east to west, by two hundred miles in width, and contains nearly 50,000,000 acres of land. It is well timbered. The principal streams are the Arkansas, the Illinois, the Canadian and the Verdigris. These streams have numerous affluents and tributaries. The Illinois has been pronounced by a distinguished European traveller one of the finest sheets of water in the world. The first he places on the list is the waters in the harbor of Japan; the second, Lake Geneva, whose limpid surface has been limned and traced by the genius of Byron, and which was the inspiration of some of his finest poetry; and the third is the charming Illinois of the Indian Territory. From its mirrored surface objects are brought out with great brilliancy, its waters being almost transparent. Nearly all the streams are filled with fish common to western waters. As a pastoral region, it is without a superior. The uplands, as well as the valleys, are covered with a rich coating of rank and luxuriant prairie grass. Stock subsist and fatten during the winter without feeding. It is capable of exporting an annual product of beef amounting to millions of dollars. The great stock and pastoral region, the great centre of beef supply, must in the future be found in Texas and the Indian Territory.

Here is also one of the finest agricultural regions in the world. Here are not less than 40,000,000 acres of land capable of producing thirty-five bushels of wheat to the acre, one hundred bushels of corn, and potatoes, rye, oats, barley, and other field products in like proportion, awaiting the hand of tillage and culture.

Shall this magnificent domain longer remain a sealed Territory, the paradise of a partial, incomplete, stagnant civilization, or shall the magic touch of labor and progress cause it to bloom with beauty and productiveness?

The following table shows the population and territory occupied by various tribes within the Indian Territory:

Tribe	Population	Acres	Square Miles
Cherokees	17,000	13,205,493	20,633
Creeks	13,000	3,250,560	5,079
Choctaws	17,000	6,688,000	10,450
Chickasaws	6,000	4,377,600	6,480
Seminoles	2,500	2,169,080	3,389
*Shawnees			
Shawnees, Eastern	80	24,000	37
Quapaws	236	104,000	162
Senecas	188	44,000	68
Ottawas	175	240,000	375
Wyandotts	160	20,000	31
Confederate Peorias	170	72,000	112
Sacs and Foxes	700	580,000	750
Great and Little Osages	4,000		
Kowas and Commanches			
Cheyennes and Arapahoes		6,642,560	10,379
Wichitas			
"Pan-Handle"		4,273,893	6,677
	70,369	41,691,186	65,142

*Have become part of Cherokees.

This shows an area of about 800 acres to each man, woman and child. In other words, a territory capable of supporting ten millions of people has a population of less than seventy-five thousand Indians; and a misguided philanthropy and blind statesmanship would perpetually, if it were possible, lock up this domain against the approach of white settlements. The Territory has nearly 3,000,000 more acres than all New England, and yet the latter, with its naturally sterile soil and rigorous climate, supports a population of over three and a half millions, -- or, one person to each eleven and one-half acres. It is claimed, then, that the Territory is much larger than is required for the solution of the doubtful problem of Indian civilization.

Will the humane and just policy of the President toward the Indians be best subserved by keeping this Territory in its present anomalous condition, unorganized and unopened to settlement? I think not. Humanity to our barbarian brothers demands that before the last vestige of the treaty system is swept away, which, with all its iniquities, has endeavored to preserve the semblance of justice to the Indian by granting to him the temporary, shadowy right of occupancy to a farm, something shall be substituted that will give to him the title to a tract of land, small though it be, that he can call his own, and to which he has the title in fee-simple. The Congress has declared by solemn enactment "that hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty." The Indian is face to face with the inevitable. He must cope with or be submerged by the onward sweep of civilization. Can he

compete with the rushing tide of progress and white settlement that surges and swells across the prairies and peoples of our Western valleys? Happily, to this question an affirmative answer can be given, so far as the civilized tribes of the Indian Territory are concerned. They have schools and churches; their young men are being educated; their representative men -- the Adairs, Downings, Boudinots and Rosses -- will compare favorably in intelligence and legislative ability with the average membership in our State legislatures and the halls of Congress. Competition will quicken and bring out their native resources. If justice is done and their rights secured to them inalienably, and they are brought in contact and competition with the progress and advancement of the pale-faces, they will march on to a higher, grander and purer form of civilization than the wildest dream of the philanthropist or the statesman has conceived to be possible. Isolation is stagnation. Without competition and the inspiring incentive to zeal, wherein there is contact and conflict, there is neither stout resolve or manly purpose. China has tried the policy of isolation for 2,000 years, and during that period the struggling nations of Western Europe have emerged from barbarism to the highest progress in art, science and culture, and are reflecting back upon the Orient the light that illumines the world. Mind is quickened by coming in contact with mind. We learn more from association and travel than from books, or from any other source. The human mind is a sponge. It both imparts and absorbs. Place 70,000 people within the limits of any of our States, surround them with a Chinese wall, isolate and cut them off from communication with the outer world, and their progress would hardly be superior to that already attained by the semi-civilized tribes of the Indian Territory. And it is a serious fact that the people of this Territory, living near the borders of Arkansas, with not the best examples of enterprise and progress in the world, have much better cultivated fields and farms, and show more evidences of thrift and enterprise, than those living back upon the prairies and in the hills.

How shall the Territory be organized so as to meet the pressing demands of civilization and white settlement, do no wrong to the Indian, secure him an inalienable title to a home, and help him solve the problem of his destiny? Many plans have been proposed. Numerous bills are now before Congress, some with these objects in view, others illy-concealing the desire to "gobble" the lands in the interests of land and railroad monopolies, and still others looking to the establishment of a Chinese wall around the Territory, forbidding the ingress of white settlements, the construction of railroads, the building of bridges and the establishment of other appurtenances belonging to civilized communities. The Cherokees, the most advanced tribe in the Territory, have 13,205,493 acres of land. They number but 17,000 souls, and have nearly 800 acres of land to each man, woman, and child. They are rapidly diminishing in numbers, the ratio of decrease being about the same as in other tribes. It can hardly be claimed that there is any need of 800 acres of land to each man, woman, and child, for the purpose of working out the destiny of the Cherokee "nation." A happy solution of the difficulties that surround their race cannot be obtained through the pathway and policy of isolation. The largest "land monopolists" on

this continent are these same semi-civilized tribes. And progress and growth do not come through the enforcement of any such policy. It is contrary to the genius of our government. In the South the policy of large landed proprietors has been tried, and it has resulted in stagnation, a dwarfed growth and partial development, while under the inspiration of free labor and the opening of small farms the regenerated South is just emerging into new life and strength. Like causes, under similar circumstances, produce like results everywhere. At present, lands in the Indian Territory are held in common. The title, such as it is, is invested in the "nation." There is no such thing as a home, with the title vested in fee-simple in the proprietor. The system does not encourage the feeling of independence nor stimulate to efforts to acquire property. The Indians know their tenure, whatever it may be, is of doubtful nature, and with this feeling of distrust and uncertainty there is a paralysis of well-directed effort and energy to build up homes, open farms and create that independence which every owner of the soil with a secure and unencumbered title feels.

In the place of this worse than feudal system, that invites only stagnation and barbarism, and offers no inspiring incentives to individual effort, let Congress organize the Territory as other Territories are organized, first securing to every man, woman and child of the several tribes a special allotment of, say, 160 acres of land each, giving abundant time for the selections to be made, say one year. Of course, the Indians will make the best selections. Make the lands inalienable, if thought best; at all events make the Indian's title, by individual patents, as good to his home as that of any landed proprietor in the world. Abolish all tribal organizations, and declare the Indians citizens of our common country and sharers with us in its possibilities and future destiny. Dispense with the expense and farce of "agents," who always have been inferior in intelligence, and in too many cases inferior in moral sensibility, to the leading men of these tribes. Throw open the rest of the land, after the Indian selections have been made, to actual settlement, at $1.25 per acre, the proceeds to go to the establishment of schools, churches, seminaries, colleges and other institutions of learning, and to internal improvements. These proceeds could be justly distributed, used and applied within the so-called reservations in proportion to the lands now claimed by the several tribes. The most ample provision should be made for school purposes. The Indian youth should be furnished with every facility for his education. Indeed this disposition of the lands would afford to all Indians, regardless of age or sex, abundant lands for use and occupancy, reserving also a munificent endowment for schools, institutions of learning and internal improvements, derived from the sale of unclaimed lands at $1.25 per acre. The Indian State would thus start out with a more munificent dowry and brighter prospects than any Territory yet organized by the general government.

Has the Congress the power to thus organize the Territory and make such disposition of the lands? There can be little doubt on this point. It may be urged that treaties with the Indians secure to them in perpetuity the lands they now hold. But what is the right and what the title thus guaranteed? Simply one of occupancy, and nothing more. But can it be claimed, in any sense of the term, that 17,000 Cherokees

"occupy" 13,205,493 acres of land -- a tract three times as large as the State of Massachusetts -- with a population of one and a half millions? That the Indian title is purely one of occupancy has been decided by the courts in a hundred decisions, and it possesses none of the elements of a title as understood by all civilized communities when applied to real estate. The lands are held in common. If they are not "occupied," the title reverts to the United States. The reversionary title and interest invariably rests with the government by treaty. The sovereignty, the political control and management of the Indians, has always been exercised by the government. It has always appointed its own agents, superintendents, etc., over the Indians. The Indian Territory is today attached to the State of Arkansas for judicial purposes. Political sovereignty has never been conceded to any tribe. A nation within a nation would be an anomaly and an absurdity. The law-making power can make any rules, regulations and enactments it chooses for the government of the Indians. But having the power is no excuse for exercising it in the spirit of oppression and injustice. Being a weak people, and ourselves powerful and strong, does not lessen their claims upon us for sympathy as well as justice. Mr. Armstrong, of Pennsylvania, in a recent speech in Congress, after showing by numerous citations from Supreme and State court decisions that the Indian title is purely one of occupancy, and admitting that all existing treaties have heretofore and should hereafter be regarded as valid and binding, does not hesitate to say:

"I do not believe the government, with a plan prepared as provided in this bill, will encounter any insuperable difficulties in securing from the Indians, by voluntary cession, all the territory that may be needed for the accommodation of advancing civilization; but, if driven to the extremity of its lawful power, I do not hesitate to say that in the exercise of its rights of eminent domain it can appropriate any of the lands covered by Indian reservations when the 'public use' requires it; but it must be upon 'just compensation' made. Nor do I doubt that Congress could declare the necessity of settlement, the suppression of disorder within the Territory, and the general pacification of the border, a sufficient 'public use' to justify such appropriation. There could be but little difficulty in reaching an adjustment of the compensation. It has been repeatedly held that private property may be taken for public uses at an appraised valuation; and there can be little doubt that the appropriation of the proceeds of sale to the uses of the Indians would be not only satisfactory to them, but, under our peculiar relations with them, in the recognized relationship of guardian and ward, a sufficient compliance with the constitutional requirement.

"If this view be correct, it becomes a question for the exercise of the sound discretion of Congress, dealing with the rights of Indians as they would deal with the rights of other persons, according to a just interpretation of the contract, with all the restrictions, limitations or conditions which attach to the grant. In this manner it may be determined where and to what extent these lands may be opened to settlement; but never until provision is made for 'just compensation' to the Indians, for whatever part of the lands may thus be taken for 'public use.' And until such legislation shall open them to settlement, every white man who enters is an intruding trespasser, whom the United States is under covenant obligations to eject."

And Senator Nye, in a recent report, says:

"The interest of the United States in these Indian lands is such that a grant may be made by it to an individual notwithstanding the possession of the Indians, and the grantee will take an estate capable of being sold or transmitted, and subject only to the right of occupancy by the tribe. (6 Cranch 2 Yerger.) The Indian right scarcely rises to the dignity of property, and the tribe can not, with any propriety, be called the owner of land which it can not alienate, and its right to the possession of which is destroyed by removal or by tribal dissolution.

"The Indians are, therefore, greatly mistaken when they deny to Congress the right to legislate concerning the lands in this Territory, for however sacred may be their right of occupancy, the paramount reversionary title of the United States, coupled with the sovereignty and political jurisdiction, not only permits, but requires that they should be the care of the law-making power of the government.

"If, when it is said that Congress has not the power to legislate as proposed, it is meant that there is a technical constitutional objection which would make the legislation ineffectual upon an appeal to the courts, the position is entirely untenable.

"First. The title of the Indians, of the character above stated, even if assured by a law of Congress, is not of the quality of a vested right which may not be modified by a repealing statute as proposed in this bill, and secondly, whatever rights the Indians have to these lands were acquired by treaties, the parties to which were in this respect and as to the execution of these instruments acting toward each other in the capacity of independent sovereignties, and the validity of the stipulations, and the sanction for their performance, must be found in the rules regulating the intercourse of independent communities. That the execution, mode of execution, and prohibition of execution of treaties are within the control of the law-enacting and war-making department, is apparent from the structure of the government. Rights acquired by treaty may, of a character to be cognizable in the courts, be protected or enforced by them so long as the treaty is the law of the land; but if Congress shall, for any reason of necessity or policy, forbid the execution of a treaty provision, the citizens of this government and its other departments, executive and judicial, must acquiesce. There is no remedy for rights thus violated when an appeal to the justice of Congress shall fail, except an appeal to arms. (2 Curtis C.C. Reports, and late opinion of Attorney General upon Choctaw treaty.)"

The relation of the Indians to the government simply being that of wards to a guardian, and their title being one of occupancy only, with the reversionary interest and title to the lands located in the government, -- the law-making power being vested with political sovereignty over them, -- the propriety of the early organization of the Indian Territory involves simply a question of public policy. That the requirements of sound public policy, as well as faith and justice to the Indians, demand the Territorial form of government, with the view to ultimate admission as a State, I have attempted to show in this article.

THE EDITOR HEARD FROM[4]

At Washington

THE TRIP AND THE WEATHER AND THE OKLAHOMA FIGHT

A Close Call for the Bill — Strong Forces in its Favor

WASHINGTON, D. C., Feb. 14, 1889.
DEAR HERALD:

The advanced delegation from Kansas City-Oklahoma arrived in this city of magnificent distances on Monday evening. The company consisted of Col. T. B. Bullene of the great house of Bullene, Moore & Emory, Judge Phillips, of the U. S. court, Col. Web Withers, Col. D. P. Dyer, J. R. Graham, K. C. Times, Thos. Heatley and Kicking Bird. Hon. F. H. Allen, chairman of the delegation and president of the Kansas City Exchange, went by way of Chicago and arrived on Tuesday evening. The headquarters of our delegation are at Willard's but the delegation scatters. Col. Dyer and myself stop 913 New York avenue, the headquarters of my old friend, ex-Gov. Sam Crawford, the fighting governor of Kansas, the only man who was ever known to resign a governorship to go and fight the Indians. This Crawford did. He drove

BLACK KETTLE

and his murderous horde of Cheyenne, Comanche and Kiowa cut throats clear down into Texas, through the Panhandle, in the dead of winter, and compelled the peace council which was possible at Medicine Lodge in the fall of 1867. That council I reported for the New York Tribune and the New York Herald. It was a notable council. Gen. Sherman, Gen. Harney, Commissioner of Indian Affairs Taylor, Bob Taylor, now governor of Tennessee, Senator Sanderson of Missouri, Stanley, the great explorer, Gov. Crawford, Senator Ross, and others were present.

It has been a very busy week on the

OKLAHOMA BUSINESS.

Before this reaches you you will know more about the bill than I can now tell you. The hind sight of most people, including newspapermen, is better than their foresight. What men don't know will fill volumes, what they do know can be written on fly leaves of unpublished

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[4]Geuda Springs Herald, February 23, 1889.

histories. This I think I am safe in saying, that the bill actually has a decided majority in the Senate. The principle of the bill and its real objects and purposes are approved by the sound judgment of all candid men. The methods of the bill, its ambiguities and inconsistencies, its omissions as well as its superfluage and amplification render it exceedingly objectionable. It should have been perfected and passed months ago, in fact four years ago. The air of the Senate is hostile. It doesn't take long to find out this much. Yet, as I have said, the principle of the bill is so just and attempts to deal so fairly with the Indians, and it is so accordant with public policy that fair-minded senators will support it if a vote can be had in spite of the infirmities of the measure as formulated in the bill.

There has been little change of routes or modes and conveniences of travel, during the last twenty years, from Kansas to Washington. "Why," said Senator Ingalls to me this morning. "29.70 your fare from Kansas City to Washington — that is just what I paid to a cent in going from New England to Kansas thirty years ago."

This Thursday morning, it is 42 degrees above zero, just 18 degrees warmer at Geuda Springs than here. The weather maker said to me: "You will have rain at your place by night. It is now raining at Kansas City and Leavenworth." I told him I was having a terrible struggle to save the peach crop. He said he would help me and thinks I will have no material difficulty in securing an abundant peach crop for the people of Kansas. If this is done, and the Oklahoma bill passes, which will bring corn up to 50 cents a bushel, in 90 days, oats to 40 cents, hogs to $5.50 and produce generally in like proportion, I shall feel that a great work has been done. There are many influences at work for the Oklahoma bill that we do not know of and that did not exist a few months ago. The country is on the

VERGE OF A PANIC.

There has not been such a money pressure since the panic of '71-2. In our own section we had good crops and have no money. Produce brings nothing. The passage of the Oklahoma bill will bring a wonderful immediate temporary relief. The country all west of the Mississippi is mortgaged. Chicago is mortgaged, Kansas City is mortgaged, in fact the whole country is in debt. We borrow our money from the Dutch bankers in Holland to build our railroads. Mr. Winslow, president of the Frisco road, it is reported has just made a loan of $25,000,000 to extend his line from Sapulpa west to Albuquerque. The money, it is observed, does not come from this country. It comes from Europe. The borrowers are defaulting in their interest, all active industries are at a stand still. If these defaults in interest payments are to increase and multiply, what is to prevent the great associations and corporations that have borrowed the money from a rapid transit to the very boundaries of bankruptcy and a receivership in the not distant future for the grandest and most colossal railway corporation on the face of the earth. They see also that with the opening of Oklahoma, and the stimulus to all industries that 100,000 people will bring in the next six months, the revenues of the road wonderfully increased, the shrinkage of stock made whole and swelled to the former volume of 115, the deficit of

$3,000,000 made good in twelve months. These considerations have recently given the Oklahoma bill a wonderful impetus in New England, and it is believed that New England senators will vote nearly solid for the bill.

KICKING BIRD

VITA

Durward E. Newsom

Candidate for the Degree of

Doctor of Education

Thesis: MILTON W. REYNOLDS: CRUSADE OF A FRONTIER JOURNALIST FOR THE OPENING OF THE INDIAN TERRITORY

Major: Education

Biographical:

Personal data: The writer was born in Drumright, Oklahoma, January 9, 1919, the son of Jesse and Ruth Louise Newsom.

Undergraduate Study: He attended grade school at Washington Elementary School, Drumright, Oklahoma, and was graduated from Drumright High School in 1936. He entered the University of Oklahoma in September, 1941, but withdrew from college in March, 1942, to enter the United States Naval Reserve. He enrolled at the Oklahoma Agricultural and Mechanical College in June, 1945, and completed work on a Bachelor of Science Degree in January, 1948.

Graduate Study: In June, 1948, he entered the Medill School of Journalism at Northwestern University, Evanston, Illinois, for graduate work in journalism and advertising. He received a Master of Science Degree in journalism there in June, 1949. Requirements for the Doctor of Education Degree were completed at the Oklahoma Agricultural and Mechanical College in May, 1957.

Professional experience: The writer has edited newspapers at Drumright, Oklahoma, and Stillwater, Oklahoma. He has also been employed on newspapers at Oklahoma City, Oklahoma, and Appleton, Wisconsin. He taught journalism at Texas A. and M. College, College Station, Texas, from September, 1949, to June, 1954.

Typist: Gordon F. Culver