

Indian Chieftain.

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With neither pride nor satisfaction we announce that this issue of the CHIEFTAIN contains less advertisements and more reading matter than any paper ever issued from the office. We have however one cause to be grateful—our subscription list contains more names than it ever did before. We call the attention of our business men to this fact and will gladly furnish them with our advertising rates on application.

J. P. Upchurch, founder of the Ancient Order of United Workmen died at his home in Steelville, Mo., last week, aged sixty-seven.

"Some are born great, some achieve greatness, and some have greatness thrust upon them." But that can't be said of any living man of this nation. It is for future endowment.

The Chinese minister has agreed with Secretary Bayard to negotiate a treaty excluding Chinese laborers from this country. The treaty is reciprocal, and also excludes American laborers from China.

The bill providing a pension of \$5.00 per month for all veterans of the Mexican war over sixty-two years of age, and all unmarried dependent widows of veterans, has passed both houses of congress and only awaits the signature of the president to become a law.

The treasury officials have decided the claim of the heirs of Watt Grayson, for the \$32,000 of which he was robbed, is a legal one and must, under the treaty, be paid. They say that the treaties work both ways—that Indians are as much entitled to protection as whites.

The great Fort Worth and Fort Yuma star route case was tried recently at Little Rock. The government sued to recover \$165,000 alleged to have been fraudulently paid the defendants for carrying mail. Judge Caldwell directed the jury to return a verdict for the defendants.

The commission on citizenship will soon be in full blast. Judge Wyly, attorney for the nation, and others of the court are at Table-qual, ready for business. Applicants are beginning to be docketed and reach a considerable number. It will be the most interesting and perhaps the most thoroughly occupied commission that has ever been created.

Citing a portion of his opinion on the cattle lease question, the attorney general informs the secretary of the interior that his department should not approve the Choctaw coal leases. As a consequence the mines shut down and for a time northern Texas feared a coal famine. The attorney general's reasoning is that any authority for approval must of necessity be based upon some law or treaty provision. Being unable to find either he decided in the negative on the question of approval.

"THE COMBAT DEFENSES: ON YE DRAVE."

Such has been the reckless conduct of many who through the columns of the CHIEFTAIN for several weeks have been carrying on a kind of a Killkenny cat encounter until nothing is left but their *teles*, for the amusement of their readers. J. Mohammed, as he has been dubbed, first dandied his countenance with vermilion, brandished his little tomahawk, gave the war whoop and capered around in praise of his candidate for chief. The dust he kicked up had hardly cleared away until a "White Arrow" cut into his buckskin, which only made him jump the higher in his performance of the scalp dance. "Young Yoter" then followed with a derisive whoop, answered by a gobble from "Old Yoter," when others went on the war path and made political hair-lifting an interesting performance. Mohammed for awhile seemed to have taken a hiberna somewhere, but pops up again, and after making a month at "White Arrow" and the rest of them, dives into his wigwam, and is doubtless whetting his scalping knife.

This is funny enough for anything, and the readers of the CHIEFTAIN must be amused to see the wool fly, but they fail to see any good that has been done for the candidate, or much harm. J. Mohammed and the rest of them may console themselves with this reflection, that the people are going to cast their votes for that candidate who will in their opinion administer the affairs of the people ably, honestly and without favor or prejudice towards anyone,

despite any record of the past. Dead issues will not control the people in their choice for chief, but present and living ones will. There are plenty of such, so pitch in if you want to.

THE COMMISSION ON CITIZENSHIP.

As appointed and organized under the late act of the national council, the commission on citizenship is now ready for business. It will be necessary though, before going into the prime purposes of the commission, to agree upon and adopt a code of rules for the government of the commission, and some rules of evidence in the hearing of cases. The seventh section of the act contains the most important provisions, and is as follows:

SEC. 7. The commission when organized shall give a hearing to any person applying for citizenship in the Cherokee nation upon the ground of Cherokee blood, or descent, but such applicant must be a person or the lineal descendant of a person whose name appears on the census rolls of the Cherokee taken by the United States after the treaty of 1835 and known as the rolls of 1835, and the roll of 1848 known as the "Mullay rolls" and the census rolls of the Cherokee taken by the United States in 1851 and known as the "Sola rolls" and the census rolls of the Cherokee taken by the United States in 1852, known as the "Chapman rolls" and the commission shall decide in accordance with the constitution of the Cherokee nation conferring upon the national council power to readmit persons to citizenship and with the decision of the supreme court of the United States delivered March 1st, 1885 in the case of the North Carolina Cherokees vs. the Cherokee nation.

Authenticated copies of the above rolls are or will be in the possession of the commission. With these rolls as guides the duties of the court are plain. In the delegation to the commission of that authority the constitution confers upon the national council to readmit to the rights of citizenship those who were once citizens, but had moved out of the nation with their effects and had become citizens of another government, and applying it to the North Carolina Cherokees, it may not be so plain. When the constitution was adopted perhaps no such case as that of the North Carolina Cherokees was thought of or deemed possible. The provision evidently was intended to apply to such citizens of the country who were then in the country and who might move out with their effects and become citizens of another government. The wording of the provision is evidence that such is the fact. The North Carolina Cherokees have never moved without the limits of the nation with their effects. They simply remained within what was once its limits, if we take home and country as a constituent of national significance. If the term can be confined to a people, and the constitutional provision referred to be held applicable to such a condition, then the Cherokee people, in their resemblance of the children of Israel in their wanderings in the wilderness, were a nation in a political sense, while en route from Georgia, Tennessee and North Carolina to this country, and out of which a citizen could move with his effects, and into which he could return, on memorializing the national council.

With the solemn pledges of the United States government, that their country should never be embraced within the limits of any state or territory of the United States, without their consent, the Cherokee people naturally believed that their wanderings had ceased forever and that it had become necessary in the view of a permanent political organization of their own, to establish a fundamental law and a provision for the benefit of those who might wish to return. The act of union between the eastern and western Cherokees, by which they were united into one body politic, "under the style and title of the Cherokee nation," specially designates that nation then about to be created out of the two fragments of the Cherokee people, in a country of their own, where it was possible, by reason of that country, a perfect body politic could be organized. The North Carolina Cherokees took no part in that organization. They, as recited by the decision of the supreme court of the United States in their suit against the nation, had dissolved their connection with their nation, when they refused to accompany the body of it on its removal. As organized under the act of union is that nation referred to in the constitution, out of which if a citizen moved with his effects and became a subject of another government, he forfeited his rights as a citizen. The North Carolina Cherokees were never citizens of this nation as organized under the act of union and adoption of our constitution. They are another fragment of the Cherokee people, as were the two who entered into the union, and who are to be admitted to members of these united people,

but in a different way. These things, as said at the outset, are not so plain as are other matters of adjudication by the commission, but despite the peculiarities recited, the supreme court's decision in the case of the North Carolina Cherokees places the authority of their admission as citizens within the purview of our constitution. Then there let it be.

"OBSERVER" AGAIN SPEAKS.

EDITOR OF CHIEFTAIN:—Because I called attention to Taylor's hampering his Rabbit he asserts that I wish to cheat the Cherokees out of their lands. As far as I am concerned Mr. Taylor lies; I hope under a mistake. My rights, interest and investments are equal and as well secured as Taylor's. If he will play statesman he must learn to reason and not reply to argument by an attack on intention of others with assertions as baseless as a fabric of vision.

Does Taylor pretend to say that the expression of opinion that the adopted element have the same rights as native Cherokees in the funds derived from the public domain necessarily cheats all Cherokees out of every acre of land? The wildest advocate of Bunch's opinion never went that far. Taylor ought to know that between Bunch and the adopted voters who are two-thirds of Cooveescoowee, there is a radical difference of opinion as to just what are the rights of adopted citizens. There is almost no division of opinion among the adopted elements that they are entitled to an equal share in public funds derived from the common domain. President Cleveland, Secretary Lamar, Commissioner Atkins, who are lawyers, agree with the adopted elements. Taylor with Bunch. They have had more experience in construing law than Taylor and their mental calibre equals Taylor's. Glittering generalities that Bunch is willing to give adopted voters their rights under the treaties, wont win while his prophet boasts he gloried in depriving them of the share of funds that they honestly think they ought to have received. The Cherokee fullbloods are divided on party issues; so are the mixed bloods. For years the Cherokees by blood have been nearly equally divided. With them, these issues overshadow the question, as to who is entitled to per capita from grass money. The adopted element elected Bushyhead after the Cherokees by blood had cast several hundred majority against him. What is to be thought of the political sagacity of an advocate who would call the attention of some eighteen hundred voters who hold the balance of power that his candidate said they were not entitled to equal rights with other voters. If Taylor had not shown that he was incapable of such mental vigor, some might suspect he was purposely butchering Rabbit and was a master diplomat who was trying to pave the way for Bushyhead to dash in and retire Rabbit and try to capture or divide the adopted vote. But it is said, "Children and — speak the truth." Taylor has blundered—it is a mistake of the head and not of the heart.

Taylor's law is correct. He has not the legal acumen to properly apply it. While the United States supreme court decided that the Cherokees could determine who were entitled to citizenship, or at least until the other North Carolina Cherokees followed Taylor's example and came here and complied with our laws they could not assert ownership in our lands or money, that court did not decide that after we had admitted Taylor, Delaware, Shawnee, white man or negro to citizenship, we could deprive them of equal rights in all funds. It has yet to decide that a man is one day a citizen and then only half a citizen, or "half horse and half alligator," and one is about as probable as the other. Until it does decide against the adopted voters, that they will vote against those who lead the attack upon them is the opinion of, OBSERVER.

THE COURT DEFENDED.

FADER'S PHRASES, I. T., Jan. 18, 1887. EDITOR CHIEFTAIN:—"Subscriber" seems to be a little sore over some of the decisions of our supreme court and discusses them in such a way as to show himself to be somewhat "eccentric." He seems to think it very "eccentric" that the supreme court should decide that all cases appealed to that tribunal should be accompanied by a bond—a legal bond, as an illegal bond would amount to no bond at all. If the court are wrong in said decision, why does the law say the plaintiff must give bond and lay down the manner in which a bond must be executed? Then, since the law lays down the manner in which bonds must be framed, it is strange that this tribunal whose duty it is to see that the law is carried out should require a bond to be just what the law contemplates.

A MEMORIAL.

Addressed to the Chairman and Gentlemen of the Indian Committee of the Senate. In regard to an investigation by this Hon. committee, on the 25th of March, 1886, relative to a sum of money disposed of by the Cherokee national council, and paid alone to Cherokees by blood, thereby leaving out parties, Cherokee citizens, who were not allowed to participate in said funds, viz: Delaware Indians, Shawnee Indians, colored people, and whites. Myself being a white man and a citizen of the Cherokee nation, I respectfully beg leave to make a short statement in relation to, and explanation of, the bona fide citizens of the Cherokee nation. 1st. There are no differences made

between the rights of a bona fide Cherokee citizen either by the acknowledged treaties or by the constitution of the Cherokee nation in regard to property rights. 2nd. Please see Cherokee constitution, Sec. 2nd, Art. 1st, which says: "The lands of the Cherokee nation shall remain common property, but the improvements made thereon, and in possession of the citizens of the nation are the exclusive and indefeasible property of the citizens respectively who made or may rightfully be in possession of them."

This part of the Cherokee constitution, so clear and so emphatic, settles the question of the citizen rights to the joint ownership of the lands of the Cherokee nation, no difference who that citizen is—red, white, or black. We will now make a brief allusion to two Cherokee treaties—the treaties of 1846 and 1866. The above two treaties were both brought about from the same cause. In both instances the different factions of the Cherokees had been at war with each other—considerable bloodshed and killing. Then the United States government interposed for the purpose of making peace by securing the weaker party in all their rights, and guaranteeing protection to life, liberty, and property.

Please let us see what the 1st Art. of Cherokee treaty 1846, says: "The lands now occupied by the Cherokee nation shall be secured to the whole Cherokee people, for their common use and benefit. Please remember this article leaves no person out, and declares it is not only for his use but also for his benefit. And as the language in that 1st article reads: "The whole Cherokee people"—we had better examine, and see who are the Cherokee people. Therefore we call attention to the amendments to the Cherokee constitution, Art. 3, Sec. 5, which says: "All native born Cherokees, all Indians and whites legally members of the nation by adoption, and all freedmen who have been liberated by voluntary act of their former owners or by law, as well as free colored persons who were in the country at the commencement of the rebellion and are now residents therein, or who may return within six months from the 19th of July, 1866, and their descendants, who reside within the limits of the Cherokee nation, shall be taken, and deemed to be citizens of the Cherokee nation."

If there was or is any question as to who compose the Cherokee people, this clause of the Cherokee constitution settles it. Also please see 2nd Art. Cherokee treaty 1846, which says: "Laws shall be passed for equal protection, and for the security of life, liberty, and property." * * * The above clause was a great guarantee for the weaker party, yet no attention has been paid to that article of the treaty in regard to the distribution of the money in question.

For in that matter the four parties have not been made equal with the one party. The Shawnees, whites, Delaware, and colored have all been excluded, and Cherokees by blood received the entire sum. We will now refer to the Cherokee laws on wills to show how the citizen's rights are protected by law. See page 226, Art. 111, Sec. 25, which reads: "Every person of lawful age being at the time of sound and disposing mind shall have the right by last will, to dispose of all of his improvements, and other property that he may die possessed of." * * * This law asserts again, that the bona fide citizens of the nation have their equal landed rights—one citizen's rights exactly the same as another. We will now refer to one more law; (see page 228, Art. 4, Sec. 30): DESCENT OF PROPERTY. "Whenever any person shall die possessed of property not devised, the same shall descend in the following order, to-wit: First in equal parts to the husband or wife," * * * Therefore where a man or woman dies, who is a citizen of the nation, having no children to inherit, the survivor inherits the entire estate, no difference which is the survivor, the white man or the Indian woman. Now to close, please let us look carefully over the 5th and 6th articles, Cherokee treaty of 1866, first 5th article. * * * "And all rules or regulations in said district or in any other district of the nation discriminating against the citizens of other districts are prohibited and shall be void." 6th art. "And should any such law either in its provision or in the manner of its enforcement, in the opinion of the president of the United States, operate unjustly or injuriously in said district, he is hereby authorized and empowered to correct such evil and adopt the means necessary to secure the impartial administration of justice, as well as fair and equitable application and expenditure of the national funds as between the people of this and every other district in said nation."

A REPUTATION.

EDITOR INDIAN CHIEFTAIN:—Allow me space in your paper to nail to the wall a falsehood, circulated by my political opponents. It is reported that I advised the fullbloods, in a speech in Saline district, about two weeks ago, to vote for Bunch and myself for principal and assistant chief at the coming election. To say that I uttered such a thing is false, which is putting it mildly; furthermore, I recognize the fact that the sooner the race lines and prejudices are wiped out the better it will be for all our citizens and it must be done in order to give us a united strength. I want it understood that I am on the ticket with Hon. J. B. Mayes, as the nominee of the Downing party. To those of my friends who know me this explanation is unnecessary. This is only intended for those who do not. SAMUEL SMITH.

A REPLY TO FULLBLOOD.

EDITOR OF CHIEFTAIN:—"Fullblood" says it takes education to run our Cherokee nation and a fullblood is not competent to make a chief. Well, suppose the government of the United States had discarded the fullblood Indians on account of their being fullbloods when they made the different treaties which are our only protection to-day, what would have become of the Cherokee people? I say we would not have a home nor land like we have now, free of cost and taxation. Why is it that the genealogy of the fullblood Indian is a mystery to the learned men of the world? Therefore in conclusion I am truly glad I am a fool and just got enough sense to listen to a smart man like you talk, and vote for a fullblood Indian, Rabbit Bunch, for chief. J. M. TAYLOR, JR.

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the claimants, as those words and sentences can not be misconstrued. And by the 2nd Art., Cherokee treaty 1846, the claimants have the rights to petition the United States government for redress of grievances and discuss their rights. Respectfully submitted, J. M. BRYAN, For White Citizens, Colored, Delaware and Shawee Indians.

THE LUMBER LAW.

The salient features of the new law permitting the shipment of lumber out of the nation we give below: Before the sale or shipment the owner or manufacturer of sawed lumber or timber shall notify the clerk of the district in which it is sawed or cut, who is hereby authorized to measure the same and to grant a permit to the owner, stating the quality and kind to be shipped, and such owner or manufacturer shall be required to pay the clerk for such permit the following rates on quantity to be sold or shipped out of the Nation: On cottonwood, \$1.00 per thousand feet. On pine, oak, and ash, \$1.00 per thousand feet. On cord wood, 10cts. per cord.

Every person violating the provisions of this act, shall upon conviction before the circuit court of the district where the offense was committed, be fined in a sum not less than \$500 nor more than \$1000, or be imprisoned not more than one year, and, in default of payment, to be both imprisoned and fined at the discretion of the judge. No person shall be authorized to sell wood or other sawed lumber from the public domain, except within the lawful limits of his or her improvement. All revenue derived from this source shall be placed to the benefit of the school funds.

NEWS AND NOTES.

A new railroad, the Parsons & Pacific, was completed to Coffeyville last Saturday. And yet the town is reported as being very dull. A Cherokee named Mink Chick-en living on Fourteenmile creek, near Tablequal, was shot early last week and has since died of his wounds. The friends of both parties are up in arms over the affair and small war is feared. Bids for the new United States jail at Ft. Smith were opened at Washington last week in the supervising architect's office. The Pauley Jail Building and Manufacturing Co. were awarded the contract for about \$40,000.

Fort Smith Elevator:—"Poor Lamb," said Pat McCarty after the hanging was over, "the last thing he asked for was a chew of tobacco, and when Mr. Pryor handed him some he bit off a chew and put a piece in his pocket. Nothing like being provided when you start on a journey."

Seneca Dispatch: Michael Boyer, who lives about five miles southeast of here was in town Monday. He has been prospecting on his land, and has just had an assay made of some of the mineral from his mine, which runs about \$200 of gold and silver to the ton. Mr. Boyer is one of Newton county's old reliable farmers, and does not make misrepresentations. Henry Smith and two other guards under Deputy United States Marshal Phillips were murdered in their beds on the 18th, at a point twenty miles from Gurule. They had but one prisoner, a Creek boy aged eighteen years, and he was only charged with introducing. His story, as told when he gave information of the tragedy, is that he ran into the brush when the attack was made upon the camp. The marshal, however, believes him to be the murderer, and he is in the Fort Smith jail on that charge.

Fort Smith Times:—Sixty-three prisoners are confined in the U. S. jail, with as many more out on bond, awaiting their turn in the district court at this place. * * * The Frisco grade is finished nearly to Tuska Home, and as soon as one or two bridges can be put in the grade will be ready for the track some distance beyond Wind-ing Stair mountain. * * * Late advices indicate that we are to have no February term of the United States court, only \$25,061 having been appropriated for witness fees for all federal courts combined; \$10,000 of the \$25,061 have been recommended to this place, which is barely sufficient to set things in motion good. Chetopa Statesman:—Drs. J. J. & L. B. Karkley have been appointed surgeons for the Missouri Pacific railroad, for the field extending from Chetopa to Nevada and from Parsons to Vinita. * * * George W. Reddick, colored, has been committed to jail from the place to await trial for the murder of his infant child. Before the coroner's jury the wife testified that her husband had treated the babe very cruelly and brutally; that he had frequently threatened to kill it, and had asked her to help him to kill it, and she had always refused; that he was in the habit, when the baby cried, of holding his hand over its nose and mouth to make it hush, and that on Wednesday night he took it away from her because it cried, and in a little while it became quiet. She heard nothing more of it during the night, and in the morning it was dead. Dr. Temple made an examination of the dead babe. He found several bruised spots on its body, and on each side of its neck were marks as though it had been grasped by the hand in a violent pressure, and its neck was dislocated or broken. Reddick admitted placing his hand on the babe's nose and mouth to stop its crying, but claimed he did not kill it. The jury returned a verdict to the effect that the child came to its death at the hands of Reddick and he was committed to jail to await trial in the district court.

Hurrah! Hurrah! Hurrah!

And still the good work goes on. All returns are in and the

"OLD RELIABLE"

G. W. GREEN,

Is elected beyond all disputable doubt for

SELLING GOODS CHEAPER,

Than all would be competitors. No matter what others do, I am compelled to do better. It is for you to decide whether my stock of

Dry Goods, Fancy Notions, Shawls

AND WRAPS

Are not the most complete, and prices the lowest. Why! Why! There is no may or may about it, the season has been backward for woollens, and I have a large stock. If inducements in prices will make them go, I am here to tell you

That They Shall Go.

ANOTHER NEW LINE JUST ADDED:

I invite your special attention to my large and carefully selected stock of

The Famous PREISMYER

Hand Made, Ladies' and Children's

SHOES,

Every Pair Warranted,

OR NO SALE.

There is a long felt want in this town and vicinity for these Goods, of which I have never been able to avail myself until now. Mr. J. Sanford, who is with me, is familiar with the Goods, having handled them with the best kind of trade and satisfaction, I feel assured that I can recommend them with the utmost confidence. Now I will say to everybody who wants to buy

Good Goods,

Come at once and avail yourselves of the opportunity and you will be happy. Thanking you for past favors, I hope to merit a continuance of the same. I am, your humble servant,

G. W. GREEN,

Opera House Block, Vinita, Indian Ter.

\$1. \$1. \$1. \$1.

The Weekly GLOBE-DEMOCRAT

(TEN PAGES) ONE DOLLAR PER YEAR

The following comparative statement of a number of the most prominent Weeklies published in the United States shows conclusively that the Weekly Globe-Democrat is from 25 to 50 per cent the cheapest:

Weekly Globe-Democrat, St. Louis, Mo.	10 Pages	10 Columns	\$1.00 a Year
Weekly Tribune, Chicago, Ill.	8 pages	26 columns	1.00 a Year
Weekly Times, Chicago, Ill.	8 pages	26 columns	1.25 a Year
Weekly Post, Chicago, Ill.	8 pages	26 columns	1.50 a Year
Weekly Engineer, Cincinnati, O.	8 pages	26 columns	1.50 a Year
Weekly Commercial, Cincinnati, O.	8 pages	26 columns	1.50 a Year
Weekly Times, New York City	8 pages	26 columns	1.50 a Year
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