

THE SURVEY OF INDIAN TERRITORY 1894—1907

*By Junius B. Moore**

There were a number of reasons why the United States wished to convert the Indian Territory into a State, and to bring the Five Civilized Tribes—the Cherokee, Chickasaw, Choctaw, Creek and Seminole Indians—under its direct control.

First, many white people had come into the Territory and were asking for a share in the government, from which, as non-Indians, they were excluded. Another, which seemed more serious, was since the United States laws were not in force in the Indian nations, many criminals were evading justice by escaping to its borders. And further, the United States wanted to meet the demand, on the part of the country in general, that unused lands be opened for settlement. So in 1893 the Government took the first step toward converting the Indian Territory into a State by appointing the Dawes Commission to work among the Indians to persuade them to allow their property, which had been held in common, to be divided among the individual members of the tribes, and to accept United States citizenship.

The first step in the division of tribal properties was the survey of land. The field work was begun in 1894, under the supervision of U. S. geological engineers sent from the Geological Survey Department at Washington, D.C. The crew surveyed boundaries this first year, and in 1895 began the subdivision. The first headquarters were established at South McAlester, with C. H. Fitch in charge. Van H. Manning, assistant. The two made up the groups that were sent to various points in the Territory. In each group (twenty or more) there were two complete surveying parties and two compass crews, plentifully supplied with solar compasses, transits, plane tables, chains, rods, pins etc., in fact all the best in surveying equipment. For transportation there were wagons, buckboards, and mules to pull them. For housing, we had tents with tarpaulin floors.

Our party was the first to be sent out to the field. D. C. Harrison was chief, and topographer. The other men were, as I remember them, Sledge Tatum, James E. Shelly, Harry Stevenson, Charley Bingam, Oscar Bradley, W. H. Larrimore, John E. Blackburn, Dad Wringer, Sinclair, Ellis, Potts and Columbus, the cook.

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Our first camp was set up 13 miles S.S.E. of Calvin, in the Choctaw Nation, where we took our first point on the Indian Base and Meridian, Township 1 North, Range 8 East. The first procedure after that was to lay out quadrangles, which were 24 miles square, then townships, 6 miles square, and later, sections 1 mile square. A township was comprised of 36 sections, and to lay these out the first party would start at corner to 35 & 36, run 1 mile north then 1 mile East. Closing on the corner to 25 & 36. The second party started at the corner of 34 & 35, thence north 1 mile, closing on the 1st parties corners, and so on throughout the township. Stones were put in for markers, and if they were not available, pits were dug or timber cut and driven into the ground. All sections bordering on the north and west boundaries were fractional. This was occasioned by the fact that all the accumulated error in the surveying was distributed along the north and west boundaries of the townships. The fractional parts were called lots and bore numbers. Each township corner was marked with a 4 foot and 4 inch iron tube, split and spread at the ground end, and capped with a brass plate stamped with Township, Section and Range.

For further identification, we marked bearing trees if there happened to be trees available. We marked four trees at each section corner, and two at each quarter section. This was done with a timber-scribe, a wood carving tool made especially for this work. The township, range, etc., were cut in a straight line down the trees, deep into the wood, after the necessary bark was removed. It was my good fortune to be called in on a corner dispute, twenty five years later, to locate one of these. The bark had grown over the cuttings, but was rough—showing it was new growth. All I did was, cut in above and below the marks and block-out the chip. The inscription showed plainly but it was in raised letters instead of deep cuts. This specimen is on exhibit at Tulsa University, and has been shown frequently at Tulsa Oil Expositions.

The pins which we set at the township corners could not be pulled up because of the split ends, but could be dug out of the ground. We had trouble a number of times with dissatisfied Indians who dug them up and either destroyed or hid them. The chief of the Creek Nation, Espiechee (Isparhecher) had men to take up those on his large plantation but we replaced them later and told him should he do it again he would be arrested by the United States Government. And one day our man who set the corners met an Indian with his wagon loaded with all his household goods and family. He was moving, because, as he said, "I don't like the surveyors running lines close to me." The Indian moved five miles farther North, and the next week we were running lines around him there. The fullblood Indians seemed to resent the Government's allotment of their lands more than any other, and quite a number had to be assigned arbitrary allotments because of that.

The Government surveying parties had men from every state in the Union and as a whole were very congenial. All liked the outdoors and their jobs. Their tents were comfortable even during winters. We had one large tent, 16 x 16, where most of the men stayed, and three others that were 9 x 9, besides the two for cooking and serving. My mate and I lived in one of the smaller ones. Party chiefs stayed in the other two. Jim Shelley was my tent mate and we got along fine. The tent fell down on us only once, and that was because we were asleep when a slow warm rain came up and we were too drowsy to get up and loosen the guy ropes, and a stake was pulled up. Jim had spent a good many years surveying Indian reservations in Montana and Idaho, before coming to Indian Territory, and was an expert at the job. He also was an expert marksman. I watched him empty a six-shooter into a tree many a time. He'd fire one shot, and put the other five bullets in same hole without a miss. He also had been champion middle weight wrestler at Columbia Athletic Club at Washington, D. C. Harrison had been heavy weight champion at the same club. We spent our leisure time in camp mostly in these sports, for nearly all owned guns, and all liked wrestling and target shooting. They never carried guns to the field for the metal in them affected the compass needles. I had a Savage rifle I sometimes took along when I did plane table work.

One day the boys jumped a big buck out of some high grass, in a valley where they had to close on a section corner several times and every time they went in there the old buck would jump up and run out. That seemed to me a mighty good chance to use my rifle and also to get some fresh venison so I decided I'd get him the next Saturday afternoon. It was a wonderful day. There had been a big frost the night before and the day was cold, and still. Late that afternoon I got out my Savage, hooked up my mules to my buckboard and started for the buck's hide-out. As I was driving along the side of a hill I flushed two big gobblers. One flew to the southeast. The other ran due south along the ridge. I waited until I thought the one to the south had had time to stop and then walked about thirty yards to a large tree, sat down in some tall grass, and faced the way from which the turkey would come. I then took out my call and gave one loud coarse call, like his buddy would have made, and he answered it in the same tone of voice. I heard him take the first step and then come running, making as much noise as if a horse was coming down the ridge. When he reached the place where I had flushed him, he stopped, and was so close I knew if I made a mistake he would go the other way. This I had learned from the Indians, and from experience. The Indians say, "When a deer first sees a man, he says, 'That's a man.' He looks again and says, 'That's a MAN', and then in fear, 'THAT'S A MAN!', and runs away. A turkey sees a man and says, 'THAT'S A MAN!'," and is gone with the wind. So I just shook my foot and made a noise like

a turkey scratching. The turkey came on, but could not see me because of the grass, and got so close that when I shot him I could have almost touched him with my gun. Proudly picking up my turkey, I went back to my buckboard and drove on to the buck's hide-out in the valley. I should have tied my mules to a tree and walked in, but drove in instead, for when within thirty or forty feet of the deer, he jumped out in front of my mules. They stood straight up on their haunches and almost turned over the buckboard. It was all I could do to keep them from running away. So I sat there clutching the reins and let that fine buck get away without my firing a single shot.

Columbus was our cook. One day after a trip to town he did not show up, and they delegated me to take his place, since they had heard me tell of some of my hunting trips, and some camping I had done where I had cooked my own meals. So I stayed in camp that day and attempted to get the evening meal. I put on Columbus' apron and his cap, the usual beans and potatoes, and proceeded with the biscuit making. Naturally I got pretty well covered with flour and dough and was rather messed up when the parties came in. The first one who saw me doubled up with laughter and called out, "Why hello Aunt Cindy." After that I was never "J. B.," as they had called me, but "Cindy," and I'm still "Cindy" to most of my Oklahoma friends.

Columbus paid for this later. One day one of the men killed a timber rattlesnake near Atoka, in the Choctaw nation, and when he was skinning it the flesh looked so appetizing the men suggested that he take it back to camp and let Columbus cook it. Columbus balked at that but Mr. Harrison (our chief) insisted that he cook it, so he did. While it was cooking it really smelled good, but Columbus served it without seasoning, and those of us who did taste it did not care for it. If it had been prepared properly we may have really enjoyed it.

The buckboards and wagons we drove to our work were ideal for cross country driving, but the mules we had to drive were the bane of our lives. My team especially. They were the most stubborn, the most stupid and meanest animals alive. If they could have had their own way they would never have worked at all. It was a battle every time I harnessed them. Once when crossing the Arkansas River on a ferry boat, the mules jumped off and waded back to the bank from which we started. When I finally got them back on I tied them, so they would not repeat their performance.

A great deal of my work was in the Choctaw nation and I really enjoyed being among the Choctaws. Part of my youth had been spent in their nation, and I understood their language better. They had a custom of helping each other with their crops, and one day while

doing cadastral¹ work I entered a field where fifteen or more happened to be working. When I stopped and sat up my plane table and began to ask for information as to ownership the whole party surrounded me. There was one big fat Choctaw with about a 55 inch girth, who was wearing a very large cartridge belt filled with 44 Winchester Cartridges. I took one out of his belt and after examining it, replaced it and reached into my pants pocket for a cartridge of my own, a 303 solid point Savage. Then lifting my arms, as if encircling a 18 x 20" tree, I told them it would shoot thru a tree of that size. They shook their heads, and the interpreter said, "They don't believe you." So we all filed out to my buckboard where the Savage was, and picked out a nice straight grained cedar elm about 18" in diameter, and when I fired the bark flew off the opposite side of the tree. It was easy to see the bullet had gone through. The big Choctaw looked, pressed his stomach against the tree and said, "Ugh! Shoot through tree, me too!"

It was in the Cherokee Nation in January, 1903 that my field work ended. It had been seven of the most wonderful years of my life. To others it may have been hum-drum and monotonous but to me it was ideal. In the wide open spaces there was game galore. In camp there were college men, blest with patience, humor and a desire to push others up to the top. The training I got through them began with holding a rod, at twenty years of age, and ended by my being an instrument man, and later doing cadastral work with a plane table. So to them, to my desire to make good, to the love of the woods and prairies and wild life, and to the peoples among whom I worked, I owe my "degree" in engineering.

Allotment of the land had already begun at Vinita, where I was supposed to go next, but the general headquarters (Dawes Commission) was at Muskogee, so I went there first and checked in my surveyor's tools, mules, and buckboard. We were at Vinita only a short time, from January to May 1st, 1903, waiting for the completion of the Cherokee Land Office at Tahlequah. We occupied an old school house that had been discarded, and was on a street that had not been paved. During wet weather a pool of water in a sea of mud stood there. One morning when we went to work we found someone with a sense of humor had braved the mud and water and had placed a post, with a hat on it, in the middle of the pool. Under the hat was a 4 foot x 1 inch board bearing the words, "Don't take my hat! I've gone down for my boots." The hat stayed there.

The Dawes Commission was headed by Colonel Tams Bixby, Chairman, who sent a Commissioner to each of the five land offices. An office was established in each of the five nations to which all the

¹ A cadastral survey is used in thickly settled places where an exact representation as relative positions and dimensions of objects and estates have to be recorded. Plane tables are required in these.

Indian citizens went to be enrolled for their allotments. It was the job of the local commissioner to sign each certificate for each allottee. A chief clerk supervised each office. Clifton R. Breckenridge was assigned to Tahlequah, to the Cherokees. Bruce Jones was his chief clerk. Other men on the Tahlequah office force were Jim Gibson, T. J. Farrar, Frank Lewis, J. B. Moore, Joe Gibson, Roy Palmer, Geo. R. Smith, Oscar Rabberneck, O. B. Jones, Peter Funk, Dick Berry, John Wallace, C. B. Rainey, Johnny Rosin, with Simon Walkingstick and Sam Foreman as interpreters.

The Cherokees had less land, according to the population, than any of the other tribes, so in order to make a fair division, it was deeded in proportion to valuation. It was appraised from \$0.50 to \$6.50 per acre. The allottee to receive properties to the value of \$325.00. The value of the homestead was placed at \$118.00. The surplus due was made up by adding acres of the required value, and should there still be a deficit the allottee was given fifty cent land. Some of the Indians refused to accept allotments and the Government officials assigned to them unoccupied lands which proved to be some of the richest oil fields in Oklahoma.

In order to protect the fullbloods and halfblood Indians and their property from unscrupulous people, Congress arranged for all their lands to be leased or sold under the supervision of a local bureau of administration called The Indian Agency, located at Muskogee, Oklahoma. This in turn was under the Department of Interior. Officials chosen by the Indians could have a certain voice in the property transaction.

When the books were closed they showed that there were more than 75,000 Indians who were entitled to an estate in the Indian Territory. The last year in which they were accepted was 1904.

Most of my time in the work was spent among the Cherokees. It was my job, while in the Land Office at Tahlequah, to allot all fullbloods. Sam Foreman, my interpreter, did his best to teach me how to ask the most used questions, but it seemed to me he never asked the same question, the same way, twice, and I never learned one word of Cherokee.

The land office force at Tahlequah was disbanded in 1907. Most of the men went to the Agency at Muskogee. I stayed at Tahlequah and later became County Surveyor. Ever so often, when in the field, a Cherokee would invite me to dinner. I never declined, because to me Indian dishes like broadswords, dogheads, kawista, kanutchee, and other corn, bean and nut dishes are delicious. One day I said as much to one of my Cherokee hosts and he said, "Mr. Moore, you like Cherokee cooking so much why don't you get you a Cherokee wife?" I told him I had one wife, and could not have another.

The survey of Indian Territory could hardly be chronicled in successive years, or survey locations; for the job was considered and worked out as a whole. All crews worked in unison—doing the job of the moment, where ever it should be done. Marking time was no object, the survey was the thing. The job took us all through all the nations, Cherokee, Chickasaw, Creek, Choctaw and Seminole.

At that time it was said to be the best survey in the world, and it has been my experience, in surveying all through Oklahoma, Louisiana, Arkansas and Texas, that it is at least the best survey I know.