



Railroads in the Indian Territory: Governments and Unlikely Partnerships

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In April and May of 1894, thousands of coal miners went on strike across the country, including miners in the Indian Territory, what would become eastern Oklahoma. These striking miners appeared to fit the national narrative of labor versus capital, yet upon further inspection, it is clear that this labor action did not manifest in the same manner as other strikes. The striking miners were white men working in the Indian Territory; the owners of the mines were Native Americans. Railroads transported the coal in cooperation with tribal governments.

To deal with the strike, Native American governments worked with railroad officials and the federal government to evict whites by asking for federal troops to remove strike leaders from the territory. This strategizing between railroad officials, Native Americans, and the federal government represents the most unlikely of partnerships, and stands in stark contrast to the typical 1890s narrative of government versus Native Americans.

In April 1894, in response to a drastic reduction in their pay, the coal miners of the Indian Territory walked out on strike claiming that they could not live with the pay cut. Acting like many other miners in 1894, these striking workers appeared to fit the national narrative of labor versus capital that came to define the end of the nineteenth century. Yet, a closer inspection of this event in the Indian Territory reveals how this labor action was quite different from other strikes across the nation, and illustrates interactions and unexpected partnerships within the Indian Territory that stand out from the expected historical record. The miners who went on strike were whites working in the Indian Territory – rather than Native miners. The owners of the mines were Native Americans – rather than white, wealthy outsiders. Railroad companies, who provided the miners, transported the coal out of the Indian Territory – rather than selling it directly to users. Tribal governments worked with railroads to secure the easy transport of raw materials through the region with the ostensible support of the federal government – rather than

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URL: http://www.thebhc.org/sites/default/files/Voss_BEHO_Final%20Draft.pdf

these entities fighting with each other. The federal government supported increasing Native Americans' self-sufficiency through the U.S. Army, the Indian agencies, and their respective agents – rather than circumscribing Native independence. Four groups stand out surrounding the strike: locals, tribal leaders, federal officials, and railroad executives. By tracing their histories, we can gain a deeper understanding of the unexpected partnerships that contributed to the strike of 1894.*

The Indian Territory consisted of land set aside in 1824 for the resettlement of the Choctaw, Cherokee, Creek (Muskogee), Chickasaw, and the Seminole peoples, the so-called Five Civilized Tribes.¹ The federal government promised a refuge for Native Americans persecuted by whites in the eastern United States, at least for a time. State governments with the aid of the federal government forced southeastern tribes off their land and gave them land within the Indian Territory instead. The tribes settled there from 1828 to 1842. Once in the Indian Territory, these emigrant Native American nations each reestablished their respective governments, courts of law, and schools, in addition to their cultural and social structures. The federal government recognized the legal standings of the respective Native American governments and, most importantly, traded the respective tribes' land in the east for fee simple title to the land in the Indian Territory.

Railroads increased in economic significance throughout the 19th century. The Indian Territory offered a unique opportunity for American railroad officials, as the respective Native American nations owned their land rather than the space being federally controlled property as in other western territories. Native American leaders at first sought railroads. Peter Pitchlynn, primary chief for the Choctaw, appealed for a railroad in 1854, as demonstrated in the treaty between the Choctaw and Chickasaw that became known as the "Net Proceeds Act."² Despite the pleas of Pitchlynn and others, railroad officials failed to respond at the time. Pitchlynn wanted a railroad that would cooperate with tribal governments in a mutually beneficial relationship. Four years later, officials with an early version of the Union Pacific Southern Branch proposed crossing through the Indian Territory while securing some payment for their line from the Native Americans. Instead of letting the Native Americans decide whether a railroad should cross their land, the Office of Indian Affairs denied the railroad's application, ostensibly to protect the Indians' interests.³ It was only after the Civil War that railroads became viable in the Indian Territory.

Because some tribal governments aligned with the Confederacy during the Civil War, the federal government forced all of the Five Civilized Tribes to sign new treaties in 1866. Those treaties each stipulated, among many other things, that one railroad would cross

* I would like to thank the Business History Association for the opportunity to present this paper at the 2015 annual conference in Miami. Portions of this paper are from my dissertation, *Railroads and Coal: Resource Extraction in the Indian Territory, 1866-1907*, University of Nebraska – Lincoln, 2013.

¹ W. David Baird, "Are the Five Tribes of Oklahoma 'Real' Indians?," *The Western Historical Quarterly* 21, no. 1 (February 1990): 5–18; Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians*, 2nd ed. (University of Oklahoma Press, 1974).

² Clara Sue Kidwell, *The Choctaws in Oklahoma: From Tribe to Nation, 1855-1970*, American Indian Law and Policy Series (Norman: University of Oklahoma Press, 2007), 16–29.

³ H. Craig Miner, *The Corporation and the Indian: Tribal Sovereignty and Industrial Civilization in Indian Territory, 1865-1907* (Columbia: University of Missouri Press, 1976), 3.

the territory from north to south and another from east to west in each of the respective tribal regions. Despite the individual nations not aligning geographically, nor railroad officials wanting to build strictly east-west or north-south lines in the region, the treaties of 1866 opened the territory to railroads without tribal approval. Two railroads gained early access into the Indian Territory: the Atlantic and Pacific Railroad (A&P), and the Missouri, Kansas, and Texas Railway (the Katy). The Atlantic and Pacific, with its origin in St. Louis, built across Missouri and entered the Indian Territory through Cherokee Nation land. The Missouri, Kansas, and Texas Railway also built southwest from St. Louis, but instead of entering the Indian Territory from the east, it crossed into Kansas and then turned south near present-day Manhattan to enter the territory from the north.⁴

The 1866 treaties attempted to remove Indian control of their lands, yet federal officials were only moderately successful. The tribal governments, while agreeing to the treaties retained land ownership rights and carefully managed the resource. The Indian governments held land in the highest regard. Land, and Native American ownership of fee simple titles, was key to their residency in the West.

As the railroads built rail lines into the region, it was clear that the relationship between the locals and companies was vastly different than elsewhere. Rather than fulfilling a desired connection to the outside world, as in many other western regions, the local residents of the Indian Territory often resisted railroad demands. In the tenuous period following the Civil War, Native Americans were wary of outside intrusion that might force cultural change. They saw railroads as a significant intrusion into their territory, not simply by their presence, but rather by the attitude of railroad officials toward the locals.

Railroad executives expected locals to greet them as saviors upon the arrival of their rail lines in a region. That was not the case in the Indian Territory. While the railroads in Nebraska, Kansas, Missouri, and elsewhere were able to commandeer large swaths of land along their rights-of-way for the timber and coal they contained, locals and governments confined railroads in the Indian Territory to ownership of a two-hundred-foot-wide path along their lines. This obstacle to gaining resources forced railroads out of a position of power and into a position of compromise and partnership.

Coal represented the most important natural resource of the late 19th century. Demand for coal in the United States drastically increased in the years following the Civil War. The combination of vast railroad construction projects and advancements in iron and steel production through the Bessemer process created a huge market for the natural resource.⁵ The first coal sample shipped out of the Indian Territory occurred in 1870. J.J. McAlester, a white trader who had married into the Choctaw Nation shipped his coal to the Missouri, Kansas, and Texas Railway as it was building through Kansas and into the Indian Territory. As a local, he knew that the railroad was searching for resources and cooperation, both of which he could provide.

J.J. McAlester knew what he was doing, shipping coal to a railroad desperate for resources. After serving in the Civil War, Captain McAlester roomed with Oliver Weldon

⁴ For more on the Missouri, Kansas, and Texas Railway, see V. V. Masterson, *The Katy Railroad and the Last Frontier*, 1st ed. (Norman, Okla., 1952).

⁵ Among many other texts, see Barbara Freese, *Coal: A Human History* (Cambridge, MA: Perseus Pub, 2003). Peter Temin, *Iron and Steel in Nineteenth-Century America: An Economic Inquiry* (Cambridge, MA: The MIT Press, 1964).

while they were both pursuing studies at Fort Smith Arkansas, just over the border. Weldon had surveyed part of the Indian Territory and noted a vast area of coal in the region. McAlester subsequently quit school and secured a position as a licensed Indian trader, working for the firm of Reynolds and Hannaford. McAlester advocated for a new trading post at the crossroads of the California Road and the Texas Trail, conveniently located near the coal outcroppings. Reynolds and Hannaford agreed to the new venture and McAlester's store was in operation by 1869.

As a white man in the Indian Territory, McAlester experienced severe restrictions, including limitations on land usage, entrepreneurial activity, travel, and any voice in tribal decisions. One of the ways around these restrictions was through intermarriage, which is what McAlester did in 1872 through his marriage to Rebecca Burney, a Chickasaw woman.⁶ The Choctaw and Chickasaw arrangement gave both dual and full citizenship to anyone who married into either tribe.⁷ McAlester gained membership in the Chickasaw nation through his marriage and rights within the Choctaw nation as well as matrilineal tribal status, which depended not on the tribal membership of the man, but of the woman, thus giving McAlester membership in the Chickasaw nation. Rebecca Burney had moderately important family connections. Her father, Judge David Calhoun Burney, maintained political connections with the Chickasaw nation. Rebecca Burney's brother, Benjamin C. Burney, later became chief of the Chickasaw Nation in 1878 and her sister, Mary, was the second wife of Chief B. F. Overton. McAlester's marriage certainly rang with political importance and provided him access to tribal leadership.

The railroads needed tribal cooperation to make sure coal mining operations would be effective. Rather than protesting against the railroad, the Choctaw Council cooperated with the Katy officials who recognized that negotiating with the Choctaws was the best course of action. The Missouri, Kansas, and Texas Railroad regularly consulted with Native American leadership, responded to complaints, and worked with locals. In negotiating for access to the coal, the Katy paid the Choctaw council five thousand dollars to secure a right of way.⁸ Coal mining operations began soon after the railroads completed their lines into the coal region. The Katy Railroad soon incorporated the Osage Coal Company, which operated its mines. The manager of the Katy, Robert S. Stevens, also managed the Osage Coal Company.

Railroad officials quickly learned the value of cooperating with the Cherokee and Choctaw people, on whose land most of the coal was located. Under tribal laws, no individual owned any land. Instead, railroad and mine officials had to work with both tribal leaders and local residents. Tradition and tribal councils allowed locals to claim land as theirs up to one mile in every direction from where coal was found. Joshua Pulsey, a member of the Choctaw nation, leased his coal claim to the Osage Coal Company. The firm paid the Pulsey family one-half of one cent for every eighty-five-pound bushel of coal

⁶ Jesse O. McKee and Jon A. Schlenker, *The Choctaws: Cultural Evolution of a Native American Tribe* (Jackson, Miss., 2008).

⁷ McKee and Schlenker, *Cultural Evolution*; Kidwell, *The Choctaws in Oklahoma*, 103.

⁸ Robert Stevens to Levi Parsons, January 31, 1874, Robert S. Stevens Papers, Western History Collection, University of Oklahoma, Norman, Oklahoma.

extracted and sold from the mine.⁹ According to estimates at the time, it was widely expected that Pulsey's claim could earn the family as much as \$1,000 per month in royalties. The Osage Coal Company signed 99-year leases for the coal lands, ensuring the company reliable access to the natural resource and the Choctaw nation a steady income. The relationship earned praise from the press, who called the company "exceedingly valuable" based on the security of the coal leases.¹⁰

By the mid-1880s, coal production in the Indian Territory proved lucrative to other railroads and coal interests. Fritz Sittel signed leases with the Choctaw Coal and Railway Company (CCRW) for coal lands situated conveniently along the planned route of the railway. Sittel had married Melvina Pitchlynn, a Choctaw woman, in November, 1883. Through this marriage, Sittel had gained membership in the Choctaw Nation, including the right to coal discovery. Following the marriage, he claimed a large piece of land just south of the town of McAlester and called it Sittel Ranch, This was the land he leased to the CCRW.¹¹

The Secretary of the Interior, John W. Noble, noted Sittel's actions. He remarked that instead of increasing competition, the CCRW's acquisition of coal leases would "establish a gross monopoly in the interest of the railroad company, and break down competitive interests in all the adjoining territory."¹² The CCRW answered with a tactful argument that the people with whom they dealt were fully capable of knowing what they were doing in signing the leases and granting access, exactly what the Indian Department had been working toward since the department's inception. Edwin Chadick, the manager of the CCRW, declared to the Department of the Interior that the generous leases were met with generous terms from the coal company. Chadick intoned, "The best interests of the company will be served by kind and fair treatment of these Indians.... We have maintained inviolate our obligations to these people, that we have not sought in any way to deprive them of anything justly theirs."¹³ Chadick maintained that the company treated the Native Americans fairly and was committed to their welfare, if one bothered to look. The company suggested that its investment in railroad construction demonstrated the firm's good will. The company spent over two million dollars on the construction of its rail line and the development of its mine. The firm's intention was to build a first-class railroad across the Indian Territory, but also to open the coal mines.

The CCRW suggested that it was enabling the independence and "civilization" of the Native Americans. Chadick argued, "The right to lease is with the individual; it is his coal by discovery and the constitution makes it his right and he is not prohibited from leasing

⁹ H. T. Lemist, Superintendent Osage Coal and Mining Company to G.W. Ingalls, Indian Agent, November 16, 1875, 267, Senate Committee on Territories, Report to accompany bill S. 1802, 45th Cong., 3d Sess., 1879, S. Report No. 744.

¹⁰ Frederick Edward Saward and Sydney A. Hale, *The Coal Trade: The Year Book of the Coal and Coke Industry*, 1890, 33.

¹¹ Sittel's action was just one of several extra-legal moves that discouraged favor with the established Choctaw community leaders. See "Interview with Fritz Sittel," May 9, 1937, in *Indian Pioneer Papers*, Western History Collection, University of Oklahoma, 5827: 42.

¹² John W. Noble to Henry Dawes, August 20, 1890, 51st Cong., 1st Sess., Mis. Doc. No. 223, 1.

¹³ E. D. Chadick to the Commissioner of Indian Affairs, August 1, 1890, 51st Cong., 1st Sess., Mis. Doc. No. 223, 51st Cong., 1st Sess., 14.

it.”¹⁴ Leasing and sub-leasing, two rights of property owners, were denied to the CCRW and the Native Americans associated with those leases by the Department of the Interior based on fears that the new railroad and coal company would monopolize transportation and coal mining in the region. The CCRW was eventually able to proceed with its various leases; however, the Department of the Interior limited the length of the lease to 30 years.¹⁵

By 1894, coal had become the key energy source for the United States. For the tribes of the Indian Territory, coal provided them with regular income on two levels: nationally and locally. The respective tribes of the Indian Territory charged two types of fees for their coal – a permit fee for each miner and a per-ton tax in addition to the lease arrangements. The national taxes of twenty cents per ton imposed by the respective tribal governments went to educational purposes for Native Americans.¹⁶

In the spring of 1894, the United Mine Workers (UMW) went on strike to protest wage cuts. Miners in the Indian Territory joined the labor action; facing a nearly thirty percent cut in wages, the miners retained little incentive to continue working. Yet, their status in the region was much more tenuous than that of miners elsewhere. Rather than owning land, or living in company-owned towns, the miners of the Indian Territory were merely tenants since Native American laws governed the region. Coal companies did not own the worker housing either. Instead Native Americans owned the land on which the companies operated, owned the timber from which the houses were built, and owned the mines in which the miners worked.

The tribes permitted miners and their families to live in their territory, much like railroad workers, only after a bond had been secured for each head of household by a member of the tribe or the railroad associated with the mine. The Choctaw demanded a \$100 bond and an annual \$6 permit fee, which was taken out of miners’ pay.¹⁷ The issuance of bonds was the only method used by Native Americans and the Bureau of Indian Affairs to permit Euro-Americans to live in or conduct business activities within the territory. Without the bond surety, occupancy and employment within the Indian Territory was impossible.

Coal companies and native leaders worked together to combat the strike. The superintendent of the Choctaw Coal and Railway, Edwin Ludlow, pleaded with the U.S. Indian Agent, Dew Wisdom, to prevent violence. The Choctaw chief, Wilson N. Jones, worked through the federal government to deal with the strike. Jones believed that the leadership of the unions had incited the strike, and without their leaders the striking miners would give up and go back to work. Jones invoked a long-established but seldom used treaty provision from an 1855 treaty that required the United States to protect the Choctaw and Chickasaw from “domestic strife, from hostile invasions, and from aggressions from other Indians and white persons not subject to their jurisdiction and

¹⁴ E. D. Chadick to the Commissioner of Indian Affairs, August 1, 1890, 15.

¹⁵ *An Act Giving, Upon conditions and limitations herein contained the assent of the United States to certain Leases of rights to mine coal in the Choctaw Nation*. October 1, 1890, 51st Cong., 2d Sess., 408.

¹⁶ E.D. Chaddick testimony to T.J. Morgan, Commissioner for the Secretary of the Interior, 51st Cong., 1st Sess., Mis. Doc. No. 223, 51st Cong., 1st Sess., 11.

¹⁷ Kidwell, *The Choctaws in Oklahoma*, 107.

laws.”¹⁸ Rather than relying on tribal police to effect change in their nation, the Choctaw chief recognized the power of the U.S. government to reestablish authority in the region.¹⁹

In a communication with Dew Wisdom, Chief Jones sent a letter to the Commissioner of Indian Affairs demanding the removal of the most notorious and boisterous strikers. Jones obtained a list of two hundred striking miners, the supposed leadership of the strike according to the Choctaw Coal and Railway Company, and declared them “intruders” and subject to removal. Dew Wisdom consulted with Jones, insisting that the only way to preserve peace was through the strong arm of the military.²⁰ Wisdom fully supported Jones’ actions and considered the miners “foreigners... [that] either did not understand or did not respect American law and American institutions, and preferred anarchy rather than a reign of law and order.”²¹

Federal troops arrived in the region by May 22, 1894, with instructions to protect lives and property and to remove the striking “intruders.” Over the next several months, strike leaders were located and evicted. The strike ended by July 1894 with the removal of most of the strike agitators and mining resumed by the fall, but not before the Choctaw treasury had become exhausted due to a lack of coal mining income.

The strike of 1894 demonstrated unexpected partnerships and shifting power relationships within the Indian Territory. Native Americans worked with railroads to secure income from coal mines. Railroads worked with Native Americans to gain access to coal and to ship it out of the region. The federal government worked with Native Americans to establish appropriate lease arrangements for coal mines. Locals relied on railroads to provide income from resources in their region. Finally, Native Americans asked for federal troops to enter into Indian Territory to restore peace with striking miners – a stark example of an unexpected partnership in the 1890s.

¹⁸ Treaty with the Choctaw and Chickasaw, June 22, 1855 in Charles Joseph Kappler, ed., *Indian Affairs: Laws and Treaties*, vol. 2 (Washington, D.C: U.S. G.P.O., 1904), 710.

¹⁹ *Annual Report of the Commissioner of Indian Affairs, for the Year 1894* (Washington D.C.: G.P.O., 1894), 144, <http://digicoll.library.wisc.edu/cgi-bin/History/History-idx?type=turn&entity=History.AnnRep94.p0148&id=History.AnnRep94&isize=L>.

²⁰ Ibid.

²¹ Ibid.