

## From Bard to Speculator: Alexander Lawrence Posey and the Muscogee Nation, 1902-08



*By Jeffrey M. Widener\**

Historical research on land ownership and economic and land development progress within Indian Territory typically focuses on the compelling and generally negative impact that US officials and whites had on the tribal nations, especially how they affected tribal customs and perpetually broke promises made in various US treaties. Indeed, the government forced devastating resettlement on many tribes—the best known was certainly the Trail of Tears—forcing them to move far away from their homelands. The period of Indian allotment in Oklahoma and Indian territories was also devastating to many American Indians. Sometimes, Indians facilitated this negative impression. This article looks at land tenure promotion and progress in the Muscogee (Creek) Nation in Indian Territory in prestatehood days and in the early days of statehood. It tells the story of Alexander Lawrence Posey (1873-1908), a Muscogee citizen who advocated the benefits of this new kind of land ownership and the benefits of adopt-

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ing Western business practices to his fellow tribe members. His subsequent actions give rise to questions about his motives for doing so.

On August 3, 1873, at the age of fifteen, Nancy Harjo, a Muscogee citizen of the Wind Clan, gave birth to Alex Posey at her home a few miles west of Eufaula.<sup>1</sup> His father, Lewis H. Posey, was of Scotch-Irish descent, claimed to be one-sixteenth Muscogee, and was a member of the tribe. Posey's parents raised him in a bicultural world, teaching him the traditions of the Muscogee and the ideals of progressive Western society. This upbringing, combined with his education at Bacone College in Muskogee, Indian Territory, led Posey to leadership positions, such as superintendent of the Creek National School, making him a valuable asset for the Muscogee.<sup>2</sup> While scholars and journalists have given Posey's literary career much attention, the research presented here describes Posey's influence on land ownership and land development in the Muscogee Nation just prior to and just after Oklahoma statehood, offering to the reader a broader glimpse of the impact Posey had on his fellow Muscogees.<sup>3</sup>

### **Indian Territory and the Muscogee Nation, 1898-1908**

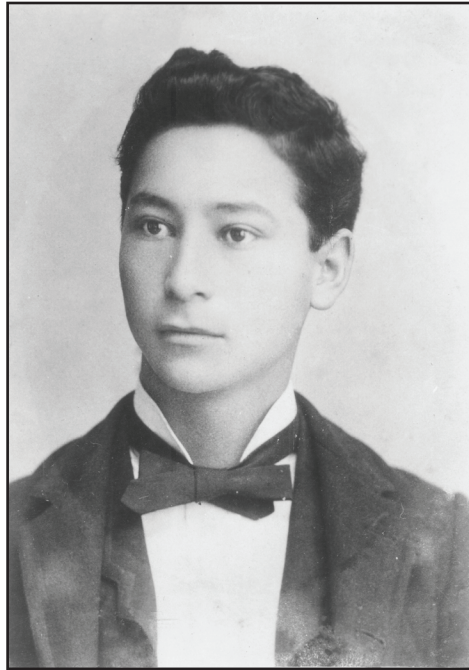
When the US government passed the Curtis Act in 1898, it imposed the Indian General Allotment Act (1887), also known as the Dawes Act, on the Five Civilized Tribes residing in Indian Territory. Government officials had already carried out the Dawes Act on the Plains Tribes in Oklahoma Territory, where the government had forced those tribes to settle through a series of treaties. Treaties made between the government and the tribes residing in both Oklahoma and Indian Territories over the years had stipulated that tribal settlements would be left alone; these promises, however, were short lived.

The personal land tenure system was foreign to the Five Civilized Tribes because they had their own "unique system of communal land tenure."<sup>4</sup> The Muscogee looked at fields in terms of private use rights, meaning they believed that working the land, rather than possessing a legal document, gave one occupancy of it. Some Muscogee put large plots of land to use, thereby occupying the land; if they put slaves to work on the land then they occupied the land through their possession of those who worked the land.<sup>5</sup> Indeed, allotment and individual land would bring about a huge change in this practice of communal land tenure.

The Dawes Act required each tribal member to sign a tribal roll in order to claim citizenship and thus apply for an allotment of land generally comprised of 160 acres. There were also various rules about

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*Alexander Posey at age eighteen  
(815, Alexander Posey Collection,  
OHS Research Division).*



what should, could, and could not be done with the allotted land. The government's excuse for trying to force Indians to accept allotments, according to historian William T. Hagan, was to allow white families "desperate for land" a chance at success by purchasing the remaining land after all of the allotments were made or the allotted land the Indians did not want to use. Because Indian "[land] titles were not the equivalent of those of white landowners" the whole Indian tribe was considered the owner of the tribal members' land.<sup>6</sup> Agents often used chicanery and other means to coerce the Indians into signing the rolls and claiming their allotments; often, if the Indians did not acquiesce agents arbitrarily enrolled them and assigned them marginal lands.<sup>7</sup> In May 1901 Muscogee Chief Pleasant Porter stated that the Treaty of 1866 gave US officials, "when deemed necessary," the power to "legislate for the better protection of person and property in the Indian Territory." Since the Muscogees presumably were going to become citizens of the US, he told his tribe that it was "for the better protection of our personal [*sic*] and property" and urged them to "get their homesteads as fast as they could be allotted to them."<sup>8</sup> Some Indians, however, felt so strongly opposed to this new type of land ownership that they never signed the rolls and never received allotments.

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Even though it was an all or nothing deal in the end, and despite the advice from their chief, whether or not members should agree to sign the roll and accept allotments caused divisions in tribal politics. Conservatives, in particular the Snake faction of the Muscogee Nation led by Chitto Harjo, vehemently opposed allotting in severalty because it would end their cultural system. Indeed, many followers of Harjo refused to accept allotments. Before the Dawes Rolls closed, a Creek enrollment field party, appointed by the Dawes Commission, had to, as best they could, find and distribute allotments to the Snakes. Additionally, the field party had to locate “lost Creeks,” Muscogees whose names appeared on the rolls and who the Dawes Commission still sought to verify their whereabouts and identity.<sup>9</sup> American Indians seeking economic progress, on the other hand, waffled on the idea of allotment. Some progressives who owned large estates were against allotment because the government would divide land they had improved and believed they owned, whereas

*Rockfellow Hall at Bacone Indian College, President Bacone on front step (1928, Alice Robertson Collection, OHS Research Division).*





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other progressives viewed allotment as a way into the Western system and as a way to achieve agricultural success.<sup>10</sup> Nevertheless, between 1898 and 1914, the Dawes Commission received more than two hundred fifty thousand applications for allotments; they approved and enrolled more than one hundred thousand members from the Five Civilized Tribes.<sup>11</sup> The Muscogee Nation made up nearly twenty thousand of that number. An exact figure for the number of tribal members who went unaccounted for will never be known.<sup>12</sup>

Besides allotment, the Curtis Act also called for the abolition of tribal governments in preparation for the future statehood of Oklahoma. While many members of the Five Civilized Tribes opposed allotment, even more opposed the idea of statehood—whether as an Indian state or as a combined state composed of Oklahoma and Indian Territories—and this was true in the Muscogee Nation. Eventually, a pan-tribal movement for a separate Indian state to be called Sequoyah began in an attempt to get rid of the whites and Muscogee citizens who sold, plundered, and engaged in land speculation.<sup>13</sup> US officials, however, quickly shot down the idea of Sequoyah in 1905. In November 1907 Oklahoma became the forty-sixth state.<sup>14</sup>

Before and after statehood, land hungry speculators crossed their fingers hoping the government would reduce land tenure limits on full-blooded Indian allotments. Speculators were particularly interested in the mineral rich Muscogee Nation. In fact, literary scholar Daniel Littlefield dubbed the summer of 1907 “an orgy of land speculation unlike any witnessed before” because of the resources and “potential for making fortunes” in these tribal land holdings.<sup>15</sup> Eventually, on May 27, 1908, Congress revised the selling and leasing regulations on full-blooded Indian allottees; they no longer had to go through the secretary of the interior to lease, rent, or sell their land.<sup>16</sup>

### **Developing an Influence, 1902-1904**

In the midst of all of the aforementioned events—allotment, the Sequoyah Convention, enrolling Snake Indians for allotment, finding lost Muscogees, and land speculation—Alex Posey played a role, first as a publisher and journalist, then as a political activist, and finally as a land speculator. The year 1902 is used as the starting point because this was the year Posey purchased and began publishing the *Indian Journal* (Eufaula), a Muscogee Nation newspaper, that “he envisioned . . . representing the ‘heartbeat’ of the Creek [Muscogee] Nation” by publishing “local rather than national or international news.” It was also in 1902 when

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Posey became involved in the debate on whether Oklahoma and Indian territories should be one state or two.<sup>17</sup>

Posey edited the *Indian Journal* newspaper in Eufaula for a little more than a year and a half. During that time he provided readers with commentary on issues pertaining to Indian Territory while endorsing “the idea of social, political, and economic progress in the Indian Territory,” particularly the Muscogee Nation.<sup>18</sup> One of the main issues, of course, was statehood. At first, Posey blatantly opposed the possibility of Indian Territory becoming a state because, as Littlefield argued, Posey thought that being a separate state would keep them at the status quo of a “separate class” and not allow them to receive the same benefits as other US citizens.<sup>19</sup> Most Indians in the Five Civilized Tribes, however, wanted to have their own state so that their “political destiny within the United States would be determined by Indians.”<sup>20</sup> Chief Pleasant Porter set up a meeting of the Five Civilized Tribes in fall 1902, which Posey predicted would fail. Indeed, the meeting was unsuccessful—only the Seminoles and the Muscogees attended—so Porter scheduled another meeting, which also failed. After proponents for a single Oklahoma Territory and Indian Territory state called a convention Posey switched sides, going from attacking those who wanted a

*Chief Pleasant Porter, photo printed by Robertson Studio in Muskogee (3180, Minnie M. Gibbons Collection, OHS Research Division).*



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separate state in his newspaper to being on the separatist side.<sup>21</sup> In fall 1903, Posey sold the *Indian Journal* to focus on a more “lucrative” and more political career in Muskogee—the city where the majority of social, political, and economic matters relating to Indian Territory were settled—as an editor for the *Muskogee Times*. Within a few months, Posey had a wider audience for his voice on the statehood issue.<sup>22</sup>

Part of the reason Posey reconsidered his views about separate statehood, Littlefield suggested, was the conversation he had with Secretary of the Interior Ethan Allen Hitchcock who wanted “rapid development” for Indian Territory, which, in Hitchcock’s opinion, meant having a “good class of farmers” present.<sup>23</sup> The US government thought the best occupation for the Indians in Oklahoma and Indian territories was farming. Government officials wanted the Indians to farm their allotted land, and they wanted extra land to be sold to settlers who would stay, farm the land, and pay taxes. Hitchcock’s view was very similar to Posey’s progressive vision. Posey held that the Indians would have better representation on social, political, and economic issues if their own people had control of the state instead of being fully under white control—particularly regarding the sale of land and other benefits that typically came from personal land tenure. Because of the strong stand he took on the issue, Porter would appoint Posey as the secretary of the Sequoyah Convention that occurred in 1905.<sup>24</sup>

A meeting that took place on January 19, 1904, in Okmulgee, the Muscogee Nation capital, gives another indication of Posey’s ideas concerning progress and land tenure and his opinions about the Dawes regulations. The convention, while it did address several less important matters occurring in Indian Territory, primarily focused on the regulations about the sale and lease of Indian allotments. Many attendees, including Posey, argued that because citizens could not do what they wanted with land they were not using, it “grievously retarded” development in Indian Territory.<sup>25</sup> This issue was important because, by law, Indian allotments were not taxable for twenty-five years and Indian Territory needed the tax base for development and improvement of its roads, schools, public facilities, and other infrastructure. The selling and leasing that the Dawes Act regulations allowed was so complicated that few Indians benefited from it.

Meeting participant A. Grant Evans gave details of the procedures an allottee had to go through to sell his or her property. When these processes are written out, he claimed, it “makes a printed book of over 40 pages.”<sup>26</sup> Evans explained that the twenty-five citizens a week who wanted to sell parts of their allotments had to first provide descriptions of their land to the US agent stationed in Muskogee.<sup>27</sup> Then the agent

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*A. Grant Evans, Norman (15340,  
Joseph Thoburn Collection, OHS  
Research Division).*

examined the rolls to make sure the claims were accurate. If all proved to be in order, the *Muskogee Phoenix* published “an official list at the end of the week . . . with advice that bids upon such tracts of land will be received and opened at the end of sixty days.”<sup>28</sup> Evans noted that in order to make a bid, each bidder had to pay upfront “20 per cent of the amount of his bid” via certified check made out to the commissioner of Indian Affairs, in case he forfeited or refused to make good his bid.<sup>29</sup>

During the sixty days, a US government-paid appraiser reexamined the land. Evans further wrote, “Since the 25 tracts are scattered over about 125 townships, each township containing 36 square miles, it is evidently a serious task for the appraiser to perform his duty”; many argued that the task was too large for one man.<sup>30</sup> After sixty days the officer at the Indian agency would open the bids in the presence of the bidders and then:

The allottee is advised of the highest bid, and if the highest bid is acceptable to the allottee in due course of time a formal deed is executed by such allottee and transmitted with a report of the Indian agent to the Commissioner of Indian Affairs, who in due turn examines the matter and passes upon it and makes the various records in his department of the details contained in this communication, and the matter then passes through the files of the Commissioner of Indian Affairs to the Secretary of the Interior, where it undergoes like examination, and finally



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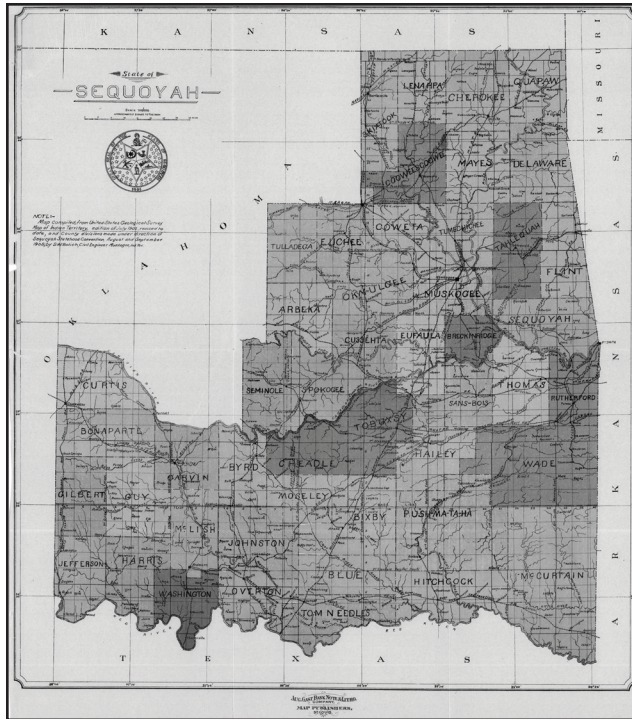
receives the approval of the Secretary of the Interior, whereupon the deed is returned to the United States Indian agent, who receives from the bidder in due course of time the payment of the remainder of the money. The money is collected by the United States Indian agent and turned over to the allottee and the deed delivered to the purchaser.<sup>31</sup>

Indeed, Evans remarked, "The consequence is that practically all sales which are made are made to speculators, the identical thing which the Government desired to obviate," because they were the only ones who had the wherewithal to wait out this complicated process.<sup>32</sup>

Posey was just as harsh as Evans on the government's dealing with this matter. Generally, the selling process took five or six months, and the ones that this process affected most were the farmers who were the very individuals who could aid in the rapid development of Indian Territory. Posey professed "that every rule that the Secretary has made governing the sale and leasing of land has been a signal failure. I believe that it keeps out the sort of farming class of people that we want in this country and produces a very inferior class of tenants."<sup>33</sup> Littlefield explained that Posey believed the system "prevented 'corporate interests' [such as oil and mining companies] from investing wisely" and "farmers from developing the croplands" because of the complicated leasing and selling requirements.<sup>34</sup> Indeed, for the Muscogee Nation, the forty-page book of rules was outlandish; thus, Posey clarified the benefit of amending the rules to allow an allottee to sell his surplus allotment:

It would result in the immediate growth and development of the country and the betterment of the allottee, and would enhance the value of the homestead. It would also result in the building of schools, churches, roads, bridges, and other improvements, that would be to the benefit of the Indian allottee and the settlers, and in my opinion is the only way to prepare the allottee for self-government.<sup>35</sup>

Posey was particularly interested in the development of infrastructure and in keeping places tidy, especially Eufaula, which to him was the "only town in the wide world," even though he was working in Muskogee. Posey complained in the newspaper about the decaying infrastructure in the Muskogee Nation. Muskogee law required male citizens eighteen years and above to work on roads and other public facilities to keep them operating well.<sup>36</sup> After the Curtis Act passed,



*The proposed state of Sequoyah, 1902 (ITMAP.0034, OHS Map Collection, OHS Research Division).*

however, progress and development significantly slowed in the Muskogee Nation. With the looming threat of the total eradication of tribal governments, most males were either trying to claim their allotments and develop their new pieces of land or uniting with conservatives, resisting allotment, and remaining unseen.

Posey's venture at the *Muskogee Times* was not as successful as his time at the *Indian Journal* even though he certainly took advantage of the opportunity to air his views. Still fuming at the slow progress of development in Indian Territory he took a job at the Office of Indian Affairs as an interpreter in Muskogee in 1904 in hopes to have an influence on changing the leasing and selling restrictions.<sup>37</sup> Unfortunately for Posey, the selling of surplus allotments from full-blooded Indians would be put on hold until 1908, so very little new tax revenue came to Indian Territory to bolster infrastructure development. Illegal leasing continued throughout the territory. The prospects for the Indian state of Sequoyah, however, became more concrete in 1905.

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*The Dawes Commission, left to right: front: Meredith H. Kidd, Henry L. Dawes, Archibald S. McKennon, back: H. T. Wright, Anna Dawes, Henderson M. Jacyoway (819, Archibald S. McKennon Collection, OHS Research Division).*

### **Indian Statehood, Politics, and Allotment, 1904-07**

From fall 1903 to the spring of 1905, the push for a joint statehood of Indian and Oklahoma Territories gained ground while the impetus for a separate Indian state “languished.”<sup>38</sup> The convention finally met in August 1905. From the beginning, Posey had argued that if the proposed state of Sequoyah were to have any success on the floor of Congress, then it would have to have the backing of the whites. Indeed, only one of the five key players representing the Indians at the Sequoyah Convention, Robert L. Owen, had Indian blood; the other representatives were Charles Haskell, W. W. Hastings, “Alfalfa” Bill Murray, and John Thomas.<sup>39</sup> Ultimately, the constitution they “pieced together” did not win congressional approval. A combined statehood was looming, with the authority of tribal governments set to end on March 4, 1906.<sup>40</sup> Although Posey served as secretary for the Sequoyah Convention, the actual role he played in the meeting, Littlefield pointed out, has little documentation besides his signature on the final draft of the constitution.<sup>41</sup> One reason that might explain the lack of infor-

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mation is that Posey joined the Dawes Commission to aid them in their work of allotting land to the Muscogees.

The sluggish allotment process in Indian Territory, particularly in the Muscogee Nation, had angered Posey for quite some time. Muscogee who signed up for allotments a few years prior were still waiting on the deeds to their lands. In 1903 only about 4,000 of the 11,000 citizens had deeds to their allotments; in 1905 Chief Porter reported that out of the 15,419 citizens of the Muscogee Nation only 11,535 had their deeds in hand.<sup>42</sup> As a result, corporate interests and possible investors were going elsewhere, while illegal sales and leases of Indian lands for their timber, oil, gas, coal, and other resources continued.<sup>43</sup> When Posey was working for the Indian office in Muskogee, the Dawes Commission found that he might be the best choice of employee to assign allotments to the “lost Creeks” and Snakes who still resisted allotment, since rumor had it that he was “trusted” and viewed as a “comforting guide” among his people.<sup>44</sup> Moreover, Posey was a strong advocate for allotment.<sup>45</sup> Accordingly, the Dawes Agency offered Posey the position as interpreter and diplomat in late 1904 and Posey accepted.

Posey, accompanied by his stenographer Drennen C. Skaggs, made up the Creek Enrollment Field Party of the Commission to the Five Civilized Tribes. Their mission consisted of three objectives: “secure

*The Dawes Commission and Creek Indian Commissioners in council in Masonic Hall, Muskogee (15863, Aylesworth Album Collection, OHS Research Division).*





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additional evidence in applications for enrollment, search for 'lost Creeks,' and conciliate 'Snakes.'<sup>46</sup> In order to acquire and secure the information that the Dawes Commission needed, Posey and Skaggs had to traverse the Muscogee Nation. This firsthand knowledge would come in handy for Posey in subsequent years. An editor for the *South McAlester Capital* noted that Posey was successful in getting testimonies from "lost Creeks."<sup>47</sup> He was not, however, very successful in negotiating allotments for the Snake Indians.

The Snake Indians served as one of the biggest hindrances to social, political, and economic progress, according to Posey. This conservative faction, led by Muscogee Chitto Harjo, better known as Crazy Snake, was a tribal movement made up of about five thousand Muscogees and Muscogee citizens who adamantly adhered to their collective belief that the US government should live up to the treaties it had made previously.<sup>48</sup> Snakes believed the agreement between the government and the tribe stipulated that they would "be left alone" and allowed to "live as they saw fit on the land which the Great White Father . . . promised . . . as long as grass shall grow and water flow."<sup>49</sup> With that said, the majority of Snakes resisted all aspects of allotment, thus conciliating them would be an imposing task.<sup>50</sup>

While Posey's past writings showed he respected tribal customs and hated to see that there was no hope for tribal governments in the future, and though Littlefield reasoned Posey was "more understanding of their position and more sympathetic about their plight," some thought he agreed with the opinions of many reporters and many government officials: that the Snakes were "ignorant, poor, and only half realized the vast forces arrayed against them."<sup>51</sup> To remedy that perceived ignorance and help move toward conciliation, Posey thought there should be a newspaper published in the Muscogee language. Posey argued, "The lack of such a paper has been the cause of all the misunderstandings" among the Snakes, other conservative Muscogees, and the government.<sup>52</sup> Furthermore, the conservatives were part of the reason, in Posey's mind, why the Muscogee Nation was moving so sluggishly toward social, political, and economic progress since the government constantly had to deal with the threat of their uprisings.<sup>53</sup>

From 1901 to 1908 government officials arrested and released several Snake members because of various uprisings, which actually posed very little threat.<sup>54</sup> The most serious episode was the Smoked Meat Rebellion that occurred in 1908 between Snakes, who had stolen food from the smokehouses, and Muscogee citizens. Shortly afterward, rumors of another uprising filled the newspapers, and whites demanded militia to protect them. Governor Haskell ordered "five companies of

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militia” to quash whatever was happening, but they found no armed resistance. Instead, they sought Crazy Snake. Though the militia never captured him, they reported shooting Harjo in the hip; Harjo died in 1911 while still in hiding.<sup>55</sup> As to whether or not Harjo ever accepted an allotment, evidence is contradictory.<sup>56</sup>

According to Posey, another problem was that the Snakes’ lawyer in Washington, DC, advised them not to sell or lease their allotments because he was working with the government to preserve their tribal customs.<sup>57</sup> Chief Porter had also released a notice in February 1904 that modified his earlier stance, warning “the people against signing any paper or making contract of whatever kind respecting their lands, either lease, rent or sale, unless they are fully conscious of its contents.”<sup>58</sup> Posey tried to convey to the Snakes that he encountered, including Chitto Harjo, that the process was inevitable and was for the betterment of the nation.<sup>59</sup> He further bolstered his view by saying that those Muscogees who did not enroll were “choosing a destructive path.”<sup>60</sup> When Posey and Skaggs encountered a Snake by the name of John Kelly who was “high in the Snake Council,” Kelly gave the Muscogee Enrollment Party an earful:

*Department of the Interior Commission of the Five Civilized Tribes, Creek and Seminole nations map compiled from the U.S. Survey, 1906 (ITMAP.0036, Indian Archives, Creek Nation Maps, OHS Research Division).*



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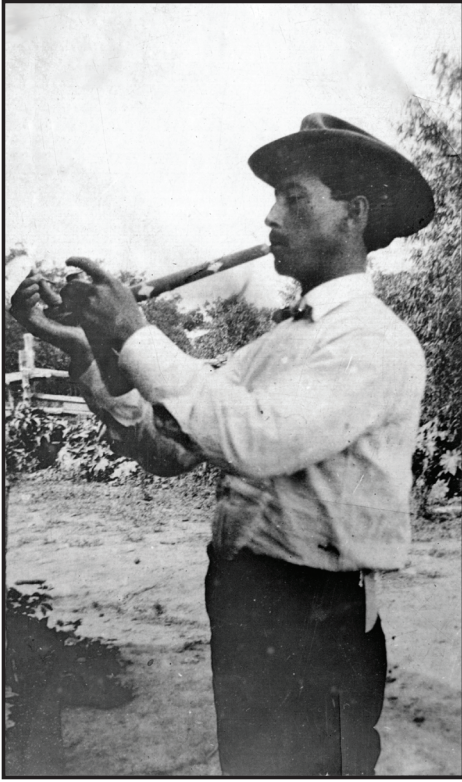
The real Indian was not consulted as to allotment of lands; if he had been consulted he would have never consented to depart from the customs and traditions of his fathers. Our tribal government was upset by a stroke of the pen, because a few cried 'Change' and because we were helpless . . . The government of the United States has made us solemn pledges and without our consent has no right to break them. As for us we will keep good faith.<sup>61</sup>

Posey's entry in his journal makes clear John Kelly's stance on those remarks:

The growth of towns, the building of railroads, the leasing and selling of land, the clearing of forests and opening of farms, the disappearance of game and hunting grounds and all the marvelous progress of the country cannot disturb his [Kelly's] opinion. He will not vary. He stands pat.<sup>62</sup>

Since Posey was not having luck enrolling Snake adults, he began enrolling children. By June 1905 Posey had traversed the area of the Muscogee Nation where the Snakes resided, including Bristow, Sapulpa, Dustin, Hanna, Eufaula, Muskogee, Paden, and Henryetta.<sup>63</sup> Posey said that the first time he went through he could only get "slight information" from the neighbors of most Snakes because the Snakes themselves would rarely talk to him directly. On the second trip Posey collected two "affidavits certifying to the birth of each Snake baby." This was a difficult task but he gathered information by all possible means, even attending stomp dances, in hopes that the rolls would close soon.<sup>64</sup> Records show that Posey took a few liberties with his work that could make one question his "good faith" and respect for conservative tribal customs. For instance, a reporter for the *Indian Republican* claimed that Posey named two Snake children and enrolled them so they could receive an allotment, which the Creek (Muscogee) Enrollment Party could do given the rules established by the Dawes Commission.<sup>65</sup> Furthermore, the writer added that "Posey not only acted in the capacity of diplomat and a faithful agent of the government, but also acted the part of a god-father," supposedly protecting those children whose parents would not accept allotments for them.<sup>66</sup> One can only speculate as to the number of other such names Posey assigned allotments and about whether he had an ulterior motive for adding names, knowing the Snakes would probably never seek out their allotted lands.

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*Creek poet Alexander Posey lighting the "Pipe of Peace" (3783.A, Frederick S. Barde Collection, OHS Research Division).*

The Muscogee rolls, after several reopenings to enroll children, conservatives, and lost Muscogees, would officially close on March 4, 1907. Posey returned to the field at the end of 1906 until the first few months of 1907; this time he was going to "investigate one area that had received no attention—Creeks who had lived in the Cherokee Nation since the Civil War."<sup>67</sup> His mission was to try to find these particular "lost Creeks" and persuade them to return to the Muscogee Nation. When Posey asked one lost Muscogee in the Cherokee Nation, Is-chas Harjo (Crazy Beaver), what his post office address was, he replied:

Bunch . . . but the mail that has come to me through that office has not been of a kind to please a true Indian who loves the land and the institutions of his fathers. The mail I have received have been official communications from the white men telling me to give up free woods and open ranges and accept a piece of ground hedged about by slabs of stone to show the extent of my dominion. I have never accepted an allotment of land. . . . I am opposed to



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the allotment of land among the Indians . . . . If my name appears upon any tribal roll of the Creeks or Cherokees and for that reason I am to be given an allotment of land, I want it stricken from the roll.<sup>68</sup>

Littlefield argued that the “harsh social realities” Posey witnessed during his work for the Dawes Commission slowed down his literary career.<sup>69</sup> It did not, however, slow down his views on progress. His next venture led him into the same businesses that had plundered so much of the Muscogee Nation—land grafting and land speculating.

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The restrictions on land sales and leases hindered progress in the Muscogee Nation. Strickland expounded that land speculators in Indian Territory contributed to “wholesale abuse of the Indian Nations.”<sup>70</sup> Littlefield added, “Restrictions impeded economic growth and created opportunities only for grafters while excluding honest real estate dealers.”<sup>71</sup> Most lawmakers favored protecting the allotments of full-blooded Muscogees and children, but under the pressure of land-hungry people, they wanted the restrictions dropped on full-blooded Muscogees’ land. This issue became a prominent concern during the Oklahoma Statehood Convention, and some people speculated in land on the premise that Congress would drop the leasing and selling restrictions.<sup>72</sup> Posey was one of these people.

In May 1907 Posey, along with D. P. Thornton and M. G. Young, formed the Posey-Thornton Oil and Gas Company. According to Littlefield, this company planned to “buy, sell, and lease real estate; to buy and sell personal property; to act as agents and trustee receivers; to deal in livestock; to engage in mercantile and manufacturing business; and to prospect for oil and gas and mine coal and other minerals.”<sup>73</sup> In addition, that summer Posey worked for the Palo Alto Land Company as an agent dealing directly with conservative Muscogees, including Snakes.<sup>74</sup> Posey held a position similar to the one he had during his time with the Dawes Commission as he went around the Muscogee Nation talking to conservative Muscogees. Littlefield explained that Posey was a good agent, helping the Palo Alto Land Company procure several tracts around McIntosh and Okfuskee counties. Posey also seemed successful in acquiring parts of allotments for himself—one near Tuskegee, one north of Hanna, one by Weleetka, and three near Wagoner.<sup>75</sup> Furthermore, his oil company had leases on fifteen tracts,

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*Alexander Lawrence Posey, the "Creek Indian Poet," 1873-1908 (4213, Frederick S. Barde Collection, OHS Research Division).*

and oil exploration was to begin on his, his son's, and his brother's allotments near Eufaula in spring 1908.<sup>76</sup>

While Posey garnered some success and probably some wealth in his land dealings, the people who once respected him began resenting him.<sup>77</sup> He and his associates purchased the *Indian Journal* in early 1908. Posey was to serve as editor and do "literary work."<sup>78</sup> In the first edition of his editorship, Posey professed, "The People of Eufaula and McIntosh County have been my friends since I can remember. . . . There are no better people."<sup>79</sup> Littlefield, however, found that Posey's people "harbored resentment about his land dealings" and that "others . . . felt he had betrayed the Creeks by trying so hard to enroll them for allotments and then going to work for the land companies."<sup>80</sup>

The issue of selling and leasing restrictions on the lands of full-blooded Muscogees remained at the forefront of political affairs. Posey still wanted the restrictions removed because it meant a better tax base that could support public institutions and infrastructure that statehood required.<sup>81</sup> Indeed, Posey did not have much faith that the conservative Muscogees would put their lands to commercial agricultural use and financially prosper.<sup>82</sup> When the government proposed

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reopening the Dawes Rolls to enroll those who did not receive allotments, Posey also adamantly opposed that because they were “totally unfitted to face the conditions that now surround them in Oklahoma.”<sup>83</sup> By 1908 it seemed to Posey that the government was going to lift the restrictions, meaning he could prosper even more than he had already. On May 27, 1908, Congress passed a bill removing restrictions on the lands of full-blooded Indians. Posey died in a flood on the Oktahutche River (North Canadian River) on that very same day.<sup>84</sup>

### Conclusion

When the Dawes Commission entered Indian Territory, the Indians entered another “era of graft and plunder.”<sup>85</sup> White Americans were hungry for land, and settlers were pushing westward to the land that had been set aside solely for the Indians who the government had uprooted over the course of the nineteenth century. Those in authority, assuming that the Indians needed to be Americanized, had formed a plan to break down the tribal-held lands into small allotments so that each Indian could be a landowner, have a homestead, and have work of some kind; after all, this was the basis of American life. Indeed, historian David A. Chang demonstrated that allotment for the Muscogees was “a cultural threat as much as an economic one” and as such “was more dangerous even than removal six decades earlier.”<sup>86</sup>

But, it was not just settlers who wanted the land. Indeed, most of them did not have the time to go through the required purchasing and leasing processes set up by law. Individual ownership of tribal lands made it easier for speculators and entrepreneurs to get the first chance to buy the land. They could afford the time and money to do what was required. And so they did. In addition, ignoring the law altogether was easier, so land speculators did that, too.

Alex Posey was a well-educated man, both in his tribal customs and in the white American way of life. He was a man who had spent most of his working years defending and promoting Indian rights with his writing, which caught the attention of several researchers. After this, however, his actions show that he saw a way to make a living at the expense of his own people; he adopted an unscrupulous Western practice and speculated in the very land he advocated for his tribal members to accept. Evidence appears to show that he proceeded to arrange land purchases based on his experiences with the Dawes Commission so that he would have the opportunity to be the first one to purchase valuable Indian lands.

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About a month before he passed away, Posey addressed what happened to the conservatives in the Muscogee Nation:

When the commission to the Five Civilized Tribes opened the Creek land office at Muskogee in April 1899, there was a rush to file by those citizens of the nation possessing the least Indian blood. These people secured the cream of the Creek Indian land. Later the full-bloods began slowly to file upon their allotments, but in almost every instance they could find nothing to file upon but second and third grade land. . . . After it appeared that all who would file had done so, there was a numerous remnant of the Creek tribe which had absolutely refused to accept the situation and accept their part of the common domain in severalty. They were abitrarily [*sic*] filed by the Dawes commission upon lands in the western part of the nation . . . . These people have made homes principally along the South and North Canadian river bottoms. The lands on which they live have been allotted in many instances to others . . . these people will be evicted from their homes and be compelled to make new ones on their allotments to which they are strangers . . . . These people are totally unfitted to face the conditions that now surround them in Oklahoma.<sup>87</sup>

With these words, Posey essentially described just what he ended up doing as he went about his work as a field agent for the Dawes Commission. Interestingly, some of the second and third grade land the commission finally allotted to some conservative Muscogees and some Snakes was rich in oil and other minerals.<sup>88</sup> On July 3, 1908, a journalist for Posey's old newspaper reported that the "recent decision of the Supreme Court declaring the titles given by inheritors of full-blooded Indian lands to be good makes the estate of Alex Posey more valuable by several thousand dollars." The newspaper reported Posey had "extensive interests in such titles and his estate is now estimated to be worth between twenty-five and thirty thousand dollars," which in today's dollars amounts to nearly \$800,000.<sup>89</sup>

Alex Posey was not typical of the Muscogees. In the end, the majority of Muscogees after the allotment days "cared nothing for the few paltry acres in their own names that had replaced the wide sweep of mountain and prairie, the winding rivers, and the deep forests that had been theirs. They had not yet learned entirely to accept the inevitable."<sup>90</sup> As one man still holding out in 1906 put it, "The end of the Indian is near, but I am not ready to contribute to

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hastening it . . . . A grave is all the allotment that I am entitled to, and all that God intended that I should have. It is enough.”<sup>91</sup>

### Endnotes

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<sup>2</sup> Orlando Swaim and Others, “Posey Biography and Tribute,” c. 1939, folder 60, Alexander Posey Collection, Gilcrease Museum, Tulsa, Oklahoma (hereafter cited as Gilcrease).

<sup>3</sup> For works pertaining to the literary works of Alexander L. Posey see Alexia Kosmider, *Tricky Tribal Discourse: The Poetry, Short Stories, and Fus Fixico Letters of Creek Writer Alex Posey* (Moscow: University of Idaho Press, 1998); Daniel F. Littlefield Jr. and Carol A. Petty Hunter, eds., *The Fus Fixico Letters* (Lincoln: University of Nebraska Press, 1993); Alexander Lawrence Posey, *Alex Posey, The Creek Indian Poet: The Poetry of Alexander Lawrence Posey* (Topeka, KS: Crane & Company Printers, 1910); Matthew Wynn Sivils, ed., *Song of the Oktahutche: Alexander Posey Collected Poems* (Lincoln: University of Nebraska Press, 2008).

<sup>4</sup> Murray R. Wickett, *Contested Territory: Whites, Native Americans, and African Americans in Oklahoma, 1865-1907* (Baton Rouge: Louisiana State University Press, 2000), 5.

<sup>5</sup> David A. Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832-1929* (Chapel Hill: University of North Carolina Press, 2010), 54-60.

<sup>6</sup> William T. Hagan, *Taking Indian Lands: The Cherokee (Jerome) Commission, 1889-1893* (Norman: University of Oklahoma Press, 2003), 237.

<sup>7</sup> “A Hunt for Indian Babies,” *Kansas City Star*, June 14, 1906, Scrapbook Volume 17, March 5, 1906-November 22, 1906, folders 1-2, box 44, Frederick S. Barde Collection (hereafter cited as FSBC), Oklahoma Historical Society, Oklahoma City, OK (hereafter cited as OHS).

<sup>8</sup> C. A. Clawson, “Editorial on Message of Pleasant Porter,” *The Chelsea (OK) Reporter*, May 30, 1901, folder 64, box 2, Pleasant Porter Collection, Western History Collection, University of Oklahoma, Norman, OK (hereafter cited as WHC).

<sup>9</sup> Matthew Wynn Sivils, ed., *Lost Creeks: Collected Journals* (Lincoln: University of Nebraska Press, 2009), 35.

<sup>10</sup> Chang, *The Color of the Land*, 86-87.

<sup>11</sup> *Oklahoma Encyclopedia of History and Culture*, s.v. “Dawes Commission,” by Kent Carter, <http://digital.library.okstate.edu/encyclopedia/entries/D/DA018.html>, accessed April 18, 2011.

<sup>12</sup> Gary Zellar, *African Creeks: Esteluvste and the Creek Nation* (Norman: University of Oklahoma Press, 2007), 215.

<sup>13</sup> *Oklahoma Encyclopedia of History and Culture*, s.v. “Sequoyah Convention,” by Richard Mize, <http://digital.library.okstate.edu/encyclopedia/entries/D/DA018.html>, accessed April 18, 2011; Daniel F. Littlefield, Jr., *Alex Posey: Creek Poet, Journalist, and Humorist* (Lincoln: University of Nebraska Press, 1992), 226-27.

<sup>14</sup> Charles Robert Goins and Danney Goble, eds., *Historical Atlas of Oklahoma, Fourth Edition* (Norman: University of Oklahoma Press, 2005), 146-47.



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- <sup>15</sup> Littlefield, *Alex Posey*, 226.
- <sup>16</sup> *Ibid.*, 244.
- <sup>17</sup> Kosmider, *Tricky Tribal Discourse*, 22.
- <sup>18</sup> Littlefield, *Alex Posey*, 139.
- <sup>19</sup> *Ibid.*, 150.
- <sup>20</sup> *Ibid.*
- <sup>21</sup> *Ibid.*, 152-53.
- <sup>22</sup> "Type Script of News Articles," folder 75, Alexander Posey Collection, Gilcrease; Sivils, *Lost Creeks*, 35.
- <sup>23</sup> Littlefield, *Alex Posey*, 153.
- <sup>24</sup> *Ibid.*, 213.
- <sup>25</sup> Senate, *Removal of Restrictions upon the Sale of Surplus Allotments, etc.*, 58th Cong., 2d sess., 1904, S. Doc. 169, 2.
- <sup>26</sup> *Ibid.*, 3.
- <sup>27</sup> *Ibid.*, 2.
- <sup>28</sup> *Ibid.*, 3.
- <sup>29</sup> *Ibid.*
- <sup>30</sup> *Ibid.* 3, 53.
- <sup>31</sup> *Ibid.*, 3.
- <sup>32</sup> *Ibid.*
- <sup>33</sup> *Ibid.*, 23.
- <sup>34</sup> Littlefield, *Alex Posey*, 158-59.
- <sup>35</sup> Senate, *Removal of Restrictions*, 23.
- <sup>36</sup> Leona G. Barnett, "Este Cate Emunkv: Red Man Always," *Chronicles of Oklahoma* 46, no. 1 (1968): 30.
- <sup>37</sup> *Cherokee Advocate* (Tahlequah, OK), April 16, 1904, folder 25, box 2, Creek Nation, Mrs. Alfred Mitchell Collection, WHC; Littlefield, *Alex Posey*, 158-59.
- <sup>38</sup> Littlefield, *Alex Posey*, 212.
- <sup>39</sup> Goins and Goble, *Historical Atlas of Oklahoma*, 146.
- <sup>40</sup> *Ibid.*; Littlefield, *Alex Posey*, 217.
- <sup>41</sup> Littlefield, *Alex Posey*, 215.
- <sup>42</sup> Ben F. White, "Editorial on Message of Pleasant Porter," *Holdenville (OK) Times*, October 10, 1903, folder 191, box 3, Pleasant Porter Collection, WHC; Pleasant Porter to the Honorable Members of the House of Kings and Warriors of the Muskogee [sic] Nation, October 3, 1905; *Muskogee (OK) Daily Phoenix*, October 4, 1905, folder 266, box 4, Pleasant Porter Collection, WHC.
- <sup>43</sup> Leona Gail Barnett, "Alexander Lawrence Posey: Editor and Leader of the Creek Indian Nation," (master's thesis, University of Oklahoma, 1969), 28.
- <sup>44</sup> S. M. Rutherford, "A Tribute to Posey," *Kansas City Star*, Posey, Alexander, folder 3, box 23, FSBC, OHS; Glenn Shirley, "Alexander Posey, Poet Laureate of the Indian Nation," *Stratford (OK) Chronicle*, June 11, 1908, Posey, Alexander Lawrence, vertical file, OHS.
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- <sup>46</sup> Alexander Posey, "Journal of the Creek Enrollment Field Party," folder 38, Alexander Posey Collection, Gilcrease; Sivils, *Lost Creeks*, 121.
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- <sup>49</sup> *Ibid.*
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- <sup>52</sup> Alexander Posey, "Journal of the Creek Enrollment Field Party," folder 38, Alexander Posey Collection, Gilcrease; Sivils, *Lost Creeks*, 132.
- <sup>53</sup> Littlefield, *Alex Posey*, 239-41.
- <sup>54</sup> Davis, "Crazy Snake Fought Land Division" 55. Ibid.
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- <sup>60</sup> Littlefield, *Alex Posey*, 194.
- <sup>61</sup> Posey, "Journal of the Creek Enrollment Field Party"; Sivils, *Lost Creeks*, 124.
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- <sup>64</sup> O. Bernard Jones, "Editorial on Alex Posey," *The Red Fork (OK) Derrick*, June 24, 1905, folder 3, box 1, "Creek Nation," Mrs. Alfred Mitchell Collection, WHC.
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- <sup>67</sup> Littlefield, *Alex Posey*, 223.
- <sup>68</sup> "Lost to His Tribe for Many Years," *Indian Journal* (Eufaula, OK), May 15, 1908; Sivils, *Lost Creeks*, 137.
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- <sup>70</sup> Strickland, *Indians in Oklahoma*, 51.
- <sup>71</sup> Littlefield, *Alex Posey*, 228.
- <sup>72</sup> Ibid.
- <sup>73</sup> Ibid., 231.
- <sup>74</sup> Ibid., 232.
- <sup>75</sup> Ibid., 232-33.
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- <sup>79</sup> Alex Posey, "Letter of Alex Posey," *Indian Journal*, April 10, 1908; Littlefield, *Alex Posey*, 235.
- <sup>80</sup> Littlefield, *Alex Posey*, 235.
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- <sup>82</sup> Ibid., 239.
- <sup>83</sup> Alex Posey, "News Item of the Snakes," *Indian Journal*, April 24, 1908, folder 8, box 1, "Creek Nation," Mrs. Alfred Mitchell Collection, WHC.
- <sup>84</sup> Littlefield, *Alex Posey*, 244; Frederick S. Barde, "Re: Posey," folder 71, Alexander Posey Collection, Gilcrease; "Specter of Death Still Haunts Waterhole," *Tulsa Daily Democrat*, February 7, 1932, "Posey, Alexander," box 33, Grant Foreman Collection, OHS.
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- <sup>86</sup> Chang, *The Color of the Land*, 87.
- <sup>87</sup> Alex Posey, "News Item of the Snakes," *Indian Journal*, April 24, 1908, folder 8, box 1, "Creek Nation," Mrs. Alfred Mitchell Collection, WHC.
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