



*How did the Civil War affect the Five Civilized Tribes' livelihood?*

*How did the Transcontinental Railroad affect westward expansion?*

*What difficulties did the court and prison system face in Indian Territory?*

*Why were Indians concerned about the intrusion of railways into Indian Territory?*

**GET TO KNOW :**

- Cattle Drives
- Cherokee Outlet
- Sandbar Saloon
- Cherokee Strip Livestock Association
- Railroads
- Major Crimes Act
- Indian Appropriations Act

**OBJECTIVES :**

- Find out how cattle drives affected the future of Indian Territory;
- Discuss law and order, crime and punishment;
- Learn how railroads allowed commerce to develop;
- Get to know the Hanging Judge; and
- Discover how unoccupied land was opened for settlement.

1855

1860

1865

1870

1859 Atchison, Topeka and Santa Fe Railroad was chartered to connect Topeka, Kansas, to Santa Fe, New Mexico, and was the first railroad to extend into Oklahoma Territory. Dodge City, Kansas, became important for shipping cattle being driven from Texas.

First oil well drilled near Salina.

April 1865 The fall of the Confederacy and the end of the Civil War. Reconstruction of the South begins.

September 1865 Southern Treaty Commission was first held in Ft. Smith, Arkansas..

1866 Treaties of Washington with the Five Civilized Tribes ceding western lands that would in time be known as the Oklahoma Territory.

1867 Chisholm Trail cattle drives to Abilene begins.

## CHAPTER 8

# Changing Times in Indian Territory

After the Civil War, the United States entered an era of reconstructing the South to self-rule and restoring representation in the U.S. Congress. It was a period of turmoil and economic development. Ending slavery left the large landholders of the South without a controlled workforce to produce their crops. A system of sharecropping emerged as the labor force. Land was broken up into small plots where former slaves were allowed to live and work for a share of the crop.

Commerce was changing in the rest of the country, as well, with the completion of the Transcontinental Railroad — making goods and transportation much quicker, cheaper and much more flexible from coast to coast. With access to markets, the rich sod of the Great Plains was being plowed and planted to produce grain to meet demands of the developing industrial centers of the East. Cattle that flourished on the grassland of the high plains, where buffalo once roamed, could now be transported to those markets as well.

**THE RAILROAD FRANCHISES** awarded by Congress during Reconstruction transformed Indian Territory. After Removal and until the Civil War, the Five Civilized Tribes had less outside interference than they had experienced for nearly 200 years. Rough roads and dangerous rivers were the only way in and out of the Territory. The tribes lived in relative isolation, building their own homes and growing their own food on communally held land and trading amongst themselves. They did not own the land but were allowed to have as much as they needed. Tribes also maintained large cattle herds on their western grazing lands. Their purpose was to provide what was needed to sustain their lives, and little was sold for profit.

The network of railroads across the United States came to Indian Territory and changed that. The economy shifted quickly from subsistence to commerce. Trains also brought an influx of people. The tribes, small in number compared to their vast holdings of land, timber, and water, turned to sharecropping. Their communal resources soon gave them access to individual wealth.

1875

1880

1885

1890

1871 St. Louis and San Francisco Railroad is extended from Seneca, Missouri, to Vinita, Indian Territory. A line extending south, completed in 1886, bridges the Arkansas River at Red Fork.

1873 Missouri, Kansas, and Texas Railroad Company's line extends through Indian Territory from Kansas to Texas.

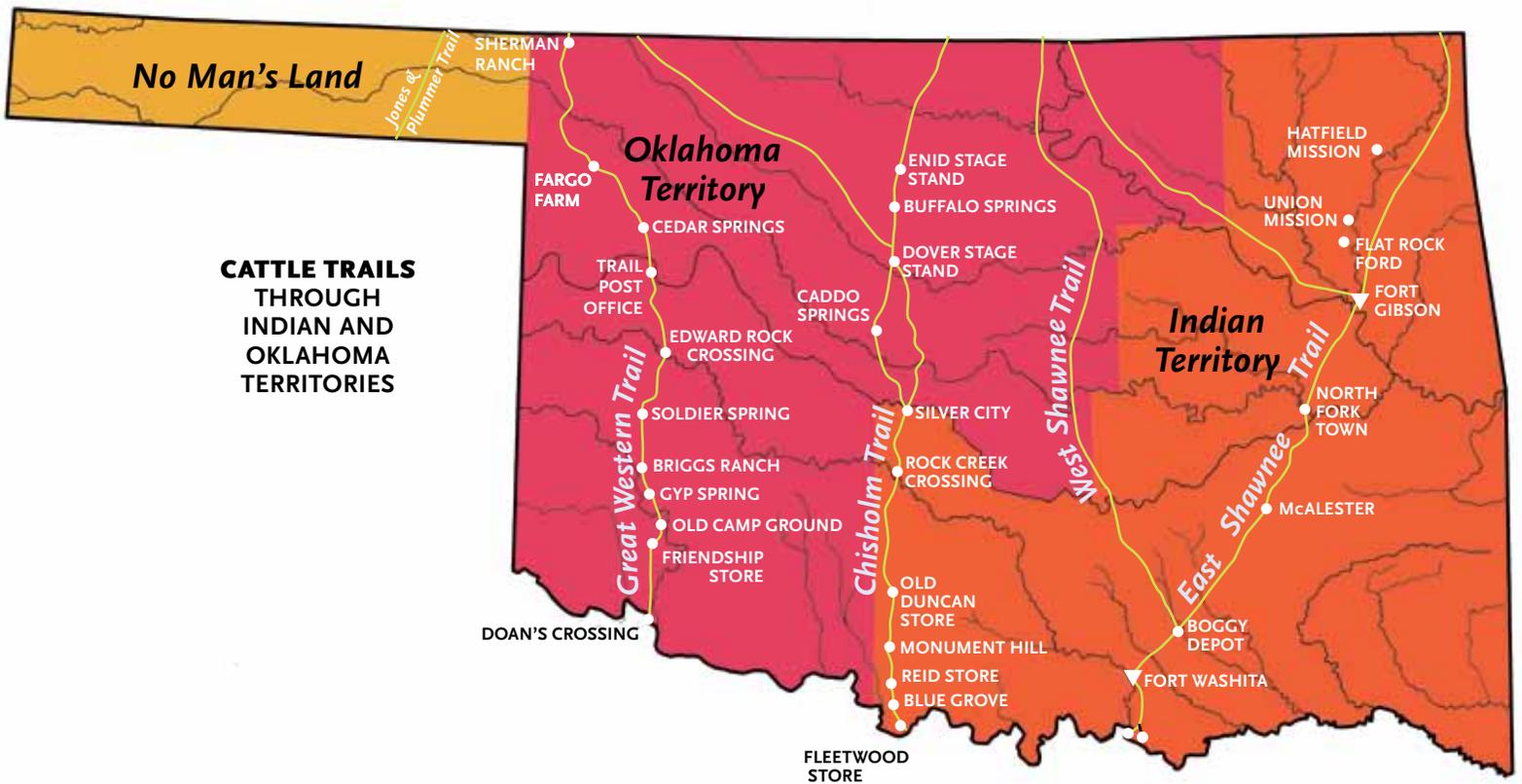
1874 John Lytle blazes the **Great Western Trail** to Dodge City.

1875 Isaac Parker appointed federal district judge at Ft. Smith.

1879 101 Ranch locates in the Cherokee Outlet.

1883 Cherokee Strip Livestock Association formed.

1890 Chicago, Rock Island, and Pacific Railroad builds southward, along the line of the Chisholm Trail.



**CATTLE TRAILS  
THROUGH  
INDIAN AND  
OKLAHOMA  
TERRITORIES**

**A**fter their removal to Indian Territory, the Five Civilized Tribes raised livestock. This greatly enhanced their economic recovery from losses during the removals. Then the Civil War virtually wiped out their herds — and their prosperity.

Before the war, herds of 10,000 cattle were common on Seminole ranches, and a few herds were as large as 20,000 head. But by 1869, there were only 4,000 head of cattle in the whole Seminole Nation. Indian ranchers didn't have the funds necessary to rebuild their herds.

***What was the range cattle industry?***

In Texas, however, the range cattle industry was booming. Large herds were raised on Texas grass, then driven north to markets in Missouri and Kansas. The first major cattle drive rumbled up the East Shawnee Trail in 1866, across eastern Indian Territory. The cattle industry once again offered a living to local people. It placed taxes on the cattle and sold goods and services for both cattle and drovers.



Large herds of the Longhorn were driven up the trails to market. It is a tough, rangy beast famous for the length of its horns, and it could thrive on the short grasses of the prairie and survive the harsh weather conditions of the Plains.

People living near markets rented their pastures for a few days' grazing to fatten herds right before selling. At the same time, cowboys enjoyed clean rooms, hot baths, liquor (despite the Territory's "dry" laws), meals, and other products. Market towns and stopping places along the East Shawnee Trail thrived.

### *What was the Chisholm Trail?*

Soon Joseph G. McCoy, a cattle buyer from Illinois, convinced officials of the Kansas Pacific Railroad that a stockyard at Abilene, Kansas, would be profitable. Those officials **subsidized** the building of McCoy's stock pens, and the first cattle drive up the Chisholm Trail took place in 1867.

This trail became the most famous of all the cattle trails in Indian Territory. It was named after Jesse Chisholm, a mixed-blood Cherokee trader and frontier scout. It entered the Territory on the south at Red River Crossing and ran roughly along the 98th Parallel until it crossed into Kansas at Caldwell.

Using the Chisholm Trail solved the problems of passing through forests and mountains on the East Shawnee Trail. It also eliminated the problem of Missouri sheriffs who were anxious to shoot diseased cattle — or any cattle they "thought" might be carrying the Texas fever. Bribes sometimes helped to change their minds. By 1869, the East Shawnee Trail was almost a memory for drovers.



Of Scottish and Cherokee descent, plainsman **JESSE CHISHOLM** is best remembered today for giving his name to the Chisholm Trail. He was, however, far more historically significant as a frontier trader who first worked among the Plains Indians and served as a mediator in their dealings with the Cherokee Nation, the Republic of Texas, and the United States.

Chisholm was a member of the Dodge-Leavenworth Expedition, which made the first official contact with the Comanche, Kiowa, and Wichita near the Wichita Mountains in southwestern Oklahoma.

*All in a Day's Work* by Oklahoma artist Charles Banks Wilson shows longhorn cattle crossing a river during a cattle drive.



### *How did Longhorns affect the cattle drive industry?*

The Longhorn, a tough, rangy beast famous for the length of its horns, was the principal **bovine** driven up the trails to market. The Longhorn could endure a southwestern blizzard (a “sou’wester”) or a hot Texas summer with equal ease. It required little shelter and managed quite well on the sparse grass of the Texas prairie. However, some Longhorns did indeed have Texas fever, and they spread it to local herds along the trails and near the market towns. As was the case in Missouri, local cattle became infected with the disease, and local cattlemen became angry. Soon, quarantines and toll fees made a new trail necessary, although the Chisholm Trail remained in use until 1885.

### *What was the Western Trail?*

The Western Trail, or Dodge City Trail, entered Indian Territory at Doan’s Crossing on the Red River. It crossed into Kansas northeast of Laverne, Oklahoma. The trail was blazed by Texas cattleman John Lytle in 1874 but didn’t become popular until the western tribes were subdued in approximately 1876.

### *Why was Purcell important to the cattle industry?*

Other cattle trails cut through the Territory, but by 1885, all the surrounding states had passed **quarantine** laws against Texas cattle. The trails in those states became quiet. In 1887, the Atchison, Topeka, and Santa Fe Railroad built a line into Purcell, Indian Territory. That Canadian River town



BRIDGE TO THE SANDBAR SALOON

became the **railhead**. Although never as busy as Abilene, Ellsworth, or Dodge City, the territorial community hosted countless drovers. Cattle were driven north to Beef Creek, the site of present-day Maysville. They were fattened in the miles of pens that lined the creek from which they were watered. Then they were driven the twelve miles farther north to Purcell, where they were sold and shipped to their destinations.

### *What was the Sandbar Saloon?*

After the creation of Oklahoma Territory and the Land Rush, Lexington sprang up on the other side of the Canadian River and created competition for the drovers' money. Purcell was technically "dry." That is, liquor could not be legally sold there. Lexington, Oklahoma Territory, on the other hand, had no such problem. Many thirsty drovers collected their pay and rode across the river to spend it in a "wet" town.

Phil Nichols, a gambler and local hotel owner, petitioned the Territorial Legislature to name an exact boundary between the territories at that location. They named the "main channel of the Canadian River, wherever that might be." The enterprising Nichols built a boardwalk from the west bank of the river, the Purcell side, to a spot past



THE SANDBAR SALOON

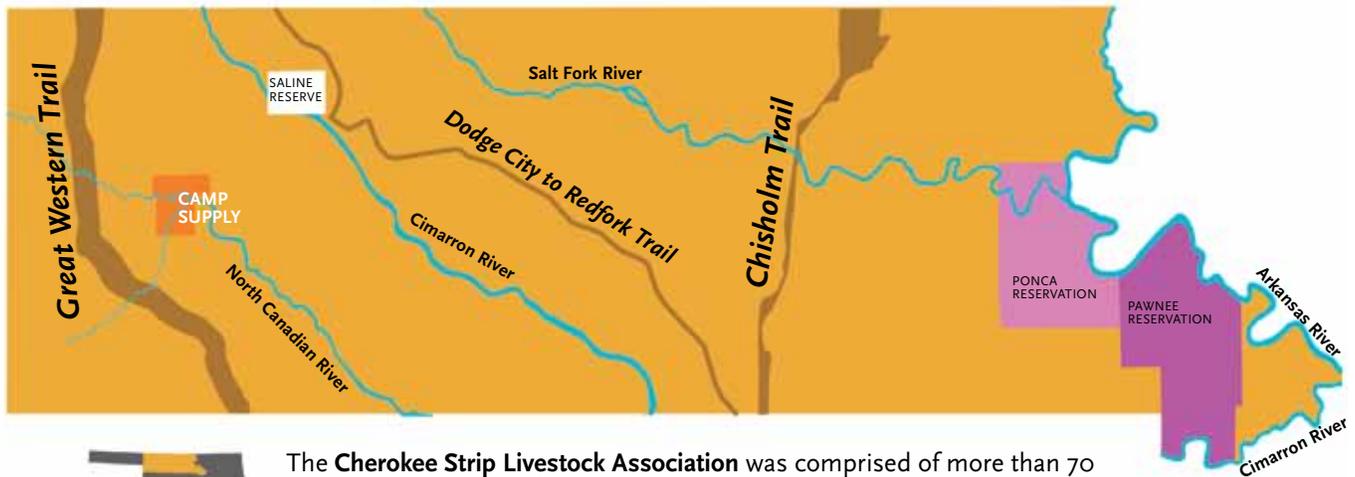
the middle of the river. He built a saloon at the end of it. The Sandbar Saloon, on a sandbar in mid-stream, was the first of several of its kind. It was so profitable that Nichols rebuilt it five times after it was destroyed by floods. The last time it washed down the river, a customer drowned, and it was never rebuilt.

### *Where is Beef Creek?*

Meanwhile, the railroads moved farther and farther south and spread farther west. By 1893, the cattle market in Purcell had dwindled, but Beef Creek had become a good-sized settlement. The name of the town was changed to Maysville at statehood, in honor of an early-day merchant and farmer, but the name of the stream that runs through the town today is still Beef Creek.

### *What was the Cherokee Outlet?*

Although few herds belonging to Indians ever again reached the size of those before the Civil War, there were Indians who returned to the cattle industry. Comanche Chief Quanah Parker maintained a comfortable herd of about 500 head. Choctaw merchant Wilson Nathaniel Jones kept a herd of 5,000 head. Adopted Creek Frederick Severs owned approximately 8,000 head of cattle.



The **Cherokee Strip Livestock Association** was comprised of more than 70 ranches spread over the nearly 6,000,000 acres of the Cherokee Outlet. The ranches had ready access to the Great Western and Chisholm Trails. The Saline Reserves were held as public land by the U.S. government to guarantee access to salt for everyone.

A number of Indians owned a few head of cattle for their own private use, but much of the grassland went unused, and white ranchers began to lease tribal pastures.

The Cherokee Outlet, a strip of land about 60 miles wide, **extended** west from the 96th Meridian to the 100th Meridian. The Treaty of New Echota provided the Outlet to the Cherokee in 1835. It was to be a “perpetual outlet west” for the Cherokee Nation in the northeastern part of Indian Territory. According to the Reconstruction Treaty with the Cherokee and the Treaty of Washington of 1866, other tribes could settle on surplus Cherokee lands. After the Osage, Pawnee, and others were assigned land, the Cherokee tribe still held title to about six million acres of grasslands. This was about two-thirds of the original Cherokee Outlet.

### **What was the Cherokee Strip Livestock Association?**

By 1882, the Outlet was feeding a quarter-million head of cattle belonging to a number of ranchers. Cherokee agents collected fees from each cattleman, and that year, they totaled \$41,233.81. The cattlemen had organized for the purposes of settling disputes, rounding up the herds in the spring, and providing

mutual protection against common risks. They decided to try to deal with the Cherokee for grazing rights to the entire Outlet.

Because they held their meetings in Caldwell, Kansas, the organization adopted the name Cherokee Strip Livestock Association. The Cherokee Strip was a strip of land two-and-a-half miles wide, lying on the north side of the 37th Parallel, from the Missouri border to the 100th Meridian. It was land inside Kansas that had been assigned to the Cherokee by mistake in the Treaty of New Echota. It was being held in trust according to the Treaty of Washington of 1866. The Strip and the Outlet were two distinct pieces of property. In time, however, locals used “Cherokee Strip” for either or both.

The Cherokee Strip Livestock Association hired John F. Lyons, an attorney from Fort Smith who was married to a Cherokee woman. His job was to petition the Cherokee Council for lease rights. On May 19, 1883, the council agreed by a very small majority to lease the Outlet for five years. Its fee was \$100,000 each year, in semi-annual payments. It received the first payment, \$50,000 in silver dollars, in October.

The association was well-organized with more than a hundred members. Each member’s grazing area was specifically defined, and each member



Ranching on the open range.

was responsible for his own fences, corrals, and line shacks (where cowboys stayed, out on the range). The association hired wolf hunters and took steps to prevent rustling. The members of the association also worked to improve the grade of cattle in their herds.

Some tribesmen were **disgruntled** about the lease agreement, charging that other members must have been bribed to have accepted a fee of less than two cents per acre for the grasslands. When the association renewed its lease in 1888, the annual fee was raised to \$200,000.

### ***Why did Cherokee sell the Cherokee Outlet?***

On March 2, 1889, President Cleveland signed the bill approving the opening of Unassigned Lands to the public. An amendment to that bill created a **commission** to settle the disposal of unused tribal lands. Specifically, it offered Cherokees \$1.25 per acre for the Outlet. (The Cherokee Strip Livestock Association was offering \$3 per acre.) The commission claimed that grazing contracts between whites and Indians were illegal and that it could **confiscate** the land for public good. It also claimed that the cattlemen's association had used bribery

and fraud to obtain their leases.

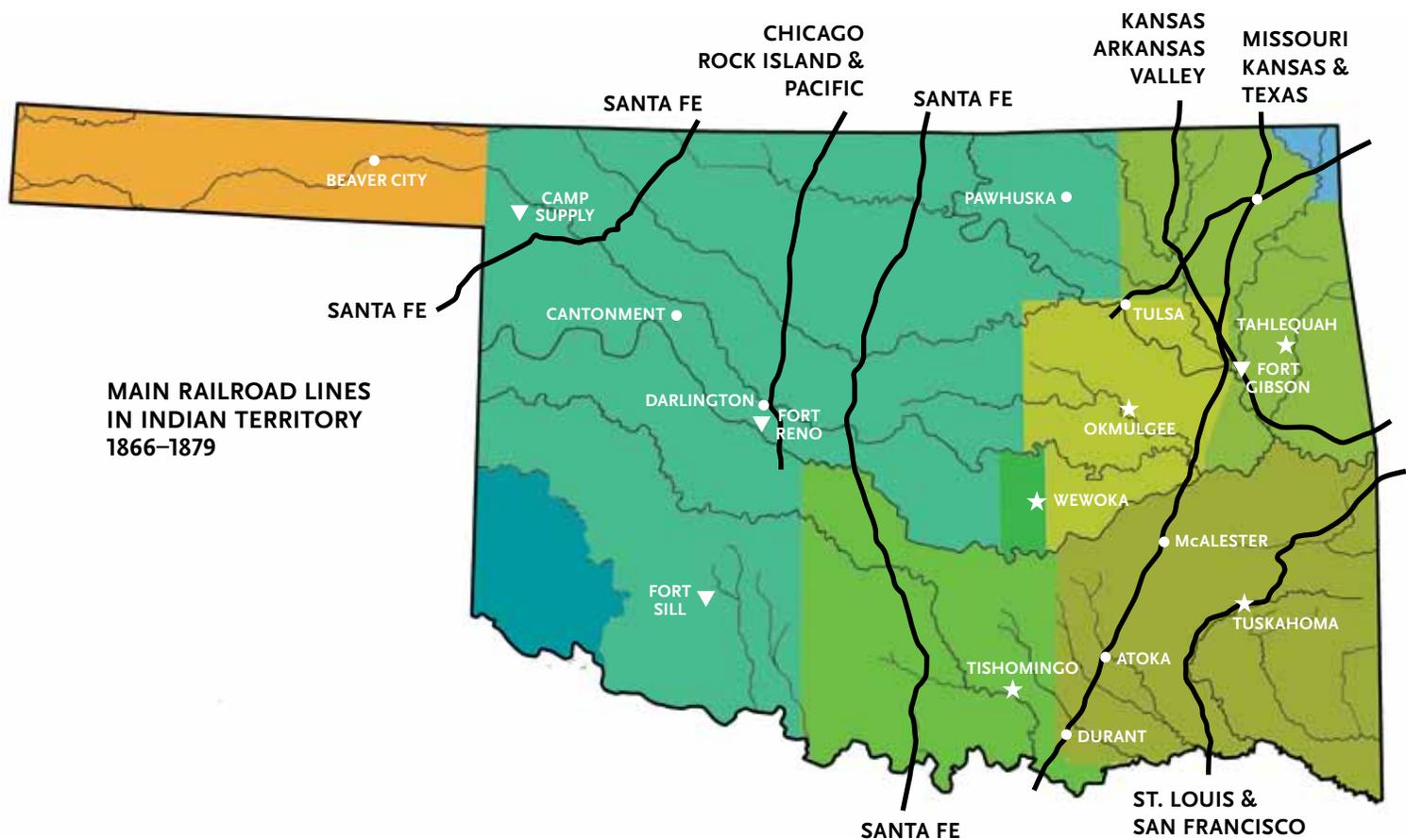
The Cherokee sold the Outlet to the government for \$8.5 million. Cattlemen were notified by the government, in February 1890, that they should have their cattle out of the Outlet by October 1 that same year.

### ***How did building railroads change transportation in Indian Territory?***

While the cattle industry was growing in the West, railroads were vying for right-of-way agreements elsewhere. The Reconstruction Treaties provided for a north-south line and an east-west line through the Territory. One company, the Missouri, Kansas, and Texas Railroad (MK&T), won the right to complete a line across the Territory from Kansas to Texas.

Surveyors for MK&T completed their work in 1870. The company began laying track at the Kansas line south of Caldwell in June of that year. It completed the line, nicknamed "the Katy," within 18 months. The end of the line was at Colbert's Ferry on the Texas border.

In November 1871, the Atlantic and Pacific Railway intersected the MK&T at Vinita, on its way west. It was ten years later, however, before



MAIN RAILROAD LINES  
IN INDIAN TERRITORY  
1866–1879

the track was **extended** to Tulsa. The company was reorganized under the name of St. Louis and San Francisco Railroad, but it was called the “Frisco.”

Many tribal leaders had opposed the railroad and tried to keep it from coming into the Territory. They feared the railroad companies would cause more friction between tribes. In addition, it was a practice of the government to grant large tracts of land to railroad companies. Therefore, the Indians feared the loss of more land. The railroads came, nevertheless, and after the first two contracts were fulfilled, several more were made.

Chief Jackson McCurtain was a Choctaw leader who favored the railroad building. He overcame a great deal of opposition to see that Congress certified the building of the St. Louis and San Francisco line from Fort Smith, across the Choctaw Nation, and into Paris, Texas.

The Santa Fe line eventually reached from

Arkansas City to Pauls Valley. The Choctaw Coal and Railway Company ran from Wister Junction to McAlester, with several branches reaching local coal mines.

### *How did coal discoveries contribute to changes in the Territory?*

The town of McAlester is named for J.J. McAlester, who discovered coal in the area in 1870 and began operating mines there in 1872. He organized the Oklahoma Mining Company, leased the mine to a coal company, and split the royalties with the Choctaw Nation. Mines opened in Krebs, Lehigh, Alderson, Coalgate, Wilburton, Hartshorne, and other areas. The railroads carried workers in and coal out.

Most miners were Europeans or blacks. By 1889, there were more than two thousand of them

in Indian Territory. Miners usually had government permits allowing them to live and work in the Territory. So did some other workers, such as railroad employees. However, thousands of people were “squatting” in the Territory without permits. In 1886, Chickasaw agent Miles reported 36,500 whites in eastern Indian Territory. Only about eight hundred were intermarried with members of the tribes, and probably fewer than 40 percent held legal permits.

The growth of jobs in the Territory drew more interest from outsiders. They were especially interested in the Unassigned Lands. There were Indians, too, who favored land **allotment** and white settlement. Like Choctaw Chief Jackson McCurtain, many believed that individual land ownership and white settlement would bring economic opportunities for Indians. One of the Cherokee supporters was the son of Elias Boudinot, who had signed the Treaty of New Echota in 1835.

### *What changes did gold, silver, and oil bring to Indian Territory?*

By that time, the discovery of gold and other minerals was bringing outsiders into the Territory. In 1889, ancient Spanish gold mines were discovered near Purcell. The same year, S.E. Ford found both gold and silver in Old Greer County (then in dispute with Texas due to confusion over the actual border between the two states). In 1890, people reported gold and silver deposits in the Arbuckle Mountains and in the eastern Cherokee Nation. In 1891, gold was discovered near Chandler. These and other reports brought prospectors on the run, although not in the numbers which had caused gold-seekers to overrun California and Colorado. Prospectors withdrew small amounts of gold and silver from the ground by 1904. Prospecting and **speculation** continued until 1918, especially in the Wichita Mountains.

Indians had used oil from the “Medicine Springs” as medicine for many years. Then, in August of 1889, Edward Byrd, an intermarried white citizen of the Cherokee Nation, struck oil at thirty-seven feet. His well, near Chelsea, produced a half-barrel of “light green oil” every day. Byrd sold it as livestock “dip” to cattlemen. Soon there were more wells, and the petroleum industry in Indian Territory began.



James Jackson McAlester, also known as “J.J.” McAlester, has been hailed as “the Father of Eastern Oklahoma,” and contemporaries acclaimed him as the founder of the Oklahoma coal industry and the southeastern Oklahoma town of McAlester. He was a respected businessman and an influential leader in the Choctaw Nation and the state of Oklahoma. McAlester served as Lt. Governor to Lee Cruce, Oklahoma’s second governor.



The outlaw **JESSE JAMES** would hide out at Younger's Bend, Belle Starr's farm.



**BLUE DUCK** and **BELLE STARR** photographed in 1876 by photographers Harris and Ewing.

## *How did courts and prisons operate in Indian Territory?*

For many years, there were no courts in Indian Territory with authority over white people. As the number of whites in the area grew, this caused difficulties. So, in 1871, the federal court system gave authority to its District Court at Fort Smith, Arkansas, to try cases from Indian Territory. The Fort Smith District Court would handle cases involving whites as well as cases of Indians charged with breaking federal laws. When it convicted defendants and sentenced them to prison, the Territory had to move them to a prison in Leavenworth, Kansas.

Fort Smith was many miles from most settlements in Indian Territory. Sometimes, the greatest problem in bringing a lawbreaker to justice was getting him to court. Then, if the court convicted him, another problem was getting him to Kansas. Many men and a few women died on the trail to Fort Smith or Leavenworth. Some were law officers. Some were suspects or convicted criminals. However, considering the length of the journeys and the chances to escape, it is probably surprising that anyone ever completed it alive.

## *What attracted outlaws to Indian Territory?*

With justice far away, numerous criminals found the Territory the perfect place to stay. Outlaws such as Jim Reed, Jesse James, Cole Younger, and Bill Doolin often took **refuge** in Indian Territory. A favorite stopover was "Younger's Bend," a farm belonging to Belle Starr.

Outlaws in Indian Territory came from a variety of backgrounds. The Starrs, a Cherokee family, began careers outside the law by opposing the Cherokee government. In 1843, the Cherokee National Council offered a reward of \$1,000 each for the capture of Thomas Starr, Ellis Starr, and Bean Starr. They had committed murders while opposing the political group in power. They were later killed in gun battles with the Cherokee police.

Black men, mostly Cherokee freedmen, made up The Cook Gang. One of them was Crawford "Cherokee Bill" Goldsby, the son of a Buffalo soldier and a biracial woman. On one occasion, Cherokee courts sentenced him to a seven-year term in prison. He kept escaping, and authorities recaptured him several times.

Later, a court convicted Goldsby of murdering a Nowata depot agent. The “Hanging Judge of Fort Smith” sentenced Goldsby to death.

### Who was the Hanging Judge?

Judge Isaac Parker was appointed to the Fort Smith court in 1876. Appalled at the crime rate in the Territory, he began to assign high penalties for breaking the law. In his twenty-one years at Fort Smith, he imposed punishment on nine thousand convicted criminals, including eighty-eight he sentenced to hanging. He became famous as the “Hanging Judge of Fort Smith.”

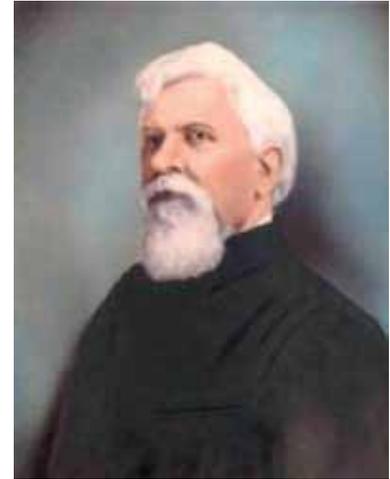
Judge Parker appointed two hundred deputies in Indian Territory. Sixty-five of them lost their lives while enforcing the law.

### How did Indians feel about the Fort Smith Court?

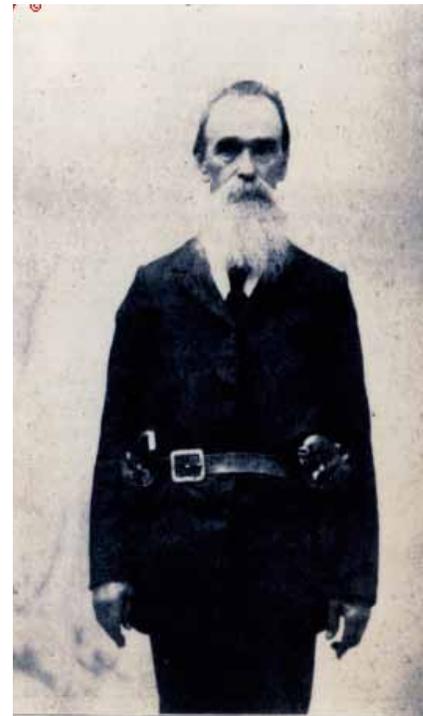
The Indians hated the Fort Smith court. One reason was the distance they traveled to get justice from a white man’s court. They repeatedly asked for a federal court in Muskogee. Complicated situations often created conflicts of authority between the Fort Smith court and courts in the Indian nations. In *Harlow’s Oklahoma History*, 4th edition, Victor E. Harlow wrote:

On one occasion marshals from Fort Smith entered a Cherokee court where a murder trial was in progress and attempted to arrest the accused on another charge of attempted murder of a white man. The Indians resisted and in the fight which followed, seven of the marshals and six of the Indians were killed and a number wounded, including the judge of the court.

He added that “no other federal agency was so hated by the Indians or so distrusted” as the U. S. District Court at Fort Smith. Nevertheless, it held authority over certain matters in Indian Territory until 1883. That year, the government changed Judge Parker’s **jurisdiction**. It gave the Federal District Courts in Texas and Kansas the power to hear cases involving whites in the Territory. Those courts would also hear cases of Indians accused of federal crimes if they were Chickasaw or Choctaw.



JUDGE ISAAC PARKER



George Maledon, JUDGE PARKER’S HANGMAN at Fort Smith, Arkansas



**PALMUSKY** was the last man executed under Seminole law for murder. He was blindfolded with a bandage over his face and stood in front of the execution tree on Wewoka's main street. A paper heart was cut and pinned over his heart as a target. Three Lighthorsemen were given bullets, one live round and two blanks, and would aim and fire. In this way, no one would know who fired the fatal bullet.

### *What was the ratio of Indians to non-Indians in the 1890 census?*

In 1890, Indian Territory participated in the federal **census** for the first time. The results showed the importance of commerce (business activities) in the region. It recorded 128,042 aliens (noncitizens) living there, compared to 50,055 Indians. Tribesmen were outnumbered almost three to one.

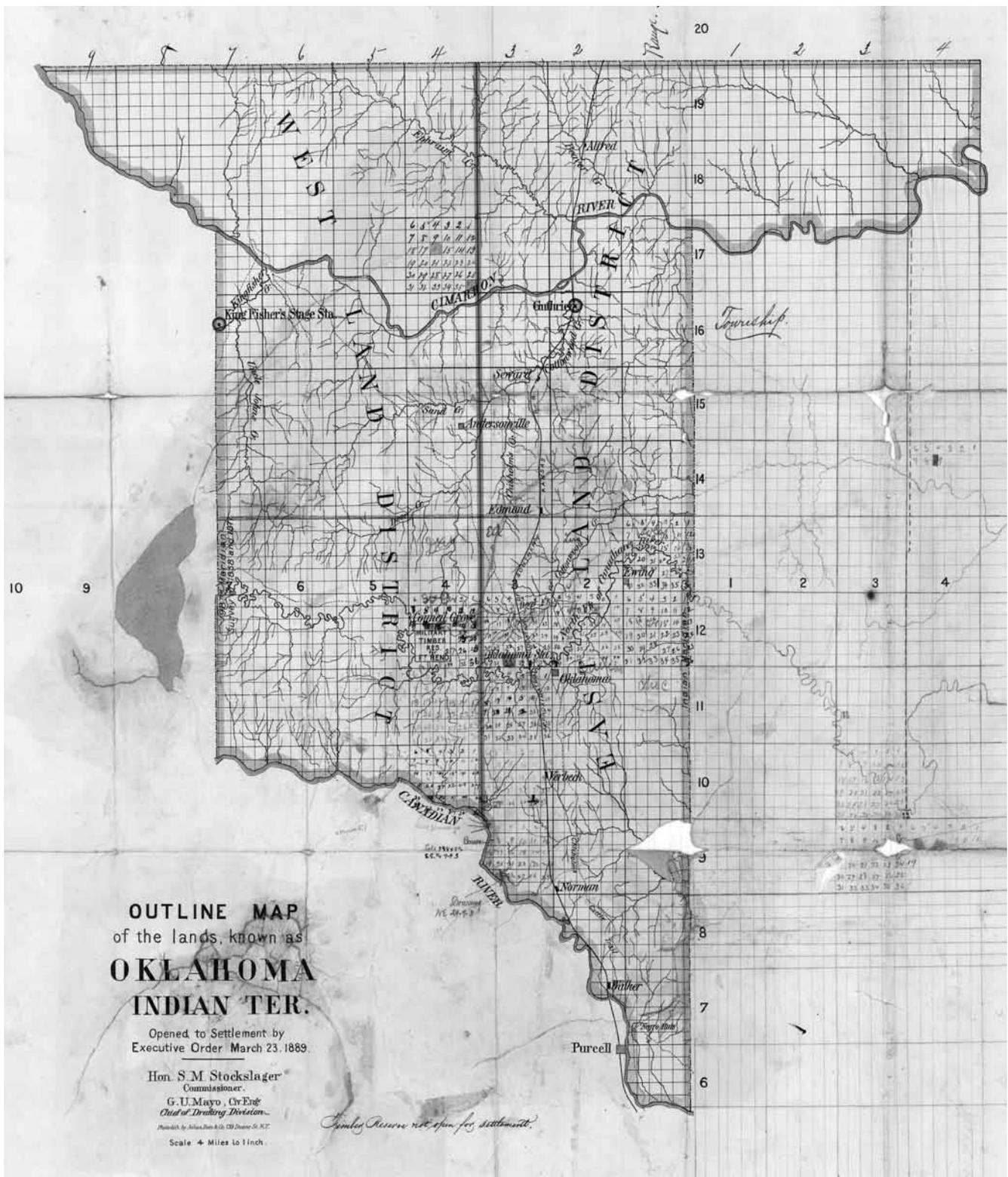
White and black Americans were pouring into the Indian nations. Hoping to improve their lives, they found some unusual conditions. Because they were living in sovereign Indian nations, they could never have the rights of citizenship. They lived without political rights and, since they lived in no state, they could not vote in federal elections. They had no say in local elections either; that right was confined by the Indian governments to their own citizens. They could not own the land they worked. Their children had no schools although tribal governments maintained fine schools for their own citizens.

There were no services provided at all. If they wanted roads, they had to build them. They had to provide their own access to water or to sewage disposal. They also had to protect themselves. Indian police forces of Lighthorsemen could not arrest them, and they could not be tried by tribal courts. Noncitizens were subject to federal authority which had very few marshals and distant courts.

### *What was the Major Crimes Act?*

Indian tribal courts continued to try cases involving members of their nations. In 1885, however, the Major Crimes Act limited their authority. Afterwards, tribal courts handled only civil cases and lesser crimes. Federal courts had to handle Indian cases involving murder, **manslaughter**, rape, assault, arson, burglary, and **larceny**. In 1888, tribal courts were abolished altogether.

Then, in 1896, the U.S. organized three District Courts in Indian Territory. The area was no longer under the jurisdiction of Fort Smith.



The UNASSIGNED LANDS became formally known as OKLAHOMA when it was opened for settlement in 1889.

## Chapter Summary

During the Civil War, the large and prosperous herds of cattle raised by members of the Five Civilized Tribes were consumed by the war effort. However, cattle business in Texas was booming. To get their cattle to markets in the populace east and west, the tribes established trails through Indian Territory to railheads in Kansas with connections to the continental railway system. Providing goods and services to the cattle drovers and leasing grazing lands along the way brought new prosperity to the region.

The cattle drives also brought people and problems to the Territory. Tribal governments had no jurisdiction over non-Indians, and the only court of law was outside the Territory, leaving it wide open to outlaws and criminals. In addition, people coming to Indian Territory seeking opportunity and jobs found themselves with no rights to own land or to make decisions for their needs.

Because of the commerce developing in the territory, the railroads soon seized the opportunity to establish lines running throughout the area in order to transport cattle and the area's natural resources. This brought even more people who in time outnumbered the Native American population. Demands by the newcomers to own land and have self rule opened the unoccupied and surplus lands held by the tribes for settlement.

## VOCABULARY

Write short definitions based on your Glossary or the text in Chapter 8.

public domain

entrant

excursion

proclamation

tentative

restriction

militant

railhead

Cherokee Outlet

Chisholm Trail

Western or Dodge City Trail

## LOOKING FOR THE DETAILS

1. Why was the Cherokee Livestock Association formed?
2. Why were cattle trails founded and why did they decline?
3. Why did outlaws take *refuge* in Indian Territory?
4. Why did the Indians want a federal court in Indian Territory?
5. How did the Reconstruction treaties bring about the growth of railroads?

**THINKING AND ASKING QUESTIONS**

1. Why did the Civil War affect tribal success with livestock?
2. What were the major problems in the early justice system for Indian Territory? How were the problems solved?
3. Compare the status of noncitizens in the 1800s to the status of immigrants and illegal aliens today.
4. What division did Indian leaders have on the issue of opening their unoccupied lands for settlement?
5. Trace the right of non-Indians to own property in Indian Territory, from the time of Indian settlement to the land runs.

**TRUE OR FALSE**

1. The major problem with the locations of the court and prison for Indian Territory was distance.
2. After 1885, all cases involving murder, manslaughter, etc., were tried in state courts rather than Federal courts.
3. In the 1890 Census, Indians outnumbered non-Indians three to one.
4. Some gold was discovered in Oklahoma in the early 1890s.

**THE REST OF THE STORY**

**Complete these sentences.**

1. The U.S. District Court that had authority over white people in Indian Territory was located at \_\_\_\_\_.
2. That district court was hated and distrusted by \_\_\_\_\_.
3. Indians repeatedly asked for a federal court in \_\_\_\_\_, Indian Territory.
4. Prisoners from Indian Territory were incarcerated at the federal prison in \_\_\_\_\_.
5. The federal judge who became known as “the Hanging Judge” was \_\_\_\_\_.
6. The act that limited the authority of the Indian tribal courts was the \_\_\_\_\_ Act.