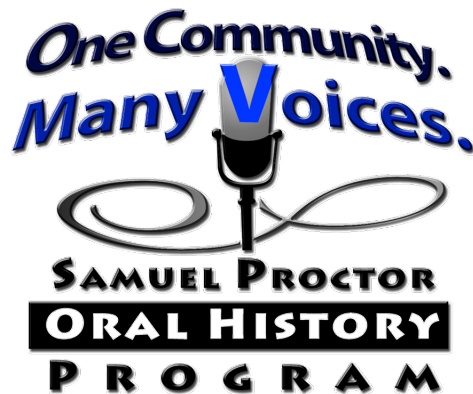


Baxter York

**Southeastern Indian Oral History Project
MISS CHOC-023**

Interview by:

**Hulon Willis and Bradley Alex
June 21, 1974**



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MISS CHOC 023 Baxter York
Southeastern Indian Oral History Project (SIOHP)
Interviewed by Hulon Willis and Bradley Alex on June 21, 1974
31 minutes | 11 pages

Abstract: This interview is continued in MISS CHOC 024. Baxter York discusses how Choctaw lands were lost to White people and the federal government. He recalls the land provisions made for Choctaws who did not go to Oklahoma, of which only one family still owns their full acreage. He describes how White people cheated Choctaws out of their land and murdered several individuals in the leadup to a lawsuit. He discusses how Choctaw elders objected to the draft in World War II, which resulted in federal representatives inspecting the state of the Choctaw lands, ultimately putting land in reserve for them. York speaks about the importance of education and cautions against accepting an allotment system.

Keywords: [Mississippi Band of Choctaw Indians; Ross Collins; Chief Mushulatubbee; Mississippi; Land tenure; Tribal history]

ORAL HISTORY

P R O G R A M
University of Florida

MISS CHOC 023

Interviewee: Baxter York

Interviewer: Hulon Willis and Bradley Alex

Date of Interview: June 21, 1974

W: We are interviewing Baxter York on Choctaw lands, and the interviewers today are Hulon Willis and Bradley Alex, and photographer is Jimmy Ben. Beside us is Charles Plaisance. Would you tell us about the lands that Choctaws received during the—maybe before the first treaties?

Y: Well, I'll tell you about this 1820 treaty, what they called Doak's Stand Treaty. We have our line marked off, and you hit the Natchez Trace going to Madison County—well, there's a map on the Natchez Trace telling you where the boundary line is from there on to Mississippi River. Then, that was the land that trade with the Oklahoma land. So, the first migration was trading the land from Mississippi land to Oklahoma land, and that's where the first movement was done on 1820. Now, the next one was—I never did find out for sure. They didn't have no land to trade, from boundary land on up to Alabama line. Why then, those land that we have, there's so many million acres it was, that I never did find out for sure what kind of a deal they give these Choctaws to give all their lands away to the federal government. And although during 1820 treaty, those that wants to move to Oklahoma, they began to move to Oklahoma. Well then, those that didn't want to go—they don't want to leave their original home—they stayed. Why then, our leaders—Greenwood Leflore's the one that was ex-chief. They had to call him, because Mushulatubbee wouldn't yield—don't want to give nothing, they want to keep their land. So, they had to call Greenwood Leflore in order to get them to negotiate, and Greenwood went over there and persuade Mushulatubbee to go along with him and ask for so many provision. That's why

Choctaws want to remain in Mississippi, part of Alabama, or anywhere near home here. Why then, they could receive six hundred and forty acres of land just like they receiving in Oklahoma. Well, some of them stayed then, but then on account of a language barrier, they didn't understand the law. So, not all the Choctaws received six hundred and forty acres here. But some of them did. Only proof that we have today is that we have one six hundred forty acres on Neshoba and Kemper line. Kemper County line is the treaty land that we have, over there's where these Robinsons lives. There's only one we have left. Now, there's another one—the law was that you can't make deed and trust on these land. But one White man made deed and trust with the Choctaw when the Choctaw didn't know any better—didn't understand the law, and so forth. Then he loan him few dollars, and hold deed and trust on this land. So, someone told him that if you get a good lawyer and you'll get all of these land back, the six hundred and forty acres. Why then, he did. He hired a lawyer, and the case was gonna come up in March. Then during the Christmastime, why, this White fellow invited these Indians up there and began to give 'em firewater. And after they get tuned upright, they killed them and throw him in a washout place, and cover them up with pine knot and so on. But Choctaws found them. So, the court didn't do nothing about that. Both the county and the state didn't do anything about it. Then we took it up to the federal court, and the hearing—why, they didn't do nothing about it. So, I don't know, it's always where dominant group have a way of winning. I don't care what you do, they've been that way all 'til this time. So that's where some of the land has gone, getting away from the Choctaws. Now

we put a witness—oldest witness we had, and he was a White—on the witness stand, and the lawyer asked him how that these lands was lost by the Indians, "Do you know?" "No." But he scratched his head a while, and say, "Jug whiskey, and there goes the land." So, I wasn't satisfied with that, but then there's nothing I could do. I was interpreter for the federal government and the Choctaws, and everything I say in Choctaw language to the witness, the other side—the lawyer always objected. It was always go for him. I couldn't talk Choctaw to our witness, but I supposed to interpret what the witness say. So that's what I was doing.

Now. The Choctaws went into landlord's hand, and after the treaty—the 1830 treaty—then the landlord used them for cheap labor, and they don't never make a settlement after the harvesttime. So the Choctaws always don't know what he made. He might make twenty bales cotton, he might make thirty, some of them make forty bales of cotton on sharecropping, but they don't never make a settlement at the end of the harvesttime. That'll be in fall of the year sometime, but that never was been done, and they never did know how much he makes.

And lot of time that we go along and take census to these Choctaws—why, there're some White people may not like it. But I've done this right recently, about five or six years ago—maybe a little bit more, maybe ten years ago—that I went all over the Choctaw country and take census. I asked question, why they told me that. It was a road supervisor next to mound over here, that I went to question him. Why, he said that we don't make no settlement, but whatever they want, I give it to him, but I hold his money to buy these. Whatever pickup truck he wants, he buys it. If he wants a TV in the house, he buys it. Anything he wants, he buys

it. Of course, they got a good shotgun house that he put the Choctaws in there to use them for labor, and that's what they told—that's a true story. This man told me that up there next to the mound, and he was a road supervisor. But some of them won't talk to you. They won't tell you a thing, and they may not like it either if you question them quite a bit. And some of the Choctaws are—I went to and talked with them, they said that the people that come out here and do this, they tell me, that they just don't care, they just out here for their own benefit. Like, you know, that's the way he approached me, saying that, "They never did do anything for us. So I don't care to talk." I said, "Okay," and I just walked away from him. So, those things that I know about these things that—on up to 1918, now—the federal government neglect this group for 1830 on out to 1918. But they were looking for—1916, they were looking for good men to fight the Germans. So, when they came over here, they began to draft our boys in—was qualified, had the physique and stout and rarin' to go, like William **Comby**, Spencer Willis, or Ernest Tubby across the river here. He went, and those boys that went were—the elderly Choctaws got together at the old Bethney place, and saying that, "We lost everything. We ain't got nothing. I don't think our boys should go, because we ain't got nothing to fight for. We done lost it." So, they accumulate enough money, and appoint **Will Jimmie** to take that report to Jackson office at the government, which he did. Well then, the governor in time took it to Washington office with that report. They send Judge Reeves over here to see if that report was true. So, Judge Reeves came over and look at the place, and he told me himself, and I'm quoting him, that he "found the Choctaws were deep in bottom of

the well looking up no ladder, no nothing." So, when he got back to Washington office, well then, he told them that this report is true. Well, that's when federal government send fellow by the name of Dr. McKinley. He was the first superintendent establish among the Choctaws over here, and that agency was established—just a small building that they had right in Philadelphia, and that's where they start in. Choctaw agency. And of course, he had a little rough time too himself, because he got in some of the worst KK nest in this country. He used to carry a big gun, forty-five, and he always tell the people, "If you do something to me, it'll be so many federal people in here they'll be just thick. It'll be just like ants. But if I shoot you down, it won't be nothing said." So that's how he bluffed 'em and went along. Well then, when he first came here the Choctaws, as we say, that they didn't have no land to stand on, so he was gonna buy land. But he found out that Choctaws still owned the land over here which it was occupied by the Whites, and they always make the negotiations with the state land here, which is just temporary deed they were running on. And they sell it to each other and cut some of the timbers out for cultivation, and cut a place out for home site and they build a good shotgun house to live in to start the improvements. So, Dr. McKinley told the Washington office that, "If you authorize me, I'll take these Indian land back and put it into reservation." I'm quoting Dr. McKinley now. And so, the Washington office authorized him just take over the Indian land to put it into reservation. Well then, he tried that, but he run into guns and ammunitions. People didn't want to lose what they got on the land there—which is belonged to the Indians, but they were using it. So, Dr. McKinley report back, "There's that

kind of situation that I'm up against right now, and I don't know what to do." Why then, later, Ross Collins was the representative from here in Washington. And this town Collinsville on this side of Meridian is named after him. Ross Collins, he was a district congressman from here. He told Dr. McKinley that, "Leave those—"

[Break in recording]

Y: "The government will make a full settlement with those Choctaws, so if you want appropriation to buy land, we'll just send you money, appropriation money, to buy land with." So that's what they done. And they called this money "reimbursable loan" to the Choctaws at that time. But the local Whites began to come in on the Choctaws, and saying that, "The government owes you, so you don't have to pay for it. You just live on it, carry it out." Well then, the deal was that he suppose to live on that bought land by the Congress twenty years, and he was suppose to pay for it—that reimbursable loan. But since the locals persuaded them to not to pay anything, just live on it, because government owes you. That was the talk among the Choctaws. Why then, Choctaws, some of them paid few hundred dollars on it, but then they just quit. So in twenty years' time, that was their limitation that they didn't pay for. Why then, they changed the land status and put it into reserve land for the Choctaw. Choctaws still don't have the foundation to stand on. Only, they standing on the U.S. government land because they got the deed. This is how their situation is right now. Some of these days, you boys—maybe your children—if you continue with the education, maybe when you finish high school you want to go to two-year college, when you finish two-year college, you have to go to higher up university, get your degree and so on. Why, you

begin to know what we talking about. That's the reason why education is very important—you got to know, dealing with the foundation. Which, foundation is the land the United States is stand on. Some of them, the deal was pretty good, some of them the deal was no good. The U.S. government. So, in 1930 that's where I think y'all got it in there that John Collier propose a self-government. They want Indians to practice self-government like they practice back in 1776. All right, he made proposal to the congressman, and the congressman is the law-making body. So, they send men out to the various states where the Indians are. They send Senator Frazier over here in 1930. Senator Frazier invited the governor over to Philadelphia courthouse, and ...

W: Baxter, do you know his first name—Frazier?

Y: No, I don't. We just call him Senator Frazier.

W: Was he from Mississippi?

Y: No, I don't think so, maybe from Oklahoma, I don't know. But he came here, invited the governor, and governor couldn't make it here that day, so he send his representatives over here. Philadelphia courthouse. That was in 1930. Then the governor's representatives was there, and the Senator Frazier ask him, "What do you think about the Choctaws in the state of Mississippi here?" "We don't think anything," they said. "All we know, they were God's children, and they here. We recognize them in that manner." "What you gonna do? You gonna support them, or what? Support them and take care of them?" Says, "No. Not the Choctaws. We want federal government to take care of them and support them, because they made the deal with them." They were talking about the land then, you see.

So, it was set up in that manner where federal government supposed to support you kids to go to school. Back in 1830 they were a provision made that they were going to support you to go to school. They suppose to set up the best school, and graduate about twenty students every year. That was talked while they were making provisions. That's how come I set in and proposed that Choctaws here were recognized as individuals, just like him. So, I made the proposal that they should organize and recognize by Congress so they might do better in longer run if they would know how to run the government. They could accumulate money in their treasury so high they won't have no object of getting the money, because you got some money to play ball with, so you gonna draw so much out of there and lay it here, and ask the federal government to match it. Federal government suppose to match this what you put down, double the amount. Then you—if there is any improvement you want to make, that what's you suppose to do. Now, all men are not alike—their thinking is not alike, the ways that they have is not alike. So sometime when we have administration here at the Tribal office, if you don't have the right kind of man in there, why then he might be looking at himself, to benefit himself. Maybe they don't care a thing about you. He want use your name to get big amount of money out of you, and maybe that's what he's doing. Why then, the progress won't go for the benefit of all the people. But this government's supposed to represent all the people—not just few, not one. So, all of this is based on education. You got to know these things in order to set up a good government for the benefit of the people. Now, it's two ways is all I know. When government quit helping the Choctaws—and they gonna quit some of these

days—well then, if you don't have a right kind of Tribal council in the office there, federal government says, "I'm gonna give you this land. What you gonna do with it?" Why then, they might do like Oklahoma. They accept allotment system, and they lost everything up there. They haven't got no land and provision made by saying that—I think you heard Will Rogers the other night, or **imitation**. "Long as water run, green grass grow," that was gonna be Indian territory. But no, just soon as the—just for illustration, I'm gonna use the show people. You ever see this old man and the old woman that moved to Oklahoma, and they shot a shotgun to the land, and the ammunition hit that land where oil begin to spew out? That's what happened in Oklahoma. Why, then they persuaded the Indians to go along with them in order to put it into state so they can gobble this thing up. No Indian own too much oil down there—nothing but Whites. So, education, it's going to have to take education to protect this land if the government's gonna give it to you. They holding it reserve right now, but maybe they'll give it to us. In longer run, don't never accept the allotment system. Keep it like it is. We want you kids to get an education, get your degree, where you think about those things—where your children and their children is still coming. They going to have to have a place to live and to enjoy. If you don't have a place, there's no enjoyment.

W: Here's a question. It's related to this topic that you're talking about. How do you feel about contracting? The Tribe is contracting the social services this year, and I believe they tried to contract the Red Water School. How do you feel about contracting?

Y: I feel this way: If you boys—we got some that's going in already. We got—how many graduate this time—thirty? Thirty-seven? Okay, they already gone. They might get in some college works, maybe try to get his degree somewhere. All right, they'll be coming back. You may finish school, you start in, you gonna look towards getting a degree. All right, you coming back, and his question is it—this is the way I'm looking at it. This high school is only eight years old, going nine years old. Is he old enough? No. If we had a high school establish here for many years, I'd say we're ready, because there won't be nobody's fault for our students not getting a degree. Degree people suppose to know how protect the land, protect everything they got. But no, when you're a young boy, eight years old or nine years old, or even ten years old, you wouldn't know how to protect nothing. So, I say the time have come too ripe to take over anything. But if we have thirty, forty, fifty percent of degree people in our country here—our Choctaws, I'm talking about—why then, I'd say go ahead. We're ready.

W: Before you go on, could you tell me what contracting is?

Y: Contracting? Just like illustration I'm gonna use. If I had a house, and maybe I want you to paint 'cause you a painter. And, "How much would you do it for?" You'd say, "Well, I'd do it for twenty dollars, forty dollars, fifty dollars, or something." We agree that you gonna do it when you contracting that building. So, it's the same thing, no contracting.

W: You mentioned the Robinsons as being the only people that still have their land.

Y: Right.

W: Are they only one out of this? Is this only family still have the original?

Y: Right, still have the original land, and this land is not suppose to be paid taxes. They suppose to be non-taxable land. But they tax them. That's how come that group and their relatives—the Choctaws use to be very fond of go and get a help. They called it [Choctaw phrase 30:38]. Everybody go and help chop cotton, and a logrolling, and so on. Used to be, a long time ago. So, they set out a cotton patch, so many acres here for tax. So, they all plant cotton, and he call for help. Well, all the relatives go over there and help chop cotton, plow the stuff out, and then they harvest it. They pick cotton and go sell it and pay for the tax. That's what they've been doing all those times. And they don't care a thing about rental money, you know. The government put out a lot of renting money for if you don't farm this, you don't farm that, whatever we pay you so many dollars on rent money. They don't want that. They lost lots of money, them people over there. I tried my best to persuade the agency to go over there and do something about it. Well now, they don't want to have anything to do with the agency.

W: We suppose to have an interview with them, they agreed to talk to the kids.

[End of interview]

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