

**United States Department of the Interior
Heritage Conservation and Recreation Service**

**National Register of Historic Places
Inventory—Nomination Form**

For HCRS use only

received FEB 5 - 1982

date entered MAR 10 1982

See instructions in *How to Complete National Register Forms*
Type all entries—complete applicable sections

1. Name

historic Benjamin Franklin Smallwood House

and/or common

2. Location

street & number W of Lehigh N/A not for publication

city, town Lehigh mo. vicinity of congressional district 003

state Oklahoma code 40 county Coal code 029

3. Classification

Category	Ownership	Status	Present Use	
<input type="checkbox"/> district	<input type="checkbox"/> public	<input type="checkbox"/> occupied	<input type="checkbox"/> agriculture	<input type="checkbox"/> museum
<input checked="" type="checkbox"/> building(s)	<input checked="" type="checkbox"/> private	<input checked="" type="checkbox"/> unoccupied	<input type="checkbox"/> commercial	<input type="checkbox"/> park
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational	<input type="checkbox"/> private residence
<input type="checkbox"/> site	Public Acquisition	Accessible	<input type="checkbox"/> entertainment	<input type="checkbox"/> religious
<input type="checkbox"/> object	<u>N/A</u> in process	<input type="checkbox"/> yes: restricted	<input type="checkbox"/> government	<input type="checkbox"/> scientific
	<input type="checkbox"/> being considered	<input checked="" type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial	<input type="checkbox"/> transportation
		<input type="checkbox"/> no	<input type="checkbox"/> military	<input checked="" type="checkbox"/> other: unused

4. Owner of Property

name Lavern Fishel

street & number 321 N. Byrd

city, town Coalgate vicinity of state Oklahoma 74538

5. Location of Legal Description

courthouse, registry of deeds, etc. Courthouse, County Clerk's Office

street & number Coal County Courthouse

city, town Coalgate state Oklahoma

6. Representation in Existing Surveys

title Oklahoma Comprehensive Survey has this property been determined eligible? yes no

date 1980 federal state county local

depository for survey records Preservation Office, Oklahoma Historical Society

city, town Oklahoma City state Oklahoma

7. Description

Condition

excellent
 good
 fair

deteriorated
 ruins
 unexposed

Check one

unaltered
 altered

Check one

original site
 moved date _____

Describe the present and original (if known) physical appearance

This is a two story sandstone home measuring 50' x 50', built in the 1870's. The original gabled roof no longer exists and there is no trace of its remains. A picture of the original structure is attached, taken from the Chronicles of Oklahoma. The stone is a rough cut sandstone quarried from the local area. There are sixteen windows; rectangular on the second story measuring 5' x 3' and square on the first floor measuring 3 feet. The interior of the house has been gutted. The walls are intact except on the south side where the stone work above the second story window is caved in, with the glass missing. There is one exterior chimney and fireplace on the north wall. This is a detached structure standing alone in a rural wooded setting facing south with the stone porch detached from the house due to the roots of a nearby tree forcing it away. Originally the property consisted of a 500 acre farm with four mineral springs including one containing iron and one containing sulphur.

8. Significance

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400–1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500–1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600–1699	<input type="checkbox"/> architecture	<input type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/ humanitarian
<input type="checkbox"/> 1700–1799	<input type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> theater
<input checked="" type="checkbox"/> 1800–1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> transportation
<input type="checkbox"/> 1900–	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input checked="" type="checkbox"/> politics/government	<input checked="" type="checkbox"/> other (specify) Indian History
		<input type="checkbox"/> invention		

Specific dates 1870's **Builder/Architect** Benjamin Smallwood

Statement of Significance (in one paragraph)

The Smallwood home is the last remaining structure associated with Benjamin Franklin Smallwood and is the oldest remaining residence in Coal County. Smallwood is significant because he was a military officer, Choctaw rancher, businessman, policeman, and was active for many years in the politics of the Choctaw Nation.

Smallwood came over the Trail of Tears with the Choctaws. In 1847 he served as a ranger in Kiamichi County, Choctaw Nation. In 1863 Smallwood moved to Lehigh, and became a rancher and operated a trading post in Lehigh. From 1847 until 1887, excepting the years of the Civil War when he fought in the Second Choctaw Regiment as a captain in the Confederate Army, he held the office of representative to the Choctaw Nation and was speaker four times and was the leader of the National Party much of that time. In 1888 he was elected as Principal Chief of the Choctaw Nation and held that position for two years.

His home was the meeting place of Choctaw legislators, religious leaders, U.S. Congressmen and it served as a forum for discussion of Indian-Federal relations. Smallwood refused to meet with Federal officials unless they came to his home. A payment was made to the Nation during the administration of Chief Smallwood and a distribution was undertaken for the leased lands of the Choctaws. The distribution of the money was made without audit by the Net Proceeds Commission, for which the Chief was paid the sum of \$5,500. This payment is recorded as one of the dark pages in Choctaw history because it reflects upon the integrity and efficiency of the political life of the Nation.

Smallwood refused to deal with the outstanding problems of the European non-Indian population living in the Choctaw Nation. The coal mining in the county attracted white miners for employment. Because the Choctaw Nation owned the land, the white community could not own their own homes, they could not incorporate cities, there was no water, sewer, police or fire protection. When the cities of Krebs and Lehigh petitioned Smallwood while he was Principal Chief to incorporate their cities, Smallwood refused, reflecting the attitude of the Indians to let the white man take care of themselves and that the whites were only temporary.

Benjamin Smallwood's life spanned the history of the Choctaws as an independent nation in Oklahoma. From an early age he was influential in the political decisions of the Choctaw Nation and played an important role in the interaction of the United States Government and the Choctaw Indians.

9. Major Bibliographical References

Meserve, John Bartlett, "Chief Benjamin Franklin Smallwood and Chief Jefferson Gardner,"
 Chronicles of Oklahoma XIX 213-220, September 1940
 O'Beirne, Harry V., Leaders and Leading Men of the Indian Territory, (Chicago, American
 Publishers Association, 1891.)
 See Continuation Sheet

10. Geographical Data See Continuation sheet

Acreege of nominated property Under one acre
 Quadrangle name Olney, Oklahoma Quadrangle scale 7.5'

UMT References

A	<u>1</u> <u>4</u>	<u>7</u> <u>5</u> <u>10</u> <u>2</u> <u>4</u> <u>10</u>	<u>3</u> <u>18</u> <u>1</u> <u>16</u> <u>5</u> <u>18</u> <u>10</u>	B	<u> </u> <u> </u>	<u> </u> <u> </u> <u> </u> <u> </u>	<u> </u> <u> </u> <u> </u> <u> </u>
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Verbal boundary description and justification

Within the SE SE SE, Sec. 17 T15S, R10E, start at the intersection of the half mile fence running north and south and the county road running along the south edge of Section 17. Walk 200 feet north along the fence, make a 90 degree turn to the east, proceed 70 feet.

List all states and counties for properties overlapping state or county boundaries

state	<u>N/A</u>	code	county	code
state		code	county	code

11. Form Prepared By

name/title O. J. Hazlett Editor, Mary Ann Anders
 organization Oklahoma Historic Preservation Survey date September 6, 1980
 street & number Oklahoma State University telephone (405) 624-5678
 city or town Stillwater state Oklahoma

12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

national state local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the Heritage Conservation and Recreation Service.

State Historic Preservation Officer signature [Signature]
 title SHPO Campcraft 1-18-82 date 11/21/80

For HCRS use only

I hereby certify that this property is included in the National Register

William H. Brashaw date 3.10.82
 Keeper of the National Register

Attest: _____ date _____
 Chief of Registration

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

FOR NPS USE ONLY
RECEIVED FEB 5 - 1982
DATE ENTERED

CONTINUATION SHEET

ITEM NUMBER

PAGE

Major Bibliographical References 9

Debo, Angie, The Rise and Fall of the Choctaw Republic, (Norman, University of Oklahoma Press, 1961)
Indian Pioneer History, Indian Archives, Western History Collection, University of Oklahoma, Vol. XXVI, p. 466.
Indian Pioneer History, Indian Archives, Western History Collection, University of Oklahoma, Vol. XXVII, p. 420.
Gunning, I. C., When Coal Was King; Coal Mining Industry in Choctaw Nation (The Eastern Oklahoma Historical Society, 1975)

Geographical Data 10

make another 90 degree turn south and proceed 200 feet to roadway fence, turn 90 degrees west along the fence and go 70 feet and arrive at the departure point.