

**AUTHORITY RELATED TO OR REFERENCED IN APRIL 23, 2021 OKLAHOMA  
HISTORICAL SOCIETY CONFERENCE POWERPOINT PRESENTATION  
BY SUSAN WORK, “SIGNIFICANT HISTORICAL PERSPECTIVES  
IN THE 2020 CREEK NATION RESERVATION CASES”**

**Note: This list provides only an outline of some of the legal authority related to the histories of the Creek Nation and the Five Tribes as discussed generally in the PowerPoint presentation. It is not intended to be an exhaustive list, and does not include relevant Congressional reports or other primary source documents cited in briefs in the *Murphy* and *McGirt* cases.**

Definition of Indian Country, Major Crimes Act, General Crimes Act and Federal Implementation

- 18 U.S.C. § 1151 (Indian Country definition)
- 18 U.S.C. § 1152 (General Crimes Act)
- 18 U.S.C. § 1153 (Major Crimes Act)
- Indian Country Criminal Jurisdictional Chart, by Arvo Q. Mikkanen, Assist. U.S. Attorney & Tribal Liaison, U.S. Attorney’s Office, W.D. Okla. (August 2020), available at: <https://www.justice.gov/usao-wdok/page/file/1300046/download>

Indian Country Cases in Oklahoma

- *United States v. Ramsey*, 271 U.S. 467 (1926)
- *State v. Littlechief*, 573 P.2d 263 (Okla. Crim. App. 1978)
- *Indian Country, U.S.A., Inc. v. Oklahoma ex rel. Oklahoma Tax Comm’n*, 829 F.2d 967 (10th Cir. 1987)
- *State v. Klindt*, 782 P.2d 401 (Okla. Crim. App. 1989)
- *United States v. Sands*, 968 F.2d 1058 (10th Cir. 1992), *cert. denied*, 506 U.S. 1056 (1993)
- *Cravatt v. State*, 825 P.2d 277 (Okla. Crim. App. 1992)
- *Murphy v. Royal*, 875 F.3d 896 (10th Cir. 2017), *aff’d Sharp v. Murphy*, 591 U.S. \_\_\_, 140 S.Ct. 2412 (2020)
- *McGirt v. Oklahoma*, 591 U.S. \_\_\_, 140 S.Ct. 2452 (2020)
- *Bosse v. State*, 2021 OK CR 3, \_\_\_ P.2d \_\_\_ (Okla. Crim. App. 2021)
- *Hogner v. State*, 2021 OK CR 4, \_\_\_ P.2d \_\_\_ (Okla. Crim. App. 2021)
- *Sizemore v. State*, 2021 OK CR 6, \_\_\_ P.2d \_\_\_ (Okla. Crim. App. 2021)
- *Spears v. State*, 2021 OK CR 7, \_\_\_ P.2d \_\_\_ (Okla. Crim. App. 2021)
- *State v. Grayson*, 2021 OK CR 8, \_\_\_ P.2d \_\_\_ (Okla. Crim. App. 2021)

Cherokee Cases at Time of Removal and at Time of Allotment

- *Cherokee Nation v. Georgia*, 30 U.S. (5 Pet. 1) 1, 17 (1831)
- *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832)
- *Talton v. Mayes*, 163 U.S. 376 (1896)
- *Cherokee Nation v. Hitchcock*, 187 U.S. 294 (1902)

### Land Frauds

- “Oil Fields Are Best in the World,” Oklahoman, Mar. 26, 1905
- M.L. Mott, “A National Blunder” (1925); available in: *Murphy v. Royal*, Case No. 15-7041 (10th Cir.), Appellant’s Br., App’x. E (filed Aug. 5, 2016).
- Vollmann, Tim, and Blackwell, M. Sharon, “*Fatally Flawed:*” *State Court Approval of Conveyances by Indians of the Five Civilized Tribes—Time for Legislative Reform*, 25 Tulsa Law Journal (1989)
- CHRISTOPHER D. HAVEMAN, “*Last Evening I Saw the Sun Set for the Last Time,*” 5 Native South 61 (2012)
- DAVID GRANN, *KILLERS OF THE FLOWER MOON – THE OSAGE MURDERS AND THE BIRTH OF THE FBI* (2017)

### Creek Removal and Post-Civil War Treaties

- Treaty with the Creeks, 7 Stat. 366 (1832)
- Treaty with the Creeks, 7 Stat. 417 (1833)
- Treaty with the Creek Indians, 14 Stat. 785 (1866)
- Charles Robert Goins and Danney Goble, “Historical Atlas of Oklahoma” (Fourth Ed. 2006) (Maps)
- GRANT FOREMAN, *INDIAN REMOVAL* (1932)

### Federal Courts in Indian Territory

- Act of Jan. 31, 1877, ch. 44, 19 Stat. 230
- Act of Jan. 6, 1883, ch. 13, 22 Stat. 400
- Act of Mar. 1, 1889, ch. 333, 25 Stat. 783
- Act of May 2, 1890 ch. 182, 26 Stat. 81 (Organic Act)
- Act of Mar. 1, 1895, ch. 145, 28 Stat. 693 (1895 Act)
- Act of June 7, 1897, ch. 3, 30 Stat. 62 (1897 Act)

### Allotment (Non-Five Tribes)

- Act of Feb. 8, 1887, ch. 119, 24 Stat. 388 (General Allotment Act, a/k/a Dawes Act)
- Act of May 8, 1906, ch. 2348, 34 Stat. 182, codified at 25 U.S.C. 349 (Burke Act)
- D. S. OTIS, *THE DAWES ACT AND THE ALLOTMENT OF INDIAN LANDS* (1973)
- FREDERICK E. HOXIE, *A FINAL PROMISE: THE CAMPAIGN TO ASSIMILATE THE INDIANS, 1880-1920* (1984)

### Allotment (Five Tribes)

- Act of Mar. 3, 1893, ch. 209, 27 Stat. 612 (Dawes Commission)
- Act of June 28, 1898, ch. 517, 30 Stat. 495, §§ 1-28 (Curtis Act)
- Act of June 28, 1898, ch. 517, 30 Stat. 495, §29 (Choctaw and Chickasaw Nations Allotment Act)
- Act of July 1, 1898, ch. 542, 30 Stat. 567 (Seminole Allotment Act)
- Act of Mar. 1, 1901, ch. 676, 31 Stat. 861 (Creek Allotment Act)
- Act of June 30, 1902, ch. 1323, 32 Stat. 500 (Creek Supplemental Allotment Act)
- Act of July 1, 1902, ch. 1375, 32 Stat. 716 (Cherokee Allotment Act)
- Act of Apr. 26, 1906, ch. 1876, 34 Stat. 137 (Five Tribes Act)

### Establishment of Oklahoma Territory, Reduced Indian Territory, and Statehood

- Act of May 2, 1890 ch. 182, 26 Stat. 81 (Organic Act)
- Act of June 16, 1906, ch. 3335, 34 Stat. 267 (Oklahoma Enabling Act)
- Act of Mar. 4, 1907, ch. 2911, 34 Stat. 1286 (Oklahoma Enabling Act Amendments)

### Federal Laws Concerning Five Tribes Restricted Allotments

- See allotment acts listed above; see also the 1906 Five Tribes Act listed above.
- Act of Apr. 21, 1904, ch. 1402, 33 Stat. 180
- Act of May 27, 1908, ch. 199, 35 Stat. 312
- Act of June 14, 1918, ch. 101, 40 Stat. 606
- Act of April 10, 1926, ch. 115, § 1, 44 Stat. 239
- Act of Aug. 4, 1947, ch. 458, 61 Stat. 731 (Stigler Act)
- Act of Dec. 31, 2018, Pub. L. No. 115-399, 132 Stat. 5333 (Stigler Act Amendments)

### Creek Nation Governmental Authority

- *Harjo v. Kleppe*, 420 F. Supp. 1110 (D.D.C. 1976), *aff'd sub nom. Harjo v. Andrus*, 581 F.2d 949 (D.C. Cir. 1978)
- *Indian Country, U.S.A., Inc. v. Oklahoma ex rel. Oklahoma Tax Comm'n*, 829 F.2d 967 (10th Cir. 1987)
- *Muscogee (Creek) Nation v. Hodel*, 851 F.2d 1439 (D.C. Cir. 1988)

### Twentieth Century Federal Indian Policy Changes

- Act of June 18, 1934, ch. 576, 48 Stat. 985, codified at 25 U.S.C. §§ 5101, *et seq.* (Indian Reorganization Act)
- Act of June 26, 1936, ch. 831, 49 Stat. 1967, codified at 25 U.S.C. §§ 5201-5210 (Oklahoma Indian Welfare Act)
- Act of January 4, 1975, Pub. L. No. 96-638, 88 Stat. 2203 (Indian Self-Determination Act)

### Books - Histories of the Five Tribes

- GRANT FOREMAN, *THE FIVE CIVILIZED TRIBES: CHEROKEE, CHICKASAW, CHOCTAW, CREEK, SEMINOLE* (1934)
- ANGIE DEBO, *THE RISE AND FALL OF THE CHOCTAW REPUBLIC* (1934)
- ANGIE DEBO, *AND STILL THE WATERS RUN – THE BETRAYAL OF THE FIVE CIVILIZED TRIBES* (1940)
- ANGIE DEBO, *THE ROAD TO DISAPPEARANCE – A HISTORY OF THE CREEK INDIANS* (1941)
- Wilkins, Thurman, *Cherokee Tragedy: The Ridge Family and the Decimation of a People*, (rev. 2d ed. 1986)
- WORK, L. SUSAN, *THE SEMINOLE NATION OF OKLAHOMA—A LEGAL HISTORY* (2010)