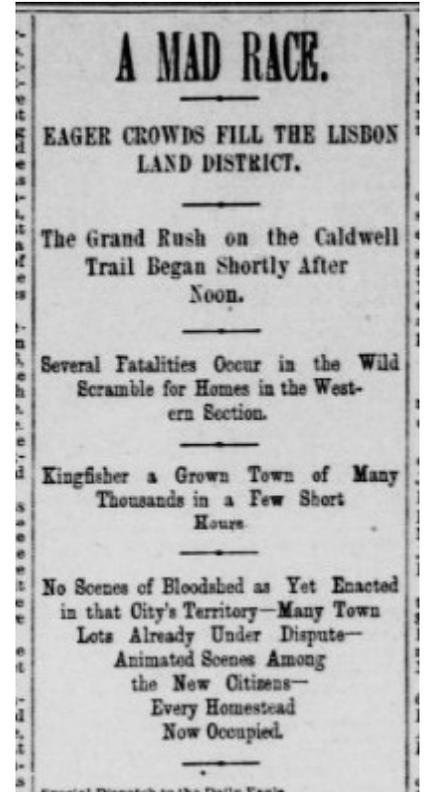




The Opening of Oklahoma

OKLAHOMA HISTORY CENTER EDUCATION DEPARTMENT

A gunshot fired. A cannon roared. Horses startled and wagons sprang to life. On April 22, 1889, **settlers** flooded into the region of central Oklahoma known as the Unassigned Lands. President Benjamin Harrison had signed a **proclamation** on March 23, 1889, opening the land to non-Indian settlers, and people came from across the country to claim it. According to the Homestead Act of 1862, if a settler could stay on the land they claimed for five years and **improved** it, the land would be theirs free and clear. Land ownership during this time offered stability and status in a way money did not. Owning land also offered the potential for great wealth for both farmers and land speculators. Both groups participated in the land runs and openings in great numbers. Other enterprising individuals, offering a skill or service, understood the demands of these newly populated areas and traveled here not to farm or trade in land, but to provide the materials and services needed to transform Oklahoma into a functioning economy. Cities sprang up in a matter of hours. This opportunity came at a great cost to those already living here. The opening of Oklahoma to non-Indian settlement offers the drama of a great story bearing both tragedy and hope.



Wichita Eagle, April 24, 1889 (image courtesy of the Library of Congress).



A family crossing into Oklahoma during the Land Run of 1889 (21412.BH772.2, Z. P. Meyers/Barney Hillerman Photographic Collection, OHS).

Before the Land Runs

Indian Territory

The Five Tribes

Much of the land that is now Oklahoma was used to relocate various Indian nations during the nineteenth century. In 1803, the United States paid France for the Louisiana Purchase. This doubled the size of the United States and increased the number of **indigenous** groups within its boundaries. Once this **sparsely** settled land was added to the country, some people suggested a change in policy toward the Indian nations who lived amongst the people of the US in the heavily populated east. Several tribal nations lived in the southeast and controlled large territories. White settlers were not allowed to use this land. As cotton production became more profitable, whites in the southeast began demanding their state and federal governments do something to allow them to take control of the land.

Some non-Indian leaders argued that moving the tribes to the west, where European settlement had not reached, would be the best policy. They said that this would help everyone. White settlers could use the land purchased from the tribes in the southeast. The citizens of the Five Tribes, once **removed**, would be able to live as they wanted without the intense pressures of their neighbors demanding their land. People who supported removal saw it as a very long-term solution, suggesting it would take a very long time for white settlement to move that far west.



North American tribes, c. 1700 (map courtesy of PBS Learning Media).

Before the Land Runs

Indian Territory

The Removals

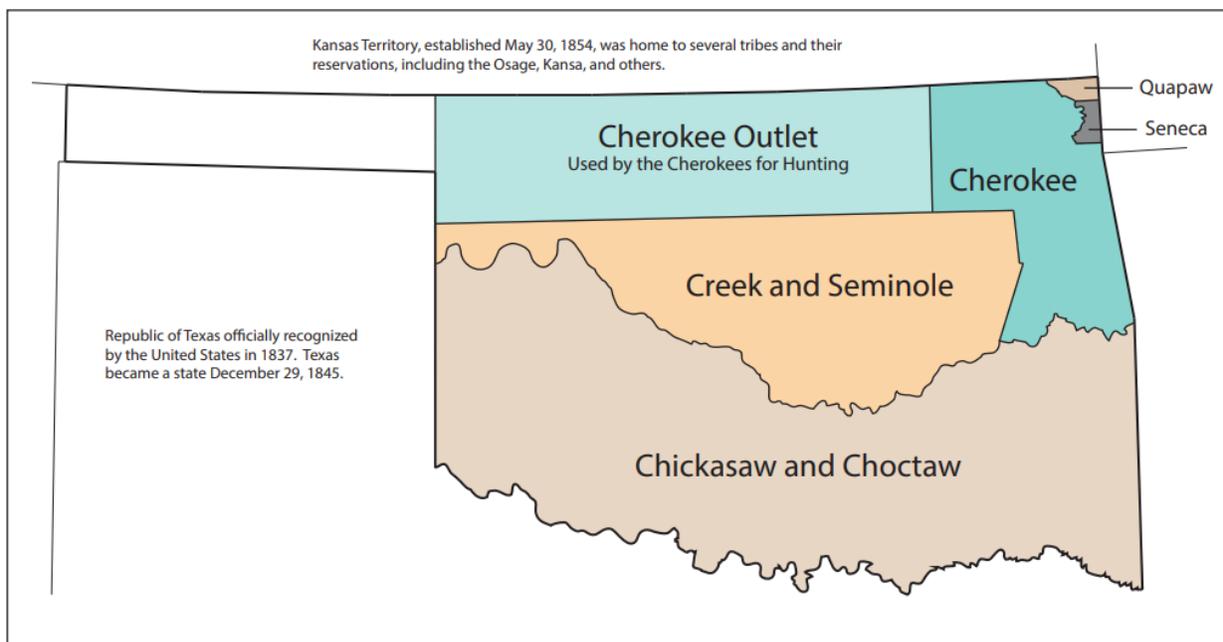
Most of the members of the Five Tribes objected to the idea of selling their land and moving hundreds of miles away. In 1830, Congress passed the **Indian Removal Act**. This law instructed the president to negotiate with the tribes and arrange for their removal to Indian Territory. At the same time, the Cherokee had taken the state of Georgia to court because state officials ignored the tribe's **sovereignty**, or the tribe's right to make decisions for themselves. The Supreme Court found, in a series of cases, that while the federal government has some authority over the different tribes, the tribes also have a fundamental right to make decisions about their citizens. This meant that the federal government had to get the tribes to agree to removal, or the government would violate the Constitution. Andrew Jackson, who was president at the time of these decisions and a supporter of removal, ignored the Supreme Court.

The Five Tribes, both the leadership and the people, did not want to move. Three of the tribes, the Choctaw, Chickasaw, and the Muscogee (Creek), reluctantly concluded treaties with the US government. The Cherokee continued to resist. Jackson negotiated with a small group within the tribe that did not have the right to speak for the tribe as a whole. Jackson then used the signed agreement to force the entire tribe to move. The Seminole Nation retreated further into their territory in Florida and fought the Second Seminole War in their attempt to stay on their land. Although they never surrendered and never signed a treaty, most of the Seminole moved at the conclusion of the war.

Sometimes referred to as the "Trail of Tears," this brutal migration to Indian Territory resulted in thousands of deaths and trauma for the survivors.

Other tribes, such as the Shawnee, Potawatomi, the Sac and Fox were also removed from their original homelands. Not all settled in Indian Territory at the this time.

Indian Territory During the Initial Removal of the Five Tribes as per the Indian Removal Act of 1830



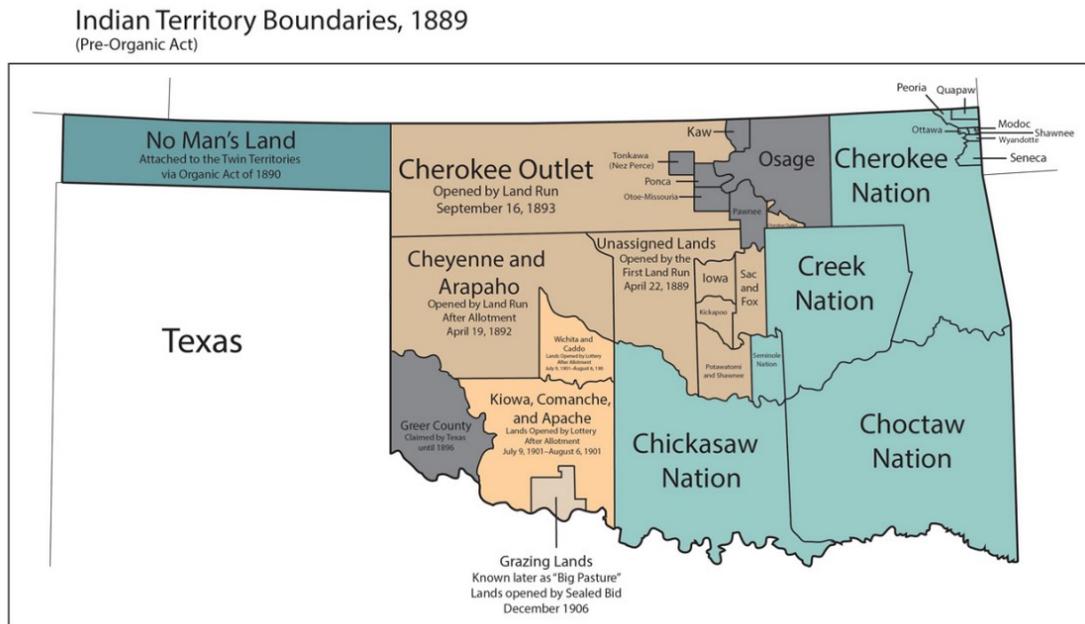
Indian Territory, 1830 (OHS).

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Produced by Katie Bush

Before the Land Runs

Post–Civil War Reconstruction Treaties of 1866 and Concentration

While many people at the beginning of the 1800s believed it would take a very long time to fill the continent, it did not. The boundaries of the Five Tribes changed significantly after the Civil War. Because some tribal factions with the Confederacy during the war, the US government viewed all of the tribes as enemies who should be punished. The government forced the Five Tribes to renegotiate their treaties. The new treaties required the Five Tribes to **cede** a large amount of land. The government used this land to remove other tribes from their original homelands and place them on **reservations**.



Indian Territory, 1889 (OHS).

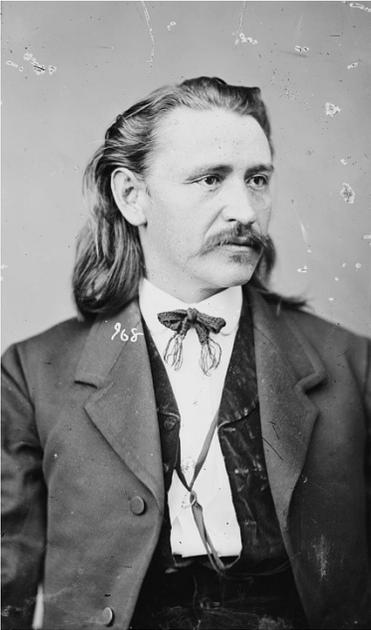
This policy toward different tribes, especially the **nomadic** Plains tribes who ranged over large territories to **sustain** their populations, was rooted in an American objection to different tribal beliefs about land, its proper use, and whether land can be private property. While Indians, as a whole, lacked a single set of beliefs regarding those questions about land, the tribal nations generally rejected the idea that land could be privately owned. The land in Indian Territory was owned by the tribe as a whole and all the citizens had access to use it in providing for their families. This approach led to some severe inequalities within the tribe, but it also ensured a **subsistence** for everyone.

Most leaders and people in the United States deeply objected to tribal members' refusal to accept private property. Many people argued that the different tribes did not use their land well, and it was wrong to allow them to keep control of it when there were Americans who wanted to **intensively** farm the land. Most people believed that living according to European beliefs was the "highest" form of civilization possible. They argued that Indian nations were not as "evolved." According to this view, the people who would use the land the "best" should get the land. It did not matter whose land it was originally. They also believed that individual Indians would have to **assimilate** with this higher level of civilization to survive. They said both ways of living could not exist together for very long.

After the Civil War, the United States fought a series of wars against the tribes in the interior of the country. Although the different tribes effectively challenged the military power of the United States for decades, ultimately each tribe lost. The US negotiated treaties that required each of the tribes to give up much or all of their homeland and accept a much smaller **parcel** of land called a reservation. This **cession** of land created space for non-Indian settlers. This policy is called **concentration**.

Before the Land Runs

Elias C. Boudinot



Elias C. Boudinot (image courtesy of the Library of Congress).

Raised in New England following his father's assassination, Elias C. Boudinot studied law and dabbled in politics. This background proved instrumental in Boudinot's future, as did the internal divisions of the Cherokee tribe that worsened as a result of the Civil War. A loss in a Supreme Court case in 1868 led Boudinot to believe that American Indians should seek the protection of the United States Constitution and secure property rights as individuals rather than through tribal ownership. During the 1870s, Boudinot worked as a railroad attorney and spent much of his time in Washington.

On February 17, 1879, in a letter to the *Chicago Times*, Boudinot claimed that fourteen million acres of Indian Territory, including the Unassigned Lands, should be considered **public domain** and opened to non-Indian settlers. Boudinot's letter spread to other papers throughout the United States, motivating David Payne and other **homesteaders** to seek land in the territory.

Boudinot died in Fort Smith on September 27, 1890, just a year after the first land run.

Boomers

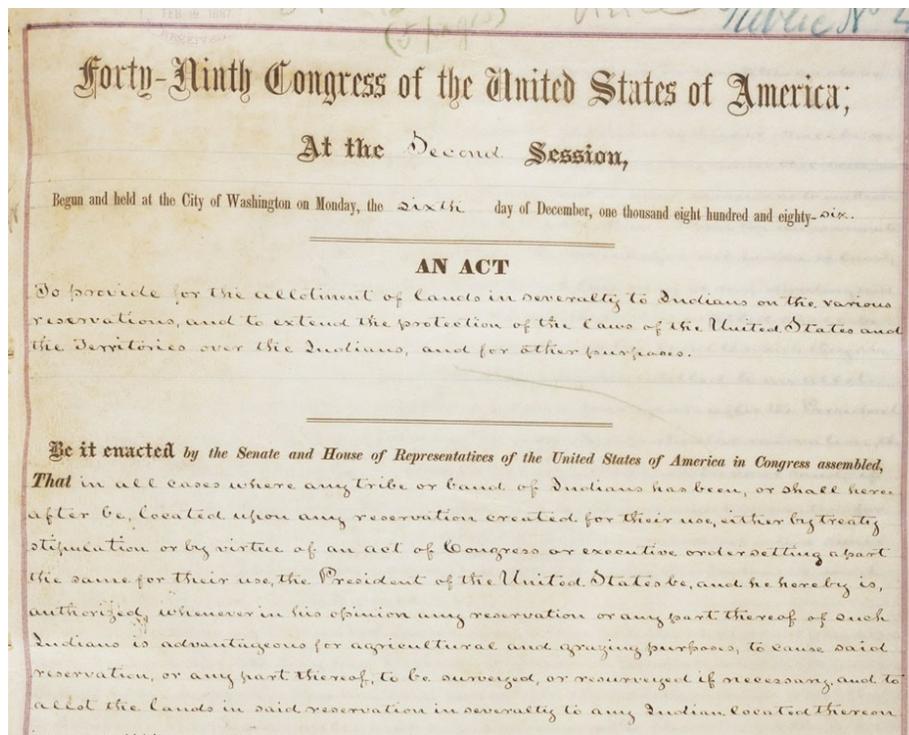


David L. Payne (15118.1, Muriel Wright Collection, OHS).

David L. Payne helped launch the campaign to open the Unassigned Lands in Indian Territory to homesteaders. After moving to Kansas in 1858, Payne was elected to the Kansas Legislature and eventually held minor political posts in Washington, where he learned about the possibility of obtaining land if "the Oklahoma country" was opened to settlement. In August of 1879 he began organizing settlers to move into the Unassigned Lands. Between 1879 and 1884, Payne led a number of **expeditions** into the Unassigned Lands. Each time, Payne was arrested and returned to Kansas by the US Army because it was illegal for whites to settle in Indian Territory.

During an early expedition, Payne and his followers erected a **stockade**, **platted** their town, and began opening the fields for planting before soldiers from Fort Reno arrested the group and escorted them to Kansas. The government maintained treaty **stipulations** with the Indian nations denying the **boomers** access to the Unassigned Lands and eventually tried Payne before Judge Isaac C. Parker in Fort Smith. Payne continued to push for the settlement of the area. In 1884 he went on a speaking tour to raise money for the Boomer Movement. Payne died in a Wellington, Kansas, hotel on November 28, 1884. Despite his death, the campaign for opening the Unassigned Lands continued until the opening of the territory in 1889.

The Dawes Act and Allotment



The Dawes Act (image courtesy National Archives).

Elias C. Boudinot and the boomers represented a broader shift in what people thought about Indians and the policies affecting them. In addition to the boomers who simply wanted Indian land, reformers noted high-profile cases of **corruption** that caused real harm on the reservation. Many believed the reservation system benefitted no one. They argued that the US government needed to do something to protect Indians from abuse. In the nineteenth century, most non-Indians in the United States believed that land ownership offered that protection. From their perspective, owning land allowed a person to support themselves without relying on anyone else for their survival. They also thought that the more Indians adopted their way of life, the better off the Indians would be. One supporter in the influential Indian Rights Association advocated “the absorption of the Indians into the religious, political and social life of the American people. Only in this way can they be preserved as individuals from ultimate destruction.”

Support grew for a proposal to take the reservation land and assign it to individual Indians as their private property. Breaking tribal land into individually-held parcels is called **allotment**. Eventually, this idea became the Dawes Act along with some other elements. These include dissolving the tribal governments, allowing most Indians US citizenship after a period of time, and selling the excess land. A requirement for Indian children to attend boarding schools, where the curriculum and living conditions modeled assimilation, was also a part of the Dawes Act. Authors and supporters of this law believed that by assigning individual Indians private property, pushing them to farm, and educating their children for non-Indian society would permanently solve the challenges facing Indians.

The Dawes Act did not apply to the Five Tribes.

The First Land Run



The Land Run of 1889 (image courtesy of the Library of Congress).



People registering their claims at the Land Office (image courtesy of the Library of Congress).

The first land run opened the Unassigned Lands in the center of Indian Territory. Surrounded by different tribal nations, this land had not been assigned to any tribes. While the rest of what would become the state of Oklahoma required the process of allotment and other legislation to open, this portion did not. Congressman William Springer simply added an **amendment** to a spending bill allowing the president to open the area to settlers. President Benjamin Harrison signed the bill and the process to open the land began. The requirements to participate in the land run were easy given the time period. Single women were welcome to attempt a claim, as were African Americans and non-citizens.

In the month between the president's signature and the April 22 gunshot, hopeful landowners-to-be massed along the borders of Indian Territory, especially in Kansas. US troops did what they could to prevent sooners from gaining access to the land early. In that endeavor, they had some successes and some failures.

On the day of the race, participants attempted every mode of transportation: special trains, wagons, horseback, bicycles, and walking feet. Special "boomer" trains were required to observe a speed limit, that of a horse, to try to keep things fair. Witnesses emphasized the inevitable chaos of the land run. As the day came to a close, over two million acres of land had been claimed and two cities of over 10,000 each sprang up. The method for distributing land caused some knotty problems. It was easy enough for honest people to make a claim on the same land because they were on the opposite sides of hill. There were also several bad actors who bullied and intimidated their way into land claims. Some of the disputes went into the court system and took years to resolve.

The Jerome Commission

Several commissions were organized after the Dawes Act. They were tasked with negotiating with different tribes. Their goal was to get the tribes to accept allotment and to sell the **surplus** land to the US government. The Jerome, or Cherokee, Commission was assigned several tribes and were to negotiate with the Cherokee to surrender a part of their territory called the Cherokee Outlet. Except for the Cherokee, they focused on the tribes in western portion of Indian Territory. These included the Iowa, Sac and Fox, Potawatomi, Shawnee, Cheyenne and Arapaho, Wichita, Kickapoo, Tonkawa, Kiowa, Comanche, and Apache. Because most of the other commissions dealt with one or two tribes, the Jerome Commission set the primary approach to the process of allotment.

Their negotiating strategy left little opportunity for compromise. The commissioners explained that allotment would happen either under agreements they negotiated or it would happen under the authority of the Dawes Act. If allotment was done under the Dawes Act, those receiving land would receive smaller parcels of land and no additional money from the sale of surplus lands. The commission argued that those receiving land would be more wealthy than any white man because each family member would receive an allotment and that tribal members should appreciate the opportunity to have land and live like non-Indians. Some or all of the land would not be able to be taxed or sold until a period of time passed, usually twenty-five years. If the owner rented or leased the land in the meantime, the money would be paid to the **Bureau of Indian Affairs** and the owner would get a small monthly allowance, usually ten dollars. The commission was authorized to pay up to \$1.25 per acre for the surplus land, but they never came close to paying that price to any of the tribes. The agreements the commission signed paid a range of 27¢ to \$1 per acre, depending on the agreement.

In the twentieth century, most of these payments were found to be far too low and the tribes received additional payment. Another issue that government officials later acknowledged was that the commission did not follow rules of some earlier treaties that required a percentage of the entire tribe consent to a new treaty or the sale of tribal land, even though the commission knew about this requirement.



Commissioner David Jerome (image courtesy Bentley Historical Library).

In addition to negotiating with the western tribes, the Jerome Commission was tasked with securing the Cherokee Outlet from the Cherokee tribe. This proved challenging as the tribe had turned that territory into a money-maker by leasing the land to cattle ranchers. The tribe did not want to lose the land that allowed them to earn hundreds of thousands of dollars. Negotiations dragged for months until President Benjamin Harrison outlawed grazing in the outlet and sent in the army to remove the ranchers. This eliminated the source of revenue the Cherokees had been trying to protect, and they agreed to terms.

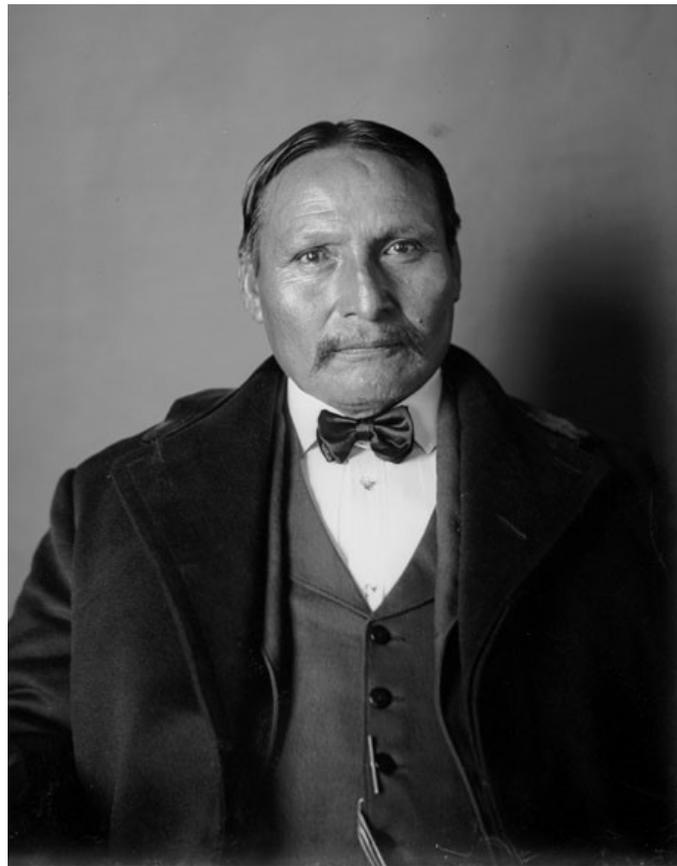
Reception and Resistance

When the Jerome Commission began their negotiations, most of the tribes believed that the US government recognized their sovereignty and that they would have a voice in what happened. So, the tribes the Jerome Commission negotiated with in 1890 and 1891 told the commission members that they preferred to keep the reservation as is. They expressed strong opposition to the concept of allotment. Breaking the land up and living as farmers held no charm for the Iowa, Sac and Fox, Kickapoo, Cheyenne, and Arapaho. These communities lived in closely laid out villages, which allotment would disrupt. Farming was not a primary economic activity for these tribes. For these groups, the farming the tribes did was women's work, so the commission was asking these communities to adjust their understanding of gender roles. Basically, they objected to the entire proposition.

Once it became clear that allotment would proceed with or without the tribes' consent, the tribal nations took different approaches. The Sac and Fox negotiated quickly and received larger acreages than most of the other tribes. Several tribes attempted to hire lawyers. The members of the Jerome Commission pushed back hard against this, even though the lawyers who found a place at the negotiating table worked to convince the tribes to cooperate with the government.

The most frequent resistance offered, by both governments and individuals within tribes, was noncooperation. Consistently, tribal leaders refused to agree to terms, and individuals opposing allotment refused to participate in the selection of land. The Osage, Kaw, Otoe, and Ponca never reached agreements with the Jerome Commission, although they did undergo allotment under the Dawes Act.

In addition to noncooperation, the Kiowa leader Lone Wolf took the government to court and the case reached the Supreme Court in *Lone Wolf v. Hitchcock* (187 U.S. 553, 1903). He wanted the courts to stop allotment. The court found that Congress could constitutionally break treaties with tribe because they had absolute, or **plenary**, power over Indian policy.



Lone Wolf the Younger (image courtesy of the Smithsonian Institution).

Opening Western Oklahoma



Waiting to make the Cherokee Strip run, 1893 (4997, Oklahoma Historical Society Photograph Collection, OHS).

The primary reason for allotment and the purchase of surplus land was to make it available for non-Indian settlers. After the Jerome Commission reached all the agreements they could, plans proceeded to open the land. In addition to the opening of the Unassigned Lands in 1889, land runs took place in 1891, 1892, 1893, and 1895. These runs were chaotic and they seemed to provoke conflict by causing strangers in high-stress situations to compete with each other. These conflicts sometimes became violent or they spilled into the court system, taking months or years to resolve. The latter land openings were handled through **lotteries** and a **sealed-bid auction**.

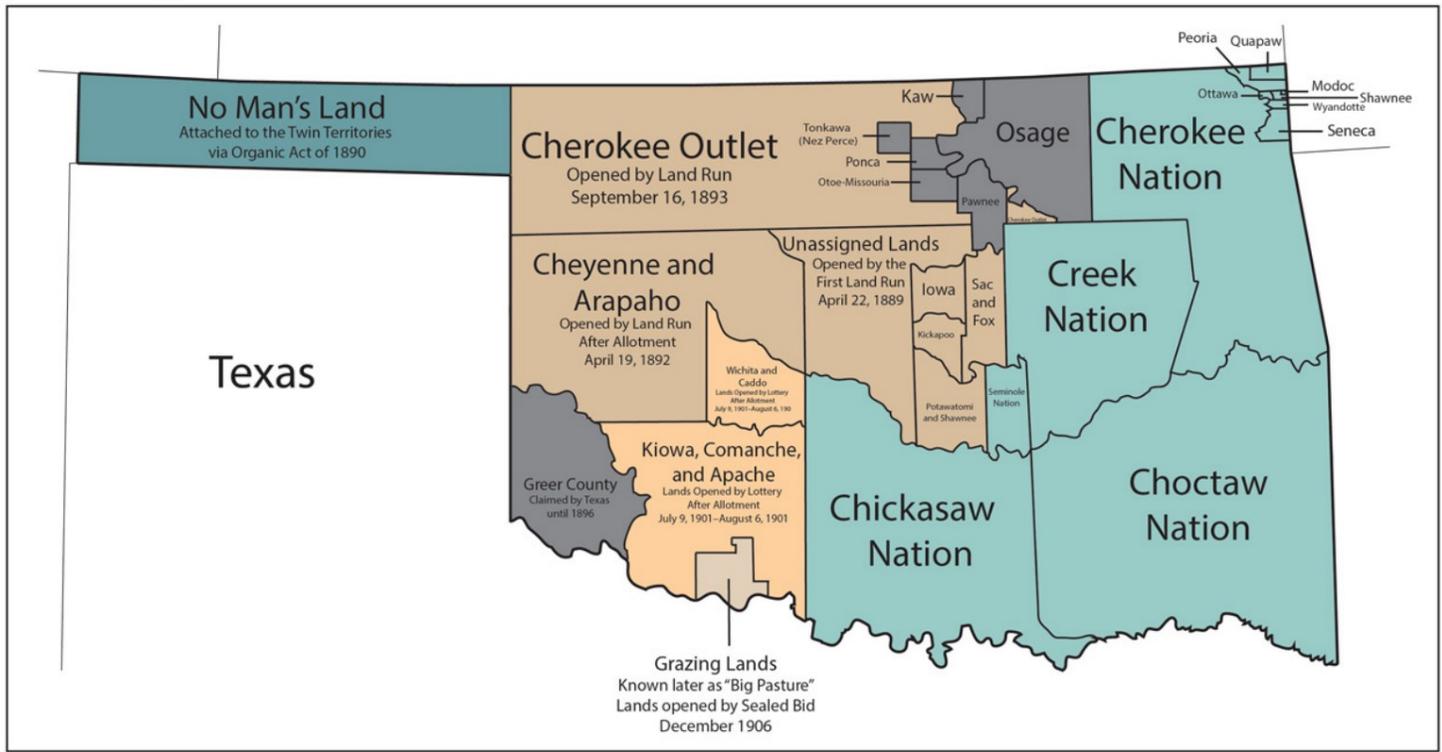
These land openings attracted people from all over the world, and Oklahomans can trace their family's history to this event. The land openings provided a chance to acquire a large tract of land to many who would otherwise never have that opportunity. The nature of the land openings also allowed small ethnic and religious communities to develop throughout Oklahoma with relative freedom. This promising beginning for some turned into wealth and security for future generations. Others would struggle as they faced the challenges of surviving in a environment without a mature economy or developed **infrastructure**.



"The Race," William S. Prettyman, photographer, 1893 (4364, Czarina Conlan Collection, OHS).

Opening Western Oklahoma

Indian Territory Boundaries, 1889 (Pre-Organic Act)



The Sac and Fox, Iowa, and Potawatomi lands opened in 1891 and the Kikapoo land opened in 1895 (OHS).

The Dawes Commission and the Allotment of the Five Tribes

The Dawes Act did not apply to the Five Tribes, but it did not take long for Congress to decide that allotment was also a good idea for the Five Tribes. In 1893, a bill funding the Indian Office established a commission tasked with convincing the Five Tribes to allow the allotment process in their nations. The commission organized in late 1893. They began the process of contacting the tribal leadership, getting the membership lists, and starting discussions about breaking up the tribal land. The leadership of the Five Tribes largely ignored the requests of the commission for months, and the commission accomplished little until it was strengthened by Congress with the Curtis Act of 1898. The process was complicated beyond one party's refusal to cooperate. Other challenges included the different tribes holding a range of attitudes towards their former enslaved people, commonly referred to as Freedmen. The government had forced the tribes to include these African Americans in their tribes after the Civil War, and now there were significant disagreements concerning what should be due the Freedmen. There were also **affiliated** bands of tribal nations living outside of Oklahoma, particularly the Choctaw, that required consideration.

The Dawes Commission oversaw the process of allotment for the Five Tribes. They managed the membership rolls and **surveying** of the land, and attempted to ensure the allotments were fairly distributed. They handled disputes between claimants and **assessed** the value of improvements to land parcels where people were already living. They advertised, monitored, and recorded land agreements between Indians and others. The Dawes Commission had some say in where towns organized.



Dawes Commission (819, Oklahoma Historical Society Photograph Collection, OHS).

The Curtis Act

Congress passed the Curtis Act in 1898 because the Dawes Commission had made little progress in the first two years of negotiating. This law allowed the Dawes Commission to take over the several functions of the tribal government, such as law enforcement and determining citizenship. It called for the **dissolution** of tribal government. The practical effect of the Curtis Act is that it allowed allotment to proceed even though the elected tribal governments refused to consent. The law also allowed for the development of towns and made provisions for residents to vote for local officials.



Land surveyors, 1903 (19391.14.2, Irvin Peithman Collection, OHS).

Response and Resistance

The tribal governments showed their position by refusing to engage with the Dawes Commission in any meaningful way, until the Curtis Act allowed the commission to **circumvent** the tribal governments. There was great division amongst the membership of the tribes with large numbers of each tribes supporting and looking forward to allotment. The majorities within the Five Tribes opposed allotment to one degree or another. In the numerous instances of Indians testifying before Congressional committees, the dominant position offered was a desire to go back to the treaties of the 1830s that guaranteed tribal sovereignty and promised **non-interference** by the US government. This position frustrated the committee members to no end.

The vast majority of individuals strongly opposed to allotment refused to participate in the selection process, complicating and extending the time and effort of the Dawes Commission. The Nighthawk Keetoowah Society, organized by Redbird Smith, focused efforts to resist allotment in the Cherokee tribe. Their members refused to accept allotment, and moved to the area around Blackgum Mountain to avoid modernization and the allotment process.

The Crazy Snake movement is probably the most well known active resistance to allotment. Followers of Chitto Harjo, Muscogee (Creek), attempted to establish an alternate tribal government, claiming a following of over five thousand. They targeted tribal members that supported allotment, taking their property and administering whippings. Once violence began, the authorities became involved and tracked down the “Snakes.” A brief clash resulted in the death of a posse member. The military was called in, although the principal actors surrendered shortly after. Close to two hundred were arrested, but most were freed once they broke their loyalty to the Snake movement. Eighteen served sentences for other crimes.

These efforts failed in their attempt to reverse allotment. They did lead to a broader political movement opposing Indian policy called the Four Mothers Nation, and laid the groundwork for a reevaluation of Indian policy in the 1930s.



Chitto Harjo (609, Oklahoma Historical Society Photograph Collection, OHS).

TO HOLD POWWOW

CHOCTAW AND CREEK SNAKES
GOING TO KEETOWAH.

Special Dispatch to the State Capital.
Eufaula, I. T., Aug. 10.—A squad of fullblood Choctaw Snakes, fifteen in number, passed through Eufaula on their way to the Keetowah stronghold in the Cherokee nation. They will be reinforced en route by a band of Creek Snakes headed by Chitto Harjo. A few Seminole stragglers will probably bring up the rear.

When these Indians are all assembled at the council ground of the Keetowahs there will be something doing, it is whispered.

Fiery speeches punctured by the hoots of the Cherokee “Night Hawks” will be made advocating the dismissal of the Dawes commission from service and the restitution of every treaty abrogated by the government at Washington. Uprising and removal to Mexico will be touched upon. All in all, it promises to be the biggest powwow yet held by the disaffected Indians of the Five Tribes.

The Oklahoma State Capital, August 15, 1903.

Perspectives: Women in the Land Run

Many women, both white and African American, participated in the Land Run of 1889. They were lured by promises of inexpensive land and further opportunities. Married women followed their husbands, sometimes unhappily, to what was considered the uncivilized **frontier**. Single and **widowed** women also made the race themselves for the same reasons. The Homestead Act stated, in regards to gender, that women must be single or widowed, at least twenty-one years of age, and the head of household to claim a homestead. Upon arriving and staking a claim, women worked alongside men to build their homes and begin their farms. Along with taking care of any children, they also labored to take care of a household, often within a primal **sod home** and without the same **conveniences** of their former lives in the east. The women were forced to be versatile, using what they could find to keep their homes. For example, they gathered **cow chips** to burn for cooking; chased out intruding mice, snakes, and bugs; and cooked while sometimes having to shield falling dirt and mud from the food. They also served as mediators, politicians, leaders, and teachers until towns could be established.



A woman holding down a claim on a town lot in Guthrie, Oklahoma Territory, following the Land Run of 1889 (15727, D. S. Mitchell Collection, OHS).



Two women and one man on horseback in front of the Southwestern Lumber Company just before the run (19412.7, William F. Harn Collection, OHS).

Perspectives: African Americans

Both individuals and groups of African Americans pursued success in the land openings. Lizzie Robinson's parents traveled with a "whole train load" of African American families to participate in the 1889 run. She reported that all found claims in Blaine, Canadian, and Kingfisher Counties. De'Leslaine Davis and his brother settled there as well. A. M. Capers settled in the Cherokee Outlet in 1893. He reported a high degree of cooperation between African American and white residents, including sharing an integrated school until they managed to build two separate buildings. He served as justice of the peace for forty years in his integrated community. Mattie Carroll, her sister, and mother found a homestead during the Cheyenne and Arapaho opening. Later, she and her husband successfully placed a bid for land the Kiowa-Comanche-Apache opening. Significant populations of African Americans already lived in eastern Oklahoma and this increased the attraction for later arrivals to move to Oklahoma. Several All-Black towns have their roots in the land openings, especially the ones located in western Oklahoma. In 1900, the African American population in the Oklahoma and Indian territories numbered over twenty thousand.



Mansion in Oklahoma (4574.17, Oklahoma Historical Society Photograph Collection, OHS).

Perspectives: Settlers

Not all who made the Land Run of 1889 got a **claim**. Thanks to the diary he left behind, generations of Oklahomans can learn the story of Lew F. Carroll and his family, who ran but did not obtain a claim in 1889.

The Carroll family left their home near Chetopa, Kansas, on April 11, 1889, to trek to the opening of the Unassigned Lands in Oklahoma Territory. They loaded their wagon with a tent and camping supplies, food for themselves and their team of horses, a compass, an ax, a single-barrel shotgun, a revolver, and a map of Indian Territory. In preparation for finding a new farm, Lew Carroll tied his sod plow to the side of his wagon. On the way, the Carrolls encountered other settlers traveling to the starting line and American Indians from the area who were, in Lew Carroll's words, "none too friendly, thinking that their country might soon be taken from them."

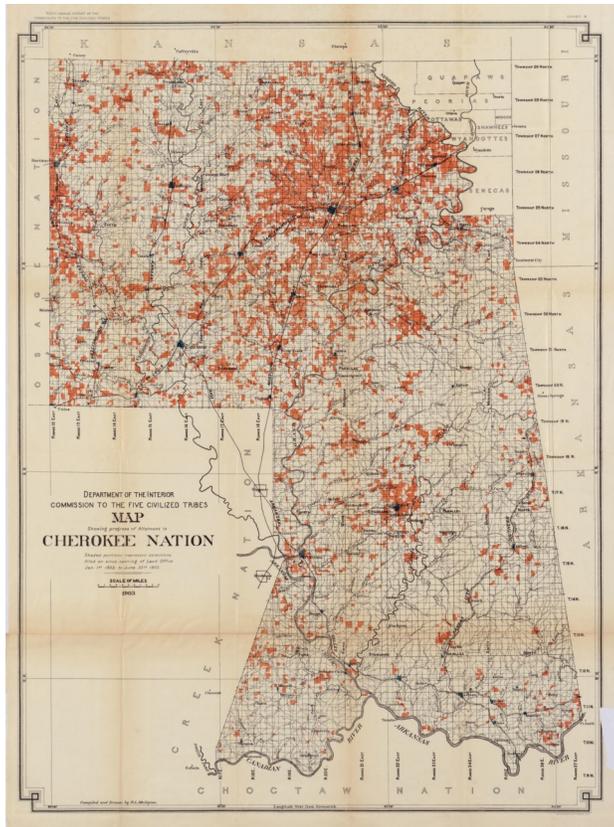
The Carrolls joined the frenzy at the starting line at noon on April 22, 1889, for "Harrison's Horse Race." At twelve o'clock sharp, the settlers dashed off to claim their land. Lew Carroll and his family searched all day but found nothing available that suited them. They continued their search the next day, but by April 24 they decided to make their way home to Kansas. On May 2, 1889, Lew Carroll reached his home near Chetopa feeling "a little out of sorts, but will be all right soon."

Lew Carroll did not give up on obtaining land in Oklahoma Territory. In the spring of 1890 he and his family moved to the Oklahoma state line near Arkansas City, Kansas, in anticipation of the opening of the Cherokee Outlet. Lew Carroll staked his claim in the land opening in 1893.



Lew F. Carroll hunting a claim in the Land Run of 1889 (15728, D. S. Mitchell Collection, OHS).

Perspectives: Land Speculation During Allotment



Allotment of the Cherokee Nation (image courtesy of the Library of Congress).

When it became clear that the country's leadership would adopt a policy of allotment for Indian land, wealthy individuals and groups perceived that large profits might be had. The process of enrolling tribal members, surveying land, and allotment included a spectrum of opportunities to acquire land. Some individuals faked membership and bribed tribal leaders to confirm their status. Speculators paid clerks in the Dawes Commission office for access or copies to the official surveying maps and allotment data. This provided the investor the name of the Indian who acquired specific pieces of desirable land before the information became widely known. This type of investigation became a thriving industry, especially after the Glenn Pool oil reserve. The clerks in the office and their supervisors believed they were being honest and ethical because they only did the research for these outside clients during their unpaid time. Congressional testimony describes how investors approached Indians with a nominal offer for a long-term lease and then reaped profits.

Legislation in place to protect Indians from becoming landless was removed rapidly in the early 1900s. Laws placed the allotted land in **trust** with the government, and the individual tribal member did not own the land outright until the end of a twenty-five-year period. Subsequent laws chipped away at this protection. The first change allowed the permanent sale of inherited allotments. The 1906 Burke Act allowed the secretary of the interior to change an individual's status to "competent." This would allow the government to assess taxes on the property, and the land could be sold. This provision was frequently manipulated by individuals attempting to acquire land for resale or development. This period of American history resulted in the transfer of more than 90 million acres (about two-thirds of Indian-held land) to non-Indian ownership.

INDIAN LAND FOR SALE

GET A HOME OF YOUR OWN

EASY PAYMENTS



PERFECT TITLE

POSSESSION WITHIN THIRTY DAYS

FINE LANDS IN THE WEST

IRRIGATED IRRIGABLE GRAZING AGRICULTURAL DRY FARMING

IN 1910 THE DEPARTMENT OF THE INTERIOR SOLD UNDER SEALED BIDS ALLOTTED INDIAN LAND AS FOLLOWS:

Location	Acres	Average Price per Acre	Location	Acres	Average Price per Acre
Colorado	5,211.21	\$7.27	Oklahoma	34,664.00	\$19.14
Idaho	17,013.00	24.85	Oregon	1,020.00	15.43
Kansas	1,684.50	33.45	South Dakota	120,445.00	16.53
Montana	11,034.00	9.86	Washington	4,879.00	41.37
Nebraska	5,641.00	36.65	Wisconsin	1,069.00	17.00
North Dakota	22,610.70	9.93	Wyoming	865.00	20.64

FOR THE YEAR 1911 IT IS ESTIMATED THAT **350,000 ACRES** WILL BE OFFERED FOR SALE

For information as to the character of the land write for booklet, "INDIAN LANDS FOR SALE," to the Superintendent U. S. Indian School at any one of the following places:

CALIFORNIA: Bishop.	MINNESOTA: Ojibwa.	NORTH DAKOTA: Fort Totten.	OKLAHOMA - Cont. See and Fee Agency.	SOUTH DAKOTA: Fort Snare.	WASHINGTON: Fort Spokane.
COLORADO: Ignacio.	MONTANA: Crow Agency.	OREGON: Astoria.	WISCONSIN: Klamath Agency.	WEST VIRGINIA: Fort Snare.	IDAHO: Lapwai.
KANSAS: Horton.	NEBRASKA: Hart.	NEBRASKA: Hart.	NEBRASKA: Hart.	NEBRASKA: Hart.	NEBRASKA: Hart.
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WALTER L. FISHER, Secretary of the Interior. **ROBERT G. VALENTINE,** Commissioner of Indian Affairs.

Advertisement for Indian Land (image courtesy of Library of Congress).

Activities

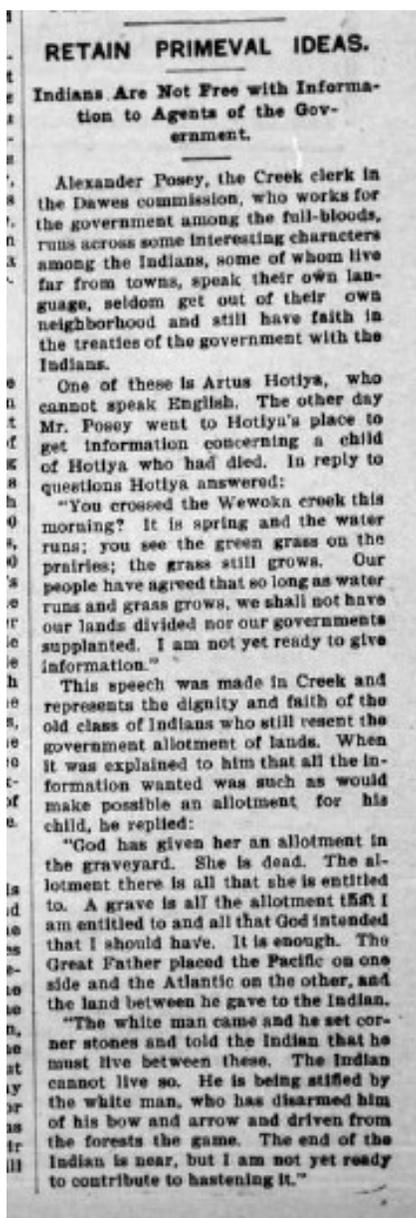
Justifying an Argument: Allotment Refusal

Many American Indians refused to cooperate with the allotment process. At several points, people who refused their allotment were asked why. These individuals had to explain and **justify** why they rejected this offer of land. Read the newspaper article about the views of Artus Hotiya and the Senate testimony of Redbird Smith and think about the questions below.

Why does Mr. Hotiya refuse allotment?

Why does Mr. Smith refuse?

Do they share any reasons for their choice? How do they differ?



The Cushing Democrat, June 7, 1906.

Q. Yes, we know it, Mr. Smith, that is all right. We appreciate the difficulty you are under, Mr. Smith, but go ahead and do the best you can.—A. The people that live at their homes in the different districts of the Cherokee people of the full bloods have sent me here today to talk with you, and to come before your respected committee, that I now have the opportunity to express my remarks to you. The condition of the four nations together, and we the full-blood Indians, there is still a great many of us that still contends for our original rights. We want our old original rights which our grandfathers made; a treaty and agreement with one another in the presence of our God, and declared that we would love it and respect it as we love our God, and we have done so up to the present time. We made that treaty and agreement with the great father that we love at Washington, and he guaranteed with us when that treaty was made that it would remain as long as the grass grows, trees grow, water runs, and the sun rises and shines. I mean that the United States Government was to be the guardian of the Indians. I live under these respective treaties that have been made between the Government of the United States and the Indians, and I am resting now under these treaties, but I am suffering from the infraction of them. I have suffered in the past and I am still suffering up to this date. According to the treaty I made with my father I am trying to live in peace and happiness and friendship, and raise my children up in good, and I am respecting these treaties and have respected them up to this time.

At the present time the Indian's land is divided up in severalty and that was done without my agreement or consent, for I never agreed or consented for anyone to make any such a treaty and the full-blood Indians never consented to it. I never consented to any agreement to divide up my land, and I don't want it divided up. I want the old treaty. When the Dawes Commission was here for the purpose of making the enrollment for final settlement by the allotment of the land, I stood up for my rights. I stood for the treaties and agreements that were made by my fathers with the Government of the United States; and I was at home enjoying myself in peace when I was arrested and taken to prison. I and several other Indians were arrested and taken together to the Muskogee jail for standing up for our rights—my own old treaty with the United States Government—as I have always stood for it without violating any part of it, nor have I violated any law.

The CHAIRMAN. Tell him that Congress in order to protect him in his farm and the possession of it forever has provided a way for him to make a permanent home as the result of his work; that we all hope he will agree to the after treaties that were made and thus preserve what he now has.—A. I can't stand and breathe and live if I take this allotment. Under the allotment rules I would see all around me—I see now all around me and all the Indians—people who are ready to grab from under us my living and my home. If I would accept such a plan I would be going in starvation. To take and put the Indians on the land in severalty would be just the same as burying them, for they could not live. I will present this [presenting to committee Exhibit 5]. Now, will you accept that, father?

Testimony of Redbird Smith. Report of the Select committee to investigate matters connected with affairs in the Indian Territory with Hearings, November 11, 1906–January 9, 1907

Conducting Research: Tribal Perspectives Today

Although the Dawes Act and allotment are considered to be policies that negatively impacted the tribes, these nations managed to survive into the current century. Many of these nations operate websites that present these historical events from their perspective. Follow the links on this page to learn how different tribes present their ancestors' experiences during the allotment period.

[Absentee-Shawnee Tribe of Indians of Oklahoma](#)

[Alabama-Quassarte Tribal Town](#)

[Apache Tribe of Oklahoma](#)

[Caddo Nation of Oklahoma](#)

[Cherokee Nation](#)

[Cheyenne and Arapaho Tribes](#)

[Chickasaw Nation](#)

[Choctaw Nation of Oklahoma](#)

[Citizen Potawatomi Nation](#)

[Comanche Nation](#)

[Delaware Nation](#)

[Delaware Tribe of Indians](#)

[Eastern Shawnee Tribe of Oklahoma](#)

[Fort Sill Apache Tribe](#)

[Iowa Tribe of Oklahoma](#)

[Kaw Nation](#)

[Kialegee Tribal Town](#)

[Kickapoo Tribe of Oklahoma](#)

[Kiowa Indian Tribe of Oklahoma](#)

[Miami Tribe of Oklahoma](#)

[Modoc Nation](#)

[Muscogee \(Creek\) Nation](#)

[The Osage Nation](#)

[Ottawa Tribe of Oklahoma](#)

[Otoe-Missouria Tribe of Indians](#)

[Pawnee Nation of Oklahoma](#)

[Peoria Tribe of Indians of Oklahoma](#)

[Ponca Tribe of Oklahoma](#)

[Quapaw Tribe of Indians](#)

[Sac and Fox Nation](#)

[Seminole Nation of Oklahoma](#)

[Seneca-Cayuga Nation](#)

[Shawnee Tribe](#)

[Thlopthlocco Tribal Town](#)

[Tonkawa Tribe of Indians of Oklahoma](#)

[United Keetoowah Band of Cherokee Indians in Oklahoma](#)

[Wichita and Affiliated Tribes](#)

[Wyandotte Nation](#)

Practicing Evidence Based Writing: Settler Interviews

In the 1930s, the government paid writers to develop an archive called the Indian Pioneer Papers. Containing thousands of interviews, this collection offers insight into the **social history** of Oklahoma before statehood. You can search this collection here: <https://digital.libraries.ou.edu/whc/pioneer/>

Locate five interviews that document the land runs. As you read them, consider what they have in common. For example, do most of them describe a particular challenge (lack of resources, disorganization) or topic (family, food)? If there is agreement, then that element is likely key to understanding the event and experience. Once you have examined these records, write one of the following:

- Historical fiction—a fictional account will take the elements that are most likely to be a part of a historic event and places them in an imaginative, created story.
- Non-fiction—select the shared experience or detail and do additional research. Write a short essay about the importance of the shared experience or detail. Be sure to include the basic facts (who, what, where, when, how, and why), the broader context, and the significance.

You may find that the participants in the runs frequently describe their living arrangements. A woman holding down a claim on a town lot in Guthrie, Oklahoma Territory, following the Land Run of 1889 (15727, D. S. Mitchell Collection, OHS).



Glossary

affiliated: Closely connected to

allotment: A piece of a whole. During the opening of Oklahoma, tribally-held lands were broken up and assigned to individuals.

amendment: An addition or change.

assessed: Determine the value of.

assimilate: To adopt the characteristics and practice the customs of the dominant culture.

boomers: Settlers who wanted Indian Territory opened for non-Indian settlement. In trying to force opening, boomers would sneak into Indian Territory and attempt to establish settlements.

Bureau of Indian Affairs: The federal agency tasked with implementing American Indian policy

cede/cession: Give up.

circumvent: To go around.

claim: To take or assert ownership.

concentration: The US policy that reduced tribally controlled land and confined Indians to reservations

convenience: Something that reduces effort or difficulty.

corruption: Using one's official power for dishonest purposes or personal gain.

cow chips: Dried cow dung.

dissolution: The closing down or termination of.

expeditions: A journey by a group for a purpose such as exploration, research, or war.

frontier: Wilderness or areas with few settlers or towns.

homesteaders: Individuals attempting to develop functioning farms where that type of agriculture had not been practiced before.

justify: Provide logical reasons why a claim should be considered accurate or correct.

improved: A piece of land that has something constructed on it, like a well, house, or barn.

Indian Removal Act: The law passed in 1830 that gave the president power to negotiate with tribes with the goals of taking control of their land and moving the tribe west.

indigenous: The original or earliest known inhabitant of a place.

infrastructure: All of the things needed to do something; in the oil industry, pipelines, seismic equipment, trucks, storage facilities, refineries are necessary to acquire and sell the product. These are examples of infrastructure.

intensively: The approach to agriculture that seeks to achieve maximum production.

lottery: A drawing used to distribute land parcels by chance.

nomadic: Groups that move from place to place, usually seasonally, within a defined area.

non-interference: Avoiding involvement.

parcel: A distinct piece of land.

platted: Mapping and planning the use of land.

plenary: Ultimate or supreme authority.

proclamation: A public or official announcement.

public domain: Land belonging to the nation, managed by state or federal government.

reservations: Areas where many American Indians were confined along with other tribal members before the Dawes Act divided Indian land into individual allotments.

sealed-bid auction: A type of transaction in which participants submit their offers at the same time. The person who made the highest offer wins.

settlers: A person who moves to a new area with the intention of staying.

social history: The study of how people lived their day-to-day lives.

sod home: A dwelling made of dirt bricks.

sooners: Individuals participating in the land runs that snuck in before the official start time.

sovereignty: The power to govern without outside interference

sparsely: Not crowded

stipulations: Requirements that must be met.

stockade: A defensive wall.

subsistence: The minimum amount of resources needed for survival.

surplus: Extra

surveying: Examine and record the area and features of (an area of land) so as to construct a map, plan, or description.

sustain: To support well enough that something continues.

trust: Controlling the property of another. In this context, the US government held individual Indian allotments for various periods of time, meaning Indians could not sell their land.

widow: A woman whose husband has died.

Bibliography

- Hagan, William T. *Taking Indian Lands: The Cherokee Commission, 1889–1893*. Norman: University of Oklahoma Press, 2011.
- Carter, Kent. *The Dawes Commission and the Allotment of the Five Civilized Tribes, 1893–1914*. Orem, Utah: Ancestry.com Inc., 1999.
- Chang, David A. *The Color of the Land Race, Nation, and the Politics of Landownership in Oklahoma, 1832–1929*. Chapel Hill (C.): University of North Carolina Press, 2010.
- Weeks, Philip. *Farewell, My Nation*. New York: Harris-Brown Publishers, 1978.
- Hoxie, Frederick E. *Encyclopedia of North American Indians*. Boston: Houghton Mifflin Harcourt Publishing Company, 1996. <https://search-ebSCOhost-com.vortex3.uco.edu/login.aspx?direct=true&db=nlebk&AN=6816&site=ehost-live>.
- Green, Donald E., “Settlement Patterns,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=SE024>.
- Carter, Kent, “Dawes Commission,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=DA018>.
- Tatro, M. Kaye, “Curtis Act (1898),” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=CU006>.
- Kidwell, Clara Sue, “Allotment,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=AL011>.
- Everett, Dianna, “Indian Territory,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=IN018>.
- Brown, Kenny L., “Oklahoma Territory,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=OK085>.
- Everett, Dianna, “Land Openings,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=LA016>.
- Hoig, Stan, “Land Run of 1889,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=LA014>.
- Hoig, Stan, “Boomer Movement,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=BO011>.
- McIntosh, Kenneth W., “Harjo, Chitto,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=HA020>.
- McIntosh, Kenneth W., “Crazy Snake Uprising,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=CR004>.
- Weber, Michael Lee, “Redbird Smith Movement,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=RE015>.
- Wilson, Linda D., “Land Runs, Women in,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=LA017>.
- Wilson, Linda D., “Sac and Fox Opening,” *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=SA002>.

- Wilson, Linda D., "Kickapoo Opening," *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=KI005>.
- Reggio, Michael H., "Cheyenne-Arapaho Opening," *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=CH031>.
- The Weekly Oklaboma State Capitol*. Vol. 15, No. 18. Ed. 1, Saturday, August 15, 1903.
- Turner, Alvin O. "Cherokee Outlet Opening," *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=CH021>.
- Blochowiak, Mary Ann, "Sooner," *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=SO010>.
- Kracht, Benjamin R., "Kiowa-Comanche-Apache Opening," *The Encyclopedia of Oklahoma History and Culture*, <https://www.okhistory.org/publications/enc/entry.php?entry=KI020>.
- "Interview with Lizzie Robinson." University of Oklahoma. *Indian Pioneer Papers: [1860–1935]*.
- "Interview with De'Leslaine Davis." University of Oklahoma. *Indian Pioneer Papers: [1860–1935]*.
- "Interview with A. M. Capers." University of Oklahoma. *Indian Pioneer Papers: [1860–1935]*.
- "Interview with Mattie Carrol." University of Oklahoma. *Indian Pioneer Papers: [1860–1935]*.
- Gates, Paul Wallace. "The Role of the Land Speculator in Western Development." *The Pennsylvania Magazine of History and Biography* 66, no. 3 (1942): 314–33. Accessed May 13, 2020. www.jstor.org/stable/20087501.
- Bogue, Allan G., and Bogue, Margaret Beattie. "'Profits' and the Frontier Land Speculator." *The Journal of Economic History* 17, no. 1 (1957): 1–24.
- "Rushes to Statehood: The Oklahoma Land Runs." National Cowboy & Western Heritage Museum. <https://nationalcowboymuseum.org/explore/rushes-statehood-oklahoma-land-runs/>
- "Built in a Day: The Oklahoma Land Rush." *The Museum Gazette*. National Park Service, April 2001. <https://www.nps.gov/jeff/learn/historyculture/upload/oklahoma.pdf>
- Jackson, Ron. "Blacks Among Boomers." *The Oklahoman*, February 18, 2001.
- Luckerson, Victor. "The Black Journey Out West." *Run it Back*. <https://runitback.substack.com/p/002-the-black-journey-out-west>
- US Census, 1900.
- United States, and Clarence D. Clark. *Report of the Select Committee to Investigate Matters Connected with Affairs in the Indian Territory with Hearings, November 11, 1906–January 9, 1907*. Washington: Govt. Printing Office, 1907.
- Lone Wolf v. Hitchcock*, 187 US 553 (1903)
- Indian Land Tenure Foundation website