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THE STATE OF OKLAHOMA
(1803-1906)**

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VOLUME VI

THE FORMATION OF THE STATE
OF OKLAHOMA
(1803-1906)

BY

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TO MY WIFE
FRANCES PRICE GITTINGER

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PREFACE

The passage of an enabling act for Oklahoma in June, 1906, brought to a close the formation of new states from the Louisiana Purchase. The area included within the limits of Oklahoma was kept free from the jurisdiction of a state government longer than any other part of the acquisition. This was the outcome of a series of events that are of peculiar interest through their intimate connection with the national Indian policy. The promise in the treaty of purchase to admit the inhabitants of Louisiana "to all the rights, advantages, and immunities of American citizens" was fulfilled by the organization of the settled districts near the Mississippi River, but room was left farther west for a vast Indian country, and from this Indian country Oklahoma was the last state formed.

The law of May 28, 1830, in connection with a series of treaties, set apart for the Indians the country lying west of Missouri and Arkansas, and provided for the removal thither of numerous tribes, not only from the reservations east of the Mississippi, but also from the states and organized territories west of that river. Between 1840 and 1850 the map showed an "Indian Territory" stretching from the Red River to the Platte, while the Sioux and other tribes retained, almost unnoticed, the country farther north. In a few years, however, conditions led to the organization of the northern portions of this great tract under the names of Nebraska and Kansas, and at the beginning of the Civil War the thirty-seventh parallel was the northern boundary of the area designated as the Indian Territory. From this area, in time, the state of Oklahoma was formed and admitted into the Union.

The generation after the Civil War saw the removal of the Indians from Nebraska and Kansas to what is now Oklahoma;

Preface

but even this concentration of the tribes in one-third of their former territory did not fill it, and the unoccupied land aroused the cupidity, first, of the land-grant railroad, and later, of the white settler. Homeseekers began to threaten and then to pass the borders of the diminished Indian Territory; and when the opening of the western half under the name of Oklahoma and the relaxation of the intercourse laws in the eastern half destroyed finally the legal barriers that had for a long time dammed up the stream of settlers, the rush was overwhelming. In a decade and a half the population rose from a few thousands to a million and a half, and the creation of a new state became imperative.

The formation of the state of Oklahoma, as it is now constituted, is the subject of this study. The boundaries of the state and its place in history were settled in the years before the Civil War; but because of the changes made during the war a new movement, which ended in statehood, began in 1866. The forty years between 1866 and 1906 fall naturally into two periods. The earlier period was taken up with an ineffectual struggle to retain this last bit of the Indian country under the control of the Indian and for his exclusive use. The later period was marked by the separate development of the two divisions known as the Territory of Oklahoma and the Indian Territory. It closed with the joining of these divisions in one commonwealth, in which for the first time a great body of Indian citizens participated on equal terms in the organization of a state in the American Union.

The sources of the present work are chiefly the official reports published by the Government of the United States. Citations are made uniformly to the volumes of the Congressional Documents and not to the reports published separately. The official records of the constitutional convention of Oklahoma are not yet