

M E M O R A N D U M

Over a period of approximately fifty years thirty-three separate and distinct Indian tribes, retaining tribal identity, were removed from various sections of the United States and settled in Oklahoma, formerly Indian Territory. Only one, tribe, the Wichita, claim to be native of Oklahoma. The Federal government disputes this fact. The total population of these tribes, according to government reports made over the years 1902 to 1909, inclusive, is 78,661. The highest estimated population of this group prior to removal to Oklahoma approximates 150,000. Affiliated and associated, in overwhelming instances completely submerged within these tribes beyond all recognition, are forty-four or more remnants of tribes, with few exceptions now extinct. The highest estimated population, as a whole, of the original tribes of these tribal remnants, according to government records, before the loss of tribal identity, approximates 140,000. The loss of population of both groups in their efforts of self-defense, and endless removals from one section of the country to another, extending over 450 years, is upwards of 200,000.

TWO HUNDRED THOUSAND MEET DEATH

It is said on competent religious authority that the Indians lost in population over 200,000 before white settlement of the Atlantic seaboard was made secure. Many tribes were completely annihilated. The tribe of Massasoit, who with the Pilgrims held the first Thanksgiving in America, were killed almost to the last man woman and child. King Phillip, son of Massasoit, was beheaded and his head erected on a pole on the public square of a now prominent New England city, where it remained for a period of twenty years. The Pequots met a similar fate. Speaking of the Pequots a writer observes, "every day Pequot heads were carried into Windsor and Hartford for ransom." The Apalachee of Florida met a similar fate:

"The Apalachee were one of the principal tribes of Florida. They were an agricultural people, industrious and prosperous. In 1665 they had eight considerable towns, each with a Franciscan Missionary, besides small settlements and a population of 6,000 to 8,000. In 1703 Governor Moore of Carolina invaded their territory with a company of white troops and a thousand armed allied

tribes, destroyed their towns and missions, with their fields and orange groves, killed the Spanish garrison commander and more than 200 Apalachee warriors and carried off more than 1400 of the tribe into slavery. Another expedition about a year later ravaged the neighboring territory and completed the destruction."

The Tus karora, a once powerful and peaceful tribe occupying lands in the present state of North Carolina, were almost annihilated. A small group escaped and joined the Six Nations in New York, now residing on a reservation near the City of Buffalo. A few, with lost tribal identity, are now with the Creek tribe in Oklahoma.

How did Oklahoma acquire its Indians, today estimated to comprise more than one-third of the Indian population of the United States, whose ancestors sometime within the past 450 years occupied every section of this nation east of the Mississippi river as well as the states of Texas, Louisiana, Arkansas, Missouri, Iowa, Minnesota, Nebraska and Kansas?

HOW OKLAHOMA ACQUIRED INDIANS:

"When Andrew Jackson became a candidate for president in 1828, the subject of 'removing the Indians west' had become a national issue. Jackson's attitude as a strong partisan of the states that desired removal was well known. He had appeared at the negotiations to procure many of the Indian treaties of cession; so that with the tremendous influence which he exercised over them, he became the outstanding exponent of the white man's relentless contest for the lands of the Indian. Logically one of the first important measures to be urged by Jackson after his election was what became known as the Indian Removal Bill. Missionary organizations and other influences in the North had been favorable to general removal west of all the tribes, as the means best calculated to protect the Indians; but when it developed the people of Georgia were interested only in driving the Indians from their state, active opposition of most of the North was aligned against the bill."

INDIANS REBUKED FOR WISHING TO EXAMINE LAND

"After one of the bitterest debates in the history of Congress, the bill was enacted into law on May 28, 1830. It did not of itself authorize the enforced removal of the Indians, and did not in terms appear to menace them, but it announced a FEDERAL POLICY favorable to Indian removal, and placed in the hands of President Jackson the means to initiate

steps to secure exchanges of lands with any tribes 'residing within the limits of the states or otherwise.' Knowing Jackson's views on the subject and the federal policy employed in dealing with the Indians they were filled with foreboding.

"President Jackson lost no time in taking steps to carry the new law into effect. At the adjournment of Congress, he and Gen. John H. Eaton, his secretary of war, planned to spend their holidays in Tennessee; and four days after the law was enacted they sent word by D. W. Haley that they would confer with delegates from the four tribes, who were favorable to removal. The President, Secretary Eaton, and John Coffee, arrived at Eaton's home in Franklin on August 11. 'From his home in Franklin Eaton addressed a long letter to the Choctaw chiefs in which he acknowledged receipt of their talk on June 2, in which he rebuked them for their wish to examine the western country before entering into a treaty of removal, and warned them of the consequences if they neglected the present opportunity to remove with the aid of the government."

GOLD MINES TAKEN FROM INDIANS & RIGHTS IN COURT DENIED

"On Dec. 19, 1929, the State of Georgia, through its legislature, incorporated a large part of the Cherokee Nation (Ga) within the State, extending thereover laws especially designed to rob the Cherokee of their property, real and personal, and force their removal west", illustrative:

"No Indian or descendants of an Indian residing within the Creek and Cherokee Nations of Indians, shall be deemed a competent witness in any court of this state to which a white person may be a party."

"June 3, 1830, the Governor of the state issued his proclamation declaring all the provisions of that law to be in effect, and warning the Indians it would be rigidly enforced. On the same day the governor issued another edict; gold had been discovered on the lands of the Indians and the executive gave notice that all the Cherokee land including the gold mines, belonged to the state; and warned the Indians and persons engaged with their consent or otherwise, to cease operating the mines. Similar measures were adopted by the State of Mississippi in January 1830, over the Choctaw and Chickasaw, and Alabama over the Cree

By these acts the state legislatures of Georgia, Mississippi and Alabama

"Abolished and took away all the rights, privileges, immunities, and franchises held, claimed or enjoyed by those persons called Indians within the charter limits of their states by virtue of any form of policy, usages or customs existing among them."

GOVERNOR SUGGESTS BRIBERY

"While President Jackson's bill for removal of the Indians was pending, Gov. George R. Gilmer of Georgia sent to the president his two proclamations and demanded the national government keep its promise contained in the Act of 1802, to remove the Indians from the State. He was seconded by Gov. William Carroll of Tennessee, who offered to attempt the bribery of some of the influential Indians to lend their support to the movement upon the passage of the bill:

"I cannot but hope that I can induce the Creek and Cherokees, as directed by the Secretary of War, to agree to hold treaties; in which event the means of success will be found in assailing the avarice of the chiefs and principal men . . . I think I can move among the Cherokees without exciting their suspicion."

Thus wrote the Governor of Tennessee to the President of the United States.

LARGE APPROPRIATIONS - TREATY EXPENSES ? ?

The Indian bureau in 1802 was within the War Department and subject to rules, regulations and direction of the Secretary of War. The Congress, by Act of May 1, that year, had appropriated \$71,750.50 for the use of the Indian Department. Sec. 3 of said act provided:

"That a sum not exceeding forty thousand dollars, including unexpended balance of the sum of fifteen thousand dollars, appropriated by the act approved on the thirtieth of May, one thousand eight hundred, entitled 'an act to appropriate a certain sum of money to defray expenses of holding a treaty or treaties * * * with the Indians south of the river Ohio."

The Governor of Tennessee had knowledge of the above act; was familiar with its provisions, particularly the cash outlay for "EXPENSE" in treaty making with the Five Tribes - the only Indians south of the Ohio, and knew how loosely the item of "EXPENSE" could be used.

HOMES SEIZED AND BURNED

Oppression was employed mercilessly to break the spirit of the Cherokees who refused to leave their homes; with the help of state laws enacted for that purpose, the homes of the wealthier members of the tribe were taken from them. "Joseph Vann was a prosperous Cherokee whose

plantation contained about eight hundred acres in cultivation, a residence of brick which had cost him ten thousand dollars, besides other extensive improvements. On the pretense that he had violated a law of Georgia by employing a white man to oversee his farm while he was absent from home, his property was seized in December 1833, as forfeit to the state. The larcenous methods employed easily accounted for rival claims to the property, by white men:

"One named Spencer Riley took possession of the upper part of the house, armed for battle; when the state agent William N. Bishop entered the lower part, March 2, 1835, a fight ensued and many shots were exchanged within the house, while Vann and his family were cowering in a room to which they had fled for safety. Riley could not be dislodged from his position upstairs, even after being wounded, so Bishop's party set fire to the house. Riley surrendered and the fire was extinguished, Vann and his family were driven out in the cold weather and compelled to wade through the snow to seek shelter across the Tennessee line, in an open log cabin, upon a dirt floor."

The Cherokees were moved West by the United States Army:

"To prevent escape the soldiers had been ordered to approach and surround each home, as far as possible, so as to come upon the occupants without warning. An old patriarch when thus surprised, calmly called his children and grandchildren around him, and kneeling down, bid them pray with him in their language, while the astonished soldiers looked on in silence. Then rising he lead the way into exile. A woman, on finding her house surrounded, went to the door and called up the chickens to be fed for the last time, after which, taking her infant on her back and her two other children by the hand, she followed her husband with the soldiers. * * * It is a painful sight. The property of many has been taken and sold before their eyes for almost nothing - the sellers and buyers, in many instances having combined to cheat the poor Indians. These things are done at the instance of arrest and consternation; the soldiers standing by, with their arms in hand, impatient to go on with their work, could give little time to transact business. The poor captive, in a state of distressing agitation, his weeping wife almost frantic with terror, surrounded by a group of crying terrified children, without a friend to speak a consoling word, is in poor condition to make a good disposition of his property, and is in most cases stripped of the whole in one blow. Many of the Cherokees, who, a few days ago, were in comfortable circumstances, are now victims of abject poverty. This is not a description of an extreme case. It is altogether a faint representation of the work which has been perpetrated on the unoffending, unarmed and unresisting Cherokee."

By June 1833, the Indian agent for the Cherokees reported the Indians "were thoroughly demoralized"; that "the fullbloods were in a state of wretchedness bordering on starvation, and of ten persons who had gone into the woods to dig roots for food, six died from eating a poisonous weed."

GOOD PUNISHMENT WROTE THE GOVERNOR

In August 1833 Governor Gilmer thought the state had oppressed the suffering Indians sufficiently to induce them to be glad of the chance to remove:

"In surveying the territory, I saw many fields and huts abandoned, and was informed that they principally belonged to half-breeds and refugees, who had fled to Alabama and Tennessee to escape the jurisdiction of Georgia. . . The guard has produced a good effect in awing the chiefs to an involuntary submission to our laws."

The governor thereupon wrote President Jackson "that he thought the time propitious to renew the enrollment of Indians for removal."

INDIANS CHAINED AND HANDCUFFED MARCH 90 MILES

Under the program approved by the governor, "at one time 2,500 Creek Indians were rendered homeless and became wretched and miserable wanderers, in the forests and along the highways. A company of Georgia militia attacked and fired on fifty of these Creeks who were camped on the Georgia side of Coosa river, killing and injuring a number of Indians. The Georgians afterwards killed some defenseless old Indians who were picking cotton along the Chattahoochee river. Because the Indians attempted to defend themselves Georgia militia ordered 1,000 men to assemble for attack on the Indians in Alabama.

In May 1836 the Secretary of War ordered Gen. Thomas Jesup of the United States Army to "inaugurate an operation of war against the Creeks, subdue and remove them to the West." The troops captured most of the Indians by the first of July, including their leader, and the military declared the "war" ended. "Blacksmiths had been busy making handcuffs for the prisoners. Sixteen hundred Indians, men, women and children, guarded by three companies of armed soldiers, left Fort Mitchell July 2, for the West. The sullen warriors, manacled and chained, marched in double file. The venerable chief, 84 years old, was not exempted from this humiliation. They were all handcuffed and chained together, and in this way they marched to Montgomery, on the Alabama, a distance of 90 miles. To see the remnant of a once mighty people fettered and chained together and forced to depart from the land of their fathers into a country unknown to them, is of itself sufficient to move the stoutest heart."

CREEKS MURDER OWN CHILDREN

"In all 14,609 Creeks were removed in 1836. A considerable number escaped to Florida and joined the Seminole. 'These Indians are not disposed to emigrate to Arkansas; hence their women have murdered their own small children and fight as the men' wrote Archibald Smith, Indian Agent, Blackwater Bay, March 4, 1837. There is other authority that these women who engaged with their husbands in grim war to the death, killed their young children; experience had shown that they must inevitably have succumbed anyway to the cruel warfare in which their parents were engaged, and their infant voices might betray them when secrecy and silence were vital."

WOLVES AND BUZZARDS EAT INDIAN BODIES

Quoting from a letter from Little Rock, Ark., December 2, 1836, printed in the New York Observer February 11, 1837, p. 4:

"No portion of American history can furnish a parallel to the misery and suffering at present endured by the emigrating Creeks. They consist of all ages, sexes and sizes, from the civilized and tenderly nourished matron and misses, to the wild savage, and the poorest of the poor."

"Thousands of them entirely destitute of shoes or cover of any kind for their feet; many of them are almost naked, and but few of them more on their persons than a light dress calculated only for the summer or for a warm climate. In this condition they are wading in cold mud, or are hurried on over the frozen ground, as the case may be, many of them have in this way had their feet frostbitten; and being unable to travel, fall in the rear of the main party, and are left on the road to await the ability or convenience of the contractors to assist them. Many of them not being able to endure this unexampled state of human suffering, die, and are thrown by the side of the road, and are covered over with brush, etc. - there they remain until devoured by the wolves."

The Creeks and Cherokees of the Five Tribes alone lost in their removal and attempted removal West, upwards of 6,000 of their number. The Cherokees out of a population of 16,000 lost 4,000 in the removal proper. It is reliably said that the buzzards followed their trail by day and the wolves by night - they were not given time in which to properly bury their dead.

In this manner did Oklahoma, formerly Indian Territory, receive the bulk of its present-day Indian population. And thus did North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi

and Tennessee solve their Indian problem.

INDIANS AS HERBS OF THE WOODS

"Emigration of white settlers in the early part of the part of the nineteenth century into the territory now forming the central and southern states, found the country occupied by tribes of Americans Indians who had lived there from time immemorial. Tentative legislation was enacted by Congress from time to time, and so-called treaties made with little comprehending Indians were used as instruments to drive them west and still farther west. How these things were done, the inevitable bloodshed and reprisals growing out of this conflict between the races, have been told many times in vast accumulation of manuscript material and records in the archives and departments of government, federal and state.

"Whatever may be charged against the white people of the South for mistreatments of the Indians is not sectional..... The Indians have suffered at their hands throughout the country from north to south and east to west.... For the most part the southern Indians were people of fixed habits and tastes. They were not nomads; they were less inclined to wander to strange places than white people. They loved their streams and valleys, their hills, and forests, their fields and herds, their homes and firesides, families and friends; they were rooted in the soil as the Choctaw chief Pushmataha said, 'where we have grown up as the herbs of the woods.'

TRIBAL ESTATE DIVIDED WITH NEGROES

The Five Tribes had made remarkable recovery from their unjust, illegal and inhuman removal West when the civil war broke out. Unfortunately they took sides in this conflict. At the close of the war they were unjustly forced to divide their tribal estate, real and personal, with more than 26,000 negroes, a figure above forty per cent of the full membership of these tribes; they were also required to part title with large acreages of their original tribal estates at 47¢ per acre - the Federal government being the purchaser - for settlement of "friendly Indians" thereon. Subsequently, in a substantial measure, the government repudiated its agreement in this respect - it opened this type of land for white settlement, resulting in an attempted invasion of the Indian Territory; the public having reached the conclusion there were some 14,000,000 acres of "public lands" in the Territory to which "Indian title had been extinguished." Only through quick and forceful use of the Federal army by President Hayes was this movement thwarted and a recurrence of the days of Andrew Jackson brought to an abrupt end.

DATE SET TO MASSACRE INDIANS

Prior to the treaties of 1866 with the Five Tribes and the Federal government some tribes in Texas had been forced to seek refuge in Indian Territory, particularly the Caddo, who originally were native of Louisiana. Having concluded a forced treaty with the Government in which

they agreed to move out of the United States "never to return again as a tribe" they moved into Texas, then Old Mexico. Later Texas declared her independence and adopted land laws which did not recognize the Indians' right of occupancy; there was no power which could prevent a settler from taking land which had been improved and cultivated by an Indian. It was finally decided to rid Texas of Indians:

DATE SET TO MASSACRE INDIANS

"In 1859 a company of white settlers fixed a date for the massacre of all reservation Indians. Through the efforts of their agent, who was subsequently murdered on account of his friendship for the Indians, and a forced march of 15 days of men, women and children, during the month of July, the Caddoes reached the banks of the Washita river in what is now Oklahoma, where a reservation was set apart to them."

Following the treaties of 1866 with the Five Tribes making it possible to settle "friendly Indians" on their former lands, states west of the Mississippi began agitation for settlement of their Indian problem through expulsion of the Indians from their respective states.

175 CHEYENNE MURDERED

The Southern Cheyenne -residing originally in the Dakotas, were assigned a reservation in Oklahoma under the treaty of 1867 but refused to live thereon until after the treaty of 1875, whereby a number of their most prominent leaders were deported to Florida.

"In the winter of 1878-79, a band of Northern Cheyenne, under Bull Knife, Wild Hog, and Little Wolfe, who had been brought down as prisoners to Ft. Reno to be colonized with the southern portion of the tribe in the present State of Oklahoma, made a desperate attempt to escape. . . Of an estimated 89 men and 146 women and children who broke away on the night of Sept. 9, about 75, including Bull Knife and most of the warriors, were killed in the pursuit which continued to the Dakota border. Thirty-two of the Cheyenne slain were killed in a second break for liberty from Fort Robinson, Nebraska, where the captured fugitives had been confined. Little Wolfe, with about 60 followers, got through in safety to the north. At a later period the northern Cheyenne were assigned a reservation in Montana."

INDIANS PERSONS -BRUTAL REMOVAL ENDS

The Ponca, in Nebraska, were assigned a reservation in Oklahoma and forcibly removed thereon:

"The change of climate brought great suffering to the Ponca; within the year a third of the tribe had died and most of the survivors were ill and disabled. A son of Standing Bear, noted chief of the Ponca, died. Craving to bury the lad at his old home, the chief determined to defy restraint. He took the bones of his son and with his immediate following turned northward in January 1879, and in March arrived destitute at the Omaha reservation. Asking to borrow seed, his

request was granted, and the Ponca were about to put in a crop when soldiers appeared with orders to arrest Standing Bear and his party and return them to Indian Territory. On their way they camped near Omaha, where Standing Bear was interviewed by T. H. Tibbles, a newspaper correspondent, and the account of their grievances appearing in the Omaha newspapers, the citizens became actively interested and opened a church where, to a crowded house the chief repeated his story. Messrs. Poppleton and Webster proffered legal services to the prisoners and in their behalf sued out a writ of habeas corpus. The United States denied the prisoners' right to the writ on the ground that they were 'not persons within the meaning of the law.' On April 18 Judge Dundy decided that 'an Indian is a person within the meaning of the law of the United States,' and therefore had a right to the writ when restrained in violation of law; that 'no rightful authority exists for removing by force of the prisoners to the Indian Territory,' and therefore, 'the prisoners must be discharged from custody.' (U.S. vs. Crook, 5, Dillon, 453). Standing Bear and his band returned to north Nebraska. Standing Bear later visited cities of the east and through an interpreter related his story of the wrongs suffered by his people; he won attention and sympathy. Many people wrote to the President and to other executive officials of the government, and to members of Congress, protesting against unjust treatment of the Indians. As a result, a request was urged on the Government that there be no more removal of tribes."

Thus, through an aroused public conscience was the illegal, inhuman ruthlessly enforced national policy of "Indian Removal" brought to an end.

SETTLEMENT OF INDIAN TERRITORY

In 1885 a Senate Committee was sent to Indian Territory to investigate "conditions of certain Indians." From its printed hearings it is at once apparent that its primary purpose was to persuade the Five Tribes to throw open their country to allotment and acceptance of a territorial or state form of government. Tribal opposition was unanimous. Notwithstanding Indian disapproval, following this Committee's visit to the Indian Territory, events unfolded in rapid succession. Only four years subsequent the "Cherokee Strip" was thrown open to settlement; one year later western Oklahoma occupied by the so-called "wild tribes", was organized into a territorial government under the name "Oklahoma Territory;" the tribal lands of the Sac and Fox, Shawnee, Potawatomi, Pawnee, Tonkawa, Kickapoo, Kiowa, Commanche, Wichita, and affiliated bands, in the order named, were individualized under the 1887 Allotment Act, another national policy then in operation, on a per capita basis of 80 to 160 acres, inclusive, when the tribal surplus lands being immediately thrown open to settlement - millions of acres of tribal estates were thereby reduced. Meanwhile, the laws of Arkansas had been extended over Indian Territory, now eastern Oklahoma. In this territory at that time

was a white population in excess of the Indians, not subject to tribal law and practically out of reach of state or federal law- their presence in the Territory largely in violation of the treaties of removal of the Choctaw, Chickasaw and Cherokee, Creek and Seminole from their ancestral homes east of the Mississippi.

FIVE TRIBES FOLD UP

The Congress in 1893, created and sent to the Indian Territory now eastern Oklahoma, the Dawes Commission to treat with the Five Tribes. The Indians steadfastly refused to treat, yet the Congress had their lands surveyed and rolls made of their citizens as a preparation for settlement. Under such coercion they were finally induced to negotiate, and partly by voluntary surrender and partly through Congressional mandate their governments were liquidated and their estates divided among their citizens.

INDIANS IN CONGRESS

In November 1907, Old Oklahoma and Indian Territory, as the State of Oklahoma, with a population of 1,114,177, was admitted to statehood. The Oklahoma legislature sent to Congress as one of its senatorial representatives, Robert L. Owen, a Cherokee citizen. Charles D. Carter, of both Cherokee and Choctaw blood, was elected by the people as one of five of Oklahoma's representatives in Congress.

OKLAHOMA TO JAMESTOWN, PILGRIMS, PURITANS, PENN

AND SPANISH

Oklahoma is the only state in the union whose constitution Indians helped write; the only state in the union whose every law since statehood, Indians helped enact, helped interpret and enforce; the only state in the union to ever elect an Indian as its attorney general; justice and chief justice of its supreme court; president of its corporation commission; president of its school land department; speaker of its house of representatives; president pro tem of its legislature, and by popular vote, place him in practically every elective office - county, state and national - within the gift of the people. It is the only state in the union with 77 or more tribes and remnants of Indian tribes, whose ancestral homes find lodgement in every state of the

union touched by the Atlantic, Gulf of Mexico, St. Lawrence River and Great Lakes, as well as the States of Vermont, West Virginia, Kentucky and Tennessee. And, it is the only state in the union whose Indian citizens through ancestral connection can trace their treatments and mistreatments to Jamestown, the Pilgrim fathers, Puritan brothers, William Penn's Quakers, and Spanish colonization in Florida.

"Lo, THE POOR INDIAN"

"The little company of Pilgrims, who, setting out from Holland for Virginia, arrived by accident of the sea in New England in 1620, and as the colonists of Virginia, found friends who saved them from their own ignorance by sharing during the winters of 1620 and 1621 their meager reserve of maize. First, Samoset, then Massasoit, or Yellow Feather, taught them corn culture, which alone enabled them to survive. Nor did the 'Godly, gentle Pilgrims' in any way take advantage of their hosts."

"The 'Great Patents of New England' like the Virginia Charters made no reference to the natives. From the proviso that the grant to the Plymouth Company was not to include any lands 'actually possessed or inhabited by any other Christian prince or state,' it is obvious it imposed no obligation to respect native rights.

"The English attitude of mind in 1632 is reflected in the Charter of Charles I granting Maryland to Lord Baltimore. In it 'savages having no knowledge of the Divine Being' and occupying a region 'hitherto uncultivated,' were mentioned as among the enemies who might be encountered. Against these 'barbarians' the Colonists were authorized to wage war, and 'to pursue them even beyond the limits of their provinces,' and 'if God shall grant it, to vanquish and captivate them; and the captives to put to death according to their discretion.

"Humanity blushes at the events of this period of Colonial history. General Jeffrey Amhurst, representing the Imperial government in America, but reflecting the popular attitude when in the year of our Lord, 1732, he wrote one of his subordinates: 'You will do well to try to inoculate the Indians by means of blankets in which smallpox patients have slept, as well as by every other method that can serve to extirpate this execrable race. I shall be very glad if your scheme of hunting them down with dogs could take effect.'"

OPPOSED DEATH, PROPERTY LOSS AND ENSLAVEMENT

Naturally the Indian fought back - he has never been accused of cowardice - rather than passively accept death, seizure of his country and personal enslavement; in 1708 one-fourth of the slaves of South Carolina were Indians.

"2,225,000 - GONE FROM THE EARTH, VICTIMS OF PROFESSED CHRISTIANS"

"The Government of the United States is a government of the people, and should only express their views and true interests; and what the people should do in social, moral, legal, equitable, or political sense toward the Indians, the Government should faithfully carry out and adhere to. Nations, like individuals, cannot afford to do wrong, or to permit wrong to be done, when it is their duty to protect

the right. The people of the United States are great and powerful, numbering 40,000,000. The Indians are a weak people, aggregating within the United States less than 300,000 souls, and these widely diversified into bands and tribes, and often at variance with each other.

"A guardian who wasted his ward's estate as we have wasted that of the Indians, who are by treaty stipulation with them put under our care and protection, would be mulcted in damages by any court examining his accounts and held to responsibility on his bond.

"A Christian civilization cannot afford to wrong anyone. And a great, wise, and prosperous nation of Christians cannot afford to wrong a handful of dependent, unfortunate people, many of whom are abandoning their old habits and becoming Christians, notwithstanding we have, in two hundred and fifty years, wasted their numbers from 2,250,000, down to 250,000, or a waste of number equal to all their children born to them in the last two hundred and fifty years. * * *. Should we be asked, in the name of Christian civilization, where are these people and their descendants? To this question there is but one answer: They are gone from the earth, the victims of the greed and avarice of professed Christians. This is a commentary upon a Christian civilization that speaks volumes against humanity and the integrity of its professions; and yet the half is not told. The waste of the property of these poor people has been to them, as heartless as the waste of their lives, and yet the greed of their pursuers is today as vicious, and supported by prejudice as severe, as heretofore. * * * We have taken absolute ownership of 3,232,936, 351 acres of their lands, their rivers, prairies, forests, game, and homes, leaving to all their tribes collectively, only 97,745,009 acres of ground, generally not the best, and even that is sought after with a greed that is not worthy a Christian people, who have plenty of their own, which they have heretofore gotten from them at nominal rates."

Thus wrote a Mr. Shanks for the Committee on Indian Affairs, House of Representatives of the United States investigating "Indian Frauds" some three-quarters of a century past.

INDIAN DEPLETION

In Oklahoma is an Indian tribe, native of the State of New York, whose population in its ancestral home was upwards of 7,000, numbered only 390 in 1908, including remnants from four other tribes; another Oklahoma tribe whose population in its ancestral home was upwards of 1,500, numbered only 48 in 1908, including remnants of four other tribes.

NATIONAL INDIAN POLICIES

Since the creation of our government the Congress has adopted and put into force FIVE major National Policies concerning Indians and their affairs. (1) TREATY MAKING WITH THE INDIANS - forced upon the Congress by President Washington during his first term. In colonial

In colonial days treaty making with the Indians was through Great Britain direct; by her agents, direct; and by some of the colonies, direct. Under President Washington's policy treaty making with the Indians was a function of the Federal government only. (2) INDIAN REMOVAL. This infamous policy was forced upon the Congress by President Jackson and by him rigidly and inhumanly enforced. The Jacksonian policy prevailed until destroyed through an aroused public conscience. (3) PEACE POLICY - by President Grant. Its operation was through the Board of Indian Commissioners largely, who are given much credit for cessation of Indian warfare. (4) ALLOTMENT ACT 1887, which was adopted during the administration of President Cleveland. As enforced its primary objective appears to have been reduction of tribal estates. (5) SO-CALLED WHEELER-HOWARD ACT - "must" legislation of the late President Roosevelt.

COMMUNISM OR BACK TO THE WIGWAM AND START OVER

The primary purpose of the so-called Wheeler-Howard Act, as explained to the Indians by its author, former Indian Commissioner John Collier, was to "recapture Indian lands and take over control of the government." The real purpose of Mr. Collier in forcing upon the Congress, the Indians and the public of a national program of "recapturing Indians lands and taking over control of the government", has never been fully developed. The Congress, the Indians, and the public in part, have made diligent effort in this direction - without success. A Senate Indian Committee report points out twelve separate and distinct features of Mr. Collier's program which are BAD - not good for the Indians; it charges Mr. Collier seeks to make "the Indian the guinea pig of experimentation." Indians who have made a careful investigation of Mr. Collier's program and compared it with the "FIVE YEAR PLAN" of Communist Russia, say they are as alike as two peas; that Mr. Collier's turns and twists to the contrary are the usual shadow-boxing methods of the Communist to cover their real objective. Mr. Collier, in his own defense, says that he "USED DARK LANGUAGE" in propagandizing his "scheme" through the Congress, before the Indians and the public. A report of a Senate Indian Committee shows that

Mr. Collier's methods in forcing his "scheme" upon the Indians following approval of the Wheeler-Howard Act - so-called - by the Congress, are EXCEEDINGLY "DARK."

INFAMOUS SCHOOL SYSTEM

The school system of Old Mexico, whose schools Mr. Collier says are "almost the most perfect schools in the world", introduced by Mr. Collier on to the Navajo Reservation in Arizona and New Mexico, has a "DARK" and FORBODING BACKGROUND, if the findings of the Baltimore Catholic Review are to be given any weight. The Review found that at the time of employment of school teachers in Old Mexico they are required to make the following oath or affirmation:

"In the presence of the Board of Federal Education, I declare that I unconditionally accept the program of the socialistic schools and that I will make it known and defend it. I declare that I am an athiest, irreconcilable enemy of the Catholic, apostolic, and Roman religion and that I will endeavor to destroy it, detach the conscience from any religious worship, I am disposed to fight against the clergy anywhere and everywhere it shall be necessary.

"I declare my readiness to take a main part in the campaign to attack the Catholic, apostolic, and Roman religion wherever it may appear, and I will not permit any kind of religious practice at my home nor the presence of religious pictures.

"I will not permit any of my relatives living under my roof to attend any religious ceremony."

Mr. Collier built Mexican Community Centers throughout the Navajo country - instead of the "little red school house", the American foundation upon which this nation rests. These Mexican Community Centers cost the Navajo and American taxpayer untold millions of dollars, inclusive of other Collier efforts with the Navajo. What today is the school situation with the Navajo:

"Few children are in school because the school facilities only provide for 5,500 of the 20,000 children of school age."

INDIANS, DEAD OR ALIVE, FOR APPROPRIATION PURPOSES WORTH \$100

Mr. Collier early in his administration came to realize his best approach with the Congress in seeking large appropriations for carrying out his "scheme", was through false and slanderous statements rouching Indian economy and accomplishment; also decelopment of Indians in LARGE numbers. He immediately set about ressurecting Indians. In less than 14 years he has increased the Indian population of the United States more

than 120 per cent. None of them competent - all need Mr. Collier's "protection."

In Mr. Collier's dragnet of 400,000 Indians are approximately 250,000 Indians who do not know Mr. Collier exists; he and his army of 10,000 helpers render them no service whatsoever. In this 400,000 group are doctors, lawyers, merchants, bankers, editors, playwrights, authors, large and successful farmers, dairymen and stockmen; county, city, state and national officials by the THOUSANDS; congressmen and ex-congressmen; district and county judges and attorneys and other public officials to numerous to mention, including Major-generals, Rear-admirals, buck-privates and sailors - also DEAD Indians. All are bundled into one package and thrown at the Congress with cash appropriation request from Mr. Collier or his successor of \$100 per Indian, dead or alive, with which to finance the Collier "scheme" through the fiscal year 1947.

"50 more years" -COST OVER \$2,000,000

Within the past 14 years the taxpayer has contributed upwards of \$600,000,000 in financing the Collier "scheme," which some people hold should continue another "50 years"; that by adding a "new agency" - CLAIMS COMMISSION - at the end of the 50 year period we will have saved \$750,000,000. Strange reasoning! At the end of 50 years, with the Collier "scheme" alone, we will have spent more than \$2,000,000, 000 - at \$40,000,000 per annum, proposed appropriation for Indian bureau expenses for 1947; they say it is not enough.

INDIANS AND CLAIMS LEFT

As far as the Indian of Oklahoma is concerned, and that is universally true of the Indian who has long since received his distributive share of his tribe's estate, there is nothing left of this so-called Indian problem except the Indian and whatever he may have coming to him on account of his claims against the Government for violated treaties, land and property seizure without treaty or agreement, and wrongs and mistreatments of the past. No man or set of men, Indian or white, through court procedure, claims commission or otherwise, whether given ten or ten thousand years in which to investigate and ponder the subject, can ESTABLISH EXACT JUSTICE to the Indians or the Federal govern-

in the matter of Indian claims. Witnesses to crimes and wrongs committed are long since dead; documentary evidence is old and musty; destroyed or misplaced - ABSOLUTE INJUSTICE IS IMPOSSIBLE.

CONGRESSIONAL PROBLEM

The end of useless spending on a national policy which is futile or fatal, and bottomed on FRAUD, settlement of the claims of the Indians, of every kind, character and origin, and the closing of Indian bureau activity, where, as in Oklahoma, no just reason for its continuance exists, is a problem for THE CONGRESS. There is no place for a claims commission in the final or permanent solution of this question. And the Indian bureau, in the cutting of its own throat or folding up, is not going to be of much service.

\$600,000,000 SPENT IN 13 YEARS

With approximately one-third of the money appropriated by the Congress for the support of the Indian bureau the past thirteen years, every Indian in Oklahoma enrolled for the purpose of dividing his or her tribe's estate, could have been paid \$3,000, if living; and if dead, the \$3,000 could have been distributed to his or her heirs; thus the Oklahoma Indian, his claims against the government, and the Indian bureau, would have been moved off the back of the taxpayer FOREVER.

SAVE \$260,000,000 NOW

The House Indian Committee, 79th Congress, 1st Session, January 20, 1945, Report No. 1466, page 8, paragraph 5, in support of H. R. 4497 (Claims Commission Bill), says:

"If the result of the proposed adjudication of existing claims will be, as your committee confidently expects, to permit a reduction of at least 50 percent in Federal expenditures on Indians during the next 50 years, the total ultimate savings in such expenditures would be in the neighborhood of \$750,000,000."

The Government can settle - NOW - with Oklahoma Indians, representing more than one-third of the Indian population of the United States, for \$10,000,000 less than one-third of \$750,000,000 and save the taxpayer the \$250,000,000 it is contemplated will be spent on them over the "next 50 years." This would be a total net saving to the government of \$260,000,000.

WHY DO WE DO IT - FRAUD THAT IT IS ?

Whether the Indian ever owned a foot of land in the United States; whether he was ever befriended or defrauded by the white man, individually or as an agent of the government, common honesty and common sense in the economic conduct of the government would direct an immediate settlement with him rather than continue for "the next 50 years" the present program of spending and leading him whither neither he nor his guardian-government know not. If back to the wigwam, it is folly without a spark of common sense; if to "recapture Indian lands and take over control of the government, it is a nightmare of impossibility; and, if into Communism, its success would prove fatal to our present form of government. Why do we do it, especially when representations before the Congress for a large percent of its financial support are conceived in FRAUD? And why continue such a program? Why not settle with the Indians?

HAS INDIAN LIFE NO VALUE ?

Some say "all Oklahoma Indians do not have claims against the government." That depends upon what constitutes a claim. If today a farmer lost five head of stock and five members of his family through accident or deliberate action at the hands of a railway company, his first thought would naturally be of his family, and his first claim for damage would be on their account. Why not damage for Indians killed?

Congressman Shanks said:

"We have, in two hundred and fifty years,
wasted their numbers from 2,250,000 down to 250,000
- through "greed and avarice."

If we give thought to the loss of Indian life in the pushing, shoving and removing of Oklahoma Indians - they are not native of Oklahoma - from every every section of the United States east of the Rocky mountains into Oklahoma, extending over a period of 450 years, we shall experience no difficulty in fairly apportioning the damage between the tribes and tribal membership. The Oklahoma tribe of 48, including remnants from four other tribes, will compare favorably with the more populous and self-important tribes. Some tribes - real patriots - fought until exterminated, rather than leave the graves of their kindred; others until

almost exterminated. Less than two hundred years ago the Indian had little more than two choices: Die or move on. Anyway, no tribe ever owned the fee to a foot of land in the United States, except through the Federal government or colonial power from Europe. The original right of all Indians was one of occupancy only; title was in the race, not the tribe or individual.

COCONUT WITH MEAT AND MILK OUT

We have well meaning citizens who wish to "give the Indian his day in court, the same as the black man and the white man", so he may sue and be heard on violated treaties. Neither the white man nor the black man have lost a country, through treaties or otherwise, for which they could sue in our courts. The black man lost no country - his country lost him; and the white man left his. Regardless, giving the Indian the right to sue the government for violated treaties, is much like giving a child a coconut with the meat and milk extracted - it has no value, except for amusement purposes.

Treaties upon which the Indian is forced to rely when given the right to sue in our courts, are treaties invariably made or procured without his solicitation, and, in most instances, through fraud, briber coercion, duress, or worse. Yet, in court, he cannot raise these vitiating facts; he is forced to abide the letter of each and every agreement, contract or treaty into which he may have entered with his guardian government, regardless of the method employed in gaining consent and signature - his x mark; and regardless of the unjust terms thereof. Why? Because he subsequently lived - he had no choice - under such agreements, contracts and treaties, and thereby acquiesced in the methods of their procurement and the harshness and unjustness of their terms, which he is estopped from challenging in any court - he cannot win in court. Proof of this statement is the past. He has sued in court for damages upwards of \$1,500,000,000 - his recovery has approximated 2%. Giving him the right to sue is handing him an empty cocoanut - for amusement purposes only.

A claims commission is equally bad. No finding of a claims commission, with the approval of the Congress, will ever be allowed to set aside a final decision of the Supreme Court of the United States.

AMERICANS FOR AMERICA

The Indian has defended America in every war in which it has engaged a foreign foe. The first citizen to meet death in the Revolutionary War or its cause - in advance of actual entrance into war - was a half-blood Indian, who died leading a group of New England citizens against British soldiers seeking to collect British taxes. At least three Indian tribes supported the colonists throughout the Revolution. Practically all the Five Tribes were represented in Jackson's battle of New Orleans. One tribe declared war independently on England and fought as allies of the United States in the War of 1812.

In World War I, Indians, according to government records, bought more war bonds, was saving stamps; contributed more to the Red Cross, and furnished more men for the armed service, as their number relates to the whole population, than any other racial group. The outstanding World War I soldier from Oklahoma is a fullblood Indian.

In World War II the Indian established a worthy record. The first eighteen months of the war more Indians entered the armed service than any other racial group - as their number relates to the whole population. Awards of the Silver Star were made to more than 50 Indians; more than 70 were awarded Air Medals; more than 35 the Distinguished Flying Cross; more than 50 the Bronze Star Medal. The first Yank into Tokyo was an Indian. The first Yank into the heart of Berlin was an Indian. One of the six Yanks who raised the Flag over Iwo Jima was an Indian. With the first group of Americans to cross the Eld and make contact with the Russian Army was an Indian. An Indian, major, was in the "death march" to Cabanatuan prison. The highest ranking officer, major-general, from Oklahoma, to lose his life in actual combat in World War II, was an Indian. The highest ranking naval officer, rear-admiral, from Oklahoma, in World War II, is an Indian. An Indian, Lt. Col. reported missing in action at the battle of Bataan, came home after three years' service in the Philippines as guerilla leader; he helped organize both military and civil resistance. Two of Oklahoma's soldiers to win the Congressional Medal of Honor in World War II, are Indians. Some 30,000 or more Indians served in all branches of the military during

World War II. And Indians, throughout the nation, were engaged in the industries and agriculture.

FINAL ACCOUNTING AND SETTLEMENT

Indians have earned the right to a final accounting and settlement with the Federal government - they are urging this right, particularly Oklahoma Indians. Approximately 100,000 Oklahoma Indians are being used in the Indian bureau fraud of obtaining appropriations from the Congress for Bureau support.

The Office of Indian Affairs in its annual report for 1945, said it had "continued its dominant purpose - to protect the interests of 400,000 Indians and * * * aid them in becoming economically independent." Approximately 100,000 Oklahoma Indians, who had no contact whatsoever throughout the year 1945 with any one of the 10,000 Indian bureau officials who claim to be protecting their "interests and aiding them in becoming economically independent", are included in this 400,000 group. What an injustice! What a fraud!

OKLAHOMA INDIANS READY

Congress alone has the power to right wrong, establish justice and effect a final accounting and settlement of the affairs of the Indians, whether they live in Oklahoma or elsewhere.

Oklahoma Indians are ready. Senate Bill _____ is their answer.