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Learn the push/pull factors that drew settlers to Indian Territory and what records were created that reveal their actions.

## Overview of the History of Indian Territory

The concept of "Indian Territory" or "Indian Country" began in 1763 with the British Indian Reserve. The term referred to land set aside for the relocation of Native Americans and originally consisted of the land between the Appalachian Mountains and the Mississippi River. Following the American Revolution, new policies of the United States government resulted in Native Americans being pushed farther and farther west.

Treaties and laws resulted in the eventual removal in the 1830s of the Five Civilized Tribes from the southeast United States to an area in present day Oklahoma named "Indian Territory." These tribes were named "Civilized" based on some tribal members' adoption of practices such as Christianity, written constitutions, centralized governments, literacy, plantation slavery practices, and intermarriage with white Americans. The tribes tended to maintain stable political relations with the European Colonial powers and then with the United States government.

The Five Civilized Tribes were the Choctaw, Creek, Cherokee, Chickasaw, and Seminole. Once the tribes had relocated to Indian Territory, the United States government promised the lands would be free from white settlement. However, "white intruders," or non-citizens began entering Indian Territory from the very beginning, generally being allowed to perform a service needed by the tribes. A major immigration took place starting in 1889 with the opening of the unassigned lands to non-Indian settlers.

Additionally, the Five Tribes brought their African American slaves west to Indian Territory. After the Civil War, this group became known as freedmen. Emancipated slaves from adjoining states began moving into Indian Territory and lived together in All-Black Towns. Indian Territory ceased existence in 1907 when Oklahoma statehood incorporated Oklahoma and Indian Territories as one.

## Boundaries and Geography in Indian Territory

The borders of Indian Territory were eventually reduced in size by various congressional acts. Each tribe had a specific boundary created by the United States government, shown in the map below.<sup>1</sup>



Basic land features of Indian territory created the pull factors for migration of settlers from other states into Indian Territory. A gazetteer and business directory of 1902-1905 gives this description:

“ With an area a little greater than that of the state of Indiana. With a climate whose health-giving breezes are nowhere excelled: with an altitude invigorating and inspiring; geographically of the south. But politically of the north; with a mixture of northern push and energy with southern comfort and hospitality; with scenery of rugged mountain and valley. Far stretching prairie and wooded hill: with soil as fertile as the valley of the Nile; with rainfall and other climate conditions favorable to the successful growing of all the crops of the temperate zone. Here is the ideal location for a home and the opportunity for agricultural and commercial enterprise.”<sup>2</sup>

## Laws Governing Indian Territory

Each tribe had their own laws governing their nation and were allowed autonomy until late in the 19<sup>th</sup> century. However the Five Tribes were prevented from prosecuting or protecting United States citizens. Beginning in 1887, a series of legislative acts of the United States government resulted in the creation of three federal court divisions within Indian Territory: the Northern District, Southern District, and Central District. By the late 1890s all the real authority in Indian Territory was held by these federal courts.

<sup>1</sup> Wikimedia Commons contributors, "File:Okterritory.png," *Wikimedia Commons, the free media repository*, <https://commons.wikimedia.org/w/index.php?title=File:Okterritory.png&oldid=351718838> (accessed January 22, 2020).

<sup>2</sup> R.L. Polk & Co.'s *Oklahoma and Indian Territory Gazetteer and Business Directory - 1902-1905*, pt. 1 (Chicago & Detroit : R.L. Polk & Co, 1902-3); digitized book, *FamilySearch*, p. 70.

Non-citizens could not own land in Indian Territory until 1889 because the land was communal property of the respective Indian Tribe. As a result, a lease system was incorporated allowing a settler to lease land from the Native Americans. Under the 1887 General Allotment Act, also known as the Dawes Act, the communal lands of the Five Civilized Tribes began to be parceled out to individual members of the tribe. Indian reservations were surveyed and established. To qualify for a parcel of land, an individual was required to give their name, tribe, membership designation, age group, and percentage of tribal blood by inheritance.

## Selected Records of Indian Territory and Early Oklahoma

### Census records

- The 1860 Arkansas Federal Census contains “Indian Lands” for eastern Oklahoma at the end of the roll. This enumerated whites who were living on Indian lands.  
<https://www.ancestry.com/search/collections/7667/>
- The Ancestry collection: “Oklahoma and Indian Territory, Indian Censuses and Rolls, 1851-1959” contains many census records that include both white settlers and Native Americans.  
<https://www.ancestry.com/search/collections/8810/>
- The 1900 Federal Census for Indian Territory is extant. Use this census to establish a location for further research for an ancestor. <https://www.familysearch.org/search/collection/1325221>

### County Histories and Biographies

- County histories and biographies can contain information about Indian Territory and the early settlers. Search the FamilySearch Catalog > Place Search > County. (Do not include “county” in the search terms.) View “history” or “biography” among the results. Many of these have been digitized and are available to view online.
- The Ancestry collection, “Oklahoma and Indian Territory, Indian and Pioneer Historical Collection, 1937,” contains transcripts of oral histories about pioneer life in the early 20<sup>th</sup> century.  
<https://www.ancestry.com/search/collections/9025/>

### Land records

- Ancestry has digitized the enrollment cards for the Five Civilized Tribes. The index is word searchable and can also be browsed by tribe. <https://www.ancestry.com/search/collections/1241/>
- FamilySearch has indexed and digitized the original applications: “Oklahoma Applications for Allotment, Five Civilized Tribes, 1899-1907.” <https://www.familysearch.org/search/collection/1390101>

### Newspapers

- The Oklahoma Historical Society has the largest collection of Oklahoma newspaper titles on microfilm dating from 1819 to present. The complete collection is available only at the Research Center.  
<https://www.okhistory.org/research/newspapers>
- Many newspaper collections are being digitized and are word searchable at:  
<https://gateway.okhistory.org/explore/collections/>
- The Library of Congress has digitized many of the newspapers of Indian Territory and early Oklahoma.  
<https://chroniclingamerica.loc.gov/newspapers/?state=Oklahoma&ethnicity=&language=>

### Pensions

- Confederate Pension Applications can reveal information about when an ancestor moved into Indian Territory. The index and images are available online at  
<https://digitalprairie.ok.gov/digital/collection/pensions/search>.

## Tribal Records

The records for each of the nations have been microfilmed and are available at the Oklahoma Historical Society. FamilySearch has digitized the microfilm and it can be viewed at a Family History Center. Use the Microfilm Guides for each record set to determine the appropriate microfilm to view. Included in the records are materials such as court cases and permits to non-citizens.

- Oklahoma Historical Society, “Indian Archives Collection and More”  
<https://www.okhistory.org/research/indianarchive>.
  - **Cherokee** National Records Microfilm Guide  
<https://www.okhistory.org/research/forms/CherokeeMG.pdf>  
FamilySearch Digital Collection: Cherokee Nation Records  
<https://www.familysearch.org/search/catalog/529945?>
  - **Chickasaw** National Records Microfilm Guide  
<https://www.okhistory.org/research/forms/ChickasawMG.pdf>  
FamilySearch Digital Collection: Chickasaw Nation Records  
<https://www.familysearch.org/search/catalog/544208?>
  - **Choctaw** National Records Microfilm Guide  
<https://www.okhistory.org/research/forms/ChoctawMG.pdf>  
FamilySearch Digital Collection: Choctaw Nation Records  
<https://www.familysearch.org/search/catalog/544264?>
  - **Creek** National Records Microfilm Guide  
<https://www.okhistory.org/research/forms/CreekMG.pdf>  
FamilySearch Digital Collection: Creek Nation  
<https://www.familysearch.org/search/catalog/544270?>
  - **Seminole** National Records Microfilm Guide  
<https://www.okhistory.org/research/forms/SeminoleMG.pdf>  
FamilySearch Digital Collection: Seminole Nation  
<https://www.familysearch.org/search/catalog/529794?>

## Vital records

- Registration of birth and death records began in October of 1908 after Oklahoma statehood, but compliance was not complete until 1928. Delayed birth certificates for early settlers may be available.  
[https://www.ok.gov/health/Birth and Death Certificates/](https://www.ok.gov/health/Birth%20and%20Death%20Certificates/)
- By 1895, marriages were registered in the appropriate district. The records are now available in the county courthouse. Divorces were handled by the Federal District Court and recorded by the Court Clerk. Records begin about 1890.

## Bibliography

1. -----“Historic Indian Territory Law,” *The Advancing Genealogist*. <http://advancinggenealogist.com/historic-indian-territory-law/>.
2. Burton, Jeffrey. *Indian Territory and the United States, 1866-1906 : Courts, Government, and the Movement for Oklahoma Statehood*. Norman, Oklahoma : University of Oklahoma Press, 1995.
3. Ernest, John E. *The Dawes Commission : Citizens (Allottees) and Intruders in Indian Territory, 1901-1909*. Baltimore, Maryland : Clearfield Company, 2009.
4. Fletcher, Meredith. *The Five Civilized Tribes in Indian Territory : the Cherokee, Chickasaw, Choctaw, Creek, and Seminole Nations*. Washington, D.C. : United States Census Printing Office, 1894.
5. *Oklahoma Digital Prairie*. <https://digitalprairieok.net/>.
6. *Oklahoma Historical Society*. <https://www.okhistory.org/index.php>.
7. Oskison, John Milton. *Tales of the Old Indian Territory and Essays on the Indian Condition*, U of Nebraska Press, 2012.