

TERRITORY OF OKLAHOMA.

PROTEST
OF THE
CREEK AND CHEROKEE DELEGATIONS

AGAINST

The passage of House bill No. 2635, creating the Territory of Oklahoma.

MARCH 3, 1873.—Referred to the Committee on the Territories and ordered to be printed, to accompany bill H. R. 2635.

To the Congress of the United States :

GENTLEMEN: On the 2d of last month a portion of your Committee on Territories made a report, recommending a bill to create a territorial government for the Indian Territory, and, instead of bringing the same to a discussion or a vote, had its consideration postponed until December next. At considerable expense and trouble we have endeavored to set before you the true character and design of this and similar measures. We see with regret that those who are laboring to destroy us are remorseless in their purpose, and that they have merely adjourned the contest, perhaps in the hope of finding the Indians less able to meet them, or expecting that time might make you forget much connected with it, or that the manner of obtaining such report would be less fresh, and, therefore, less liable to criticism. Before going we desire to present you in brief our reply to the assumptions of this report, and our solemn protest against House bill No. 2635.

The gentleman who makes the report from the Committee on Territories, Hon. Mr. Parker, of Missouri, begins it by stating that the committee can see nothing in existing treaties which substantially conflicts with the provisions of the bill. We are amazed at such a statement, for there is scarcely one of these treaties it does not break, or the spirit of which it does not violate. We regret profoundly that a subject of so much importance to us should receive so little attention from those who may assume to pass upon it. Our treaties, like the treaties of the other tribes in that country, guarantee us the peaceable and unmolested occupation of our country, and the right to govern ourselves by a government and laws of our own. This bill proposes to set aside the one and endanger the other. In 1866 there was provision made for an inter-

tribal council, which should have jurisdiction over general questions, and endeavor to unite and elevate many of the wilder and more fragmentary tribes. This experiment has been and is being carried out. Such council annually meets. Its legitimate and only purposes are being effected. What is our astonishment, therefore, when we find these provisions misrepresented, and statements deliberately made to you that it authorizes and was designed to destroy everything in the shape of government and law in the Indian Territory. Against this reiterated and gross misstatement of the case we again respectfully and earnestly protest. Above all do we protest against a measure to throw our country open to those who covet our lands, to break down our governments, so as to leave us at the mercy of our enemies, and to destroy our organization as a people, so that our property and our land might be left without legal owners, to the end that railroad corporations and others might seize them, while they endeavor to cover up this cruel wrong by the pretext that it is a "contest between savageism and civilization."

The report admits that the bill would revolutionize the policy of the Government to the Indians, and yet in the very next paragraph it endeavors to cover up this fact by stating that it is the purpose of the bill reported to gather the Indian tribes within the Territory for the purpose of civilizing them. The truth is, this is an old policy—the Indian tribes have already been gathered there. It is contemplated to put a few more of those tribes on lands that may be occupied by them, but the machinery for such purposes already exists and is ample, and there is nothing in this bill which really aids such a purpose, and its whole letter and spirit are destructive to it.

Throughout this report, and in the arguments used to you against us, it is continually assumed that the Indian country is the theater of violence and lawlessness; that there is no adequate government machinery; that immense herds of Texas cattle are stopped at our borders and cannot cross to market; that railroads cannot be built; that emigrants cannot pass; that white men can only be tried by Indian tribunals; that the "necessities of civilization" are in an agony, and that a savage Indian, with war-paint and tomahawk, stands guard at the gateway of civilization.

The absurdity of such statements, made to your honorable bodies by outside parties here, is only equaled by its mendacity. It is high time that your confidence should cease to be abused by such mischievous falsehoods. Not only have our people exported large herds of cattle to your markets, but at the very moment when the laws of the States of Missouri and Kansas, for the whole pasture season of the year, absolutely prohibit the introduction of southern cattle, for fear of spreading contagions or entering into competition with their own stock, we have never attempted such hostile legislation. Every year hundreds of thousands of these cattle are peaceably driven through our country. During the emigrant season, hundreds of emigrant-teams crowd the highways through our country, and a murder or a robbery against them has hardly been known. In all cases between white men and Indians the jurisdiction by law and treaty is in the courts of the United States. We are entirely satisfied, and we challenge investigation on the statement, that no western community is more peaceful and law-abiding. It was provided by treaty that a distinct United States court for the Indian Territory should be created, and we have petitioned you earnestly for its immediate creation. If it has not been so far created, the fault is

yours, not ours. That the public peace is jeopardized for want of law is, however, a gross exaggeration. Railroads are being peaceably built through our country. They are in part built in advance of the demands of business and because it was a speculation to build them, and the animus of no small portion of all this hostility against us comes from the desire to convince you that lands held by Indians are something that can be stolen with impunity whenever they are sufficiently valuable to tempt cupidity.

The fact that the Cherokee Nation, with a population of seventeen thousand, should have established and maintains upwards of sixty public schools, and the Creek Nation thirty-three, with a population of thirteen thousand, in which the English language is the medium, excites no interest in those who aim this blow at us. They would abolish these without pity, and strike down the government that maintains them without remorse. We have a government and institutions that have grown with rapidity unparalleled in the history of civilization. All its promise and all the sacred rights it guards weigh as a feather in the balance with those who want this hostile bill. It is not the semi-barbarous tribal organization but the thriving governments of the Indian Territory that are aimed at. The latter stand in the way of dishonest speculators and the plundering schemes of great corporations, and are marked for destruction by those who urge this bill upon you.

Let us entreat you to examine, and when these men appeal to you to contemplate what will be the result. Pass this bill, or any similar bill, and you will thrust a horde of white squatters on the land you sold us and solemnly guaranteed to us as our property forever. Wrongs for which there can be no redress, and evils you will be powerless to remedy, will be the result. Your own national honor will be violated and the rights you guaranteed forever destroyed. Railroad corporations and land speculators will destroy us and eat up our substance. The masses of our people will become homeless outcasts. All the labor of Christian philanthropy for the past thirty years will be blotted out. The lives and interests of a simple, honest, and confiding people, who have trusted your promises, will be hopelessly extinguished, and an indelible stain affixed on the honor of the American Republic.

We are not destitute of confidence in the honor and wisdom of the Congress of the United States. Men representing great railroad interests, or swayed by numbers of speculating squatters, may have entered your honorable bodies; yet we believe they are still the custodians of the national honor and of a humane, Christian policy, if not deceived by the sophistries and falsehoods of those leagued against us. We entreat those who cherish such sentiments to be as vigilant as they are honorable, and we ask you not to thrust an obnoxious government on a people who protest against it. May God give you the wisdom to do that which is honorable to you and just to us.

We are, with respect, your obedient servant,

WILL P. ROSS,
WM. P. ADAIR,
C. N. VANN,

Cherokee Delegation.

D. N. MCINTOSH,
PLEASANT PORTER,
Creek Delegation.