27. FORMATION OF INDIAN TERRITORY, 1804–1855

Essay by *Michael D. Green*

The idea of an "Indian Territory," a special place in the West for the colonization of eastern Indians evicted from their homelands by the growing and expanding United States, probably first took shape in the mind of President Thomas Jefferson in conjunction with the purchase of Louisiana. In 1804, Congress granted Jefferson the authority to open talks with eastern tribes about exchanging their lands for tracts west of the Mississippi. Already several bands of eastern Indians had made the move. Some Choctaw and Chickasaw groups lived west of the river, and in the 1790s a group of Cherokees led by The Bowl settled on the St. Francis River in present-day Arkansas.

Negotiations in 1808 and 1817 resulted in further Cherokee migrations to Arkansas. There they settled on lands between the Arkansas and White rivers that the Osages had sold to the United States in 1808. The Western Cherokees secured title to their lands in 1817. The Cherokees' western neighbors, the Osages, resented the expansionism of the newcomers' large and rapidly growing population. The Osages found Cherokee forays up the Arkansas, Grand, and Verdigris rivers into their hunting grounds particularly threatening, and their warriors defended that territory. Attacks and counterattacks developed into open warfare between the two nations. In 1816, Western Cherokee agent William L. Lovely attempted to stop the hostilities through negotiation. He proposed that the United States purchase from the Osages a "hunting outlet" that would give the Cherokees access to the disputed region. Further talks in 1818 won Osage agreement, and in the following year, President James Monroe granted the Cherokees permission to use the tract.

Nevertheless, conflict continued until 1825, when the United States induced the Osages to sell their land west of the 1808 boundary, reserving for themselves a large tract in present-day Kansas. This cession cleared Osage claims to the country north of the Arkansas and Canadian rivers and opened the way for the region's cession to the Creeks in 1826 and the Cherokees in 1828. The new Cherokee Nation encompassed the Osage cession made in 1818.

The Quapaws claimed the lands south of the Arkansas and Canadian rivers. In 1818 they sold it to the United States, reserving for themselves a tract in present-day Arkansas southeast of the site of Little Rock. The eastern half of the Quapaw cession became part of Arkansas Territory; the United States granted the western half to the Choctaws in 1820.

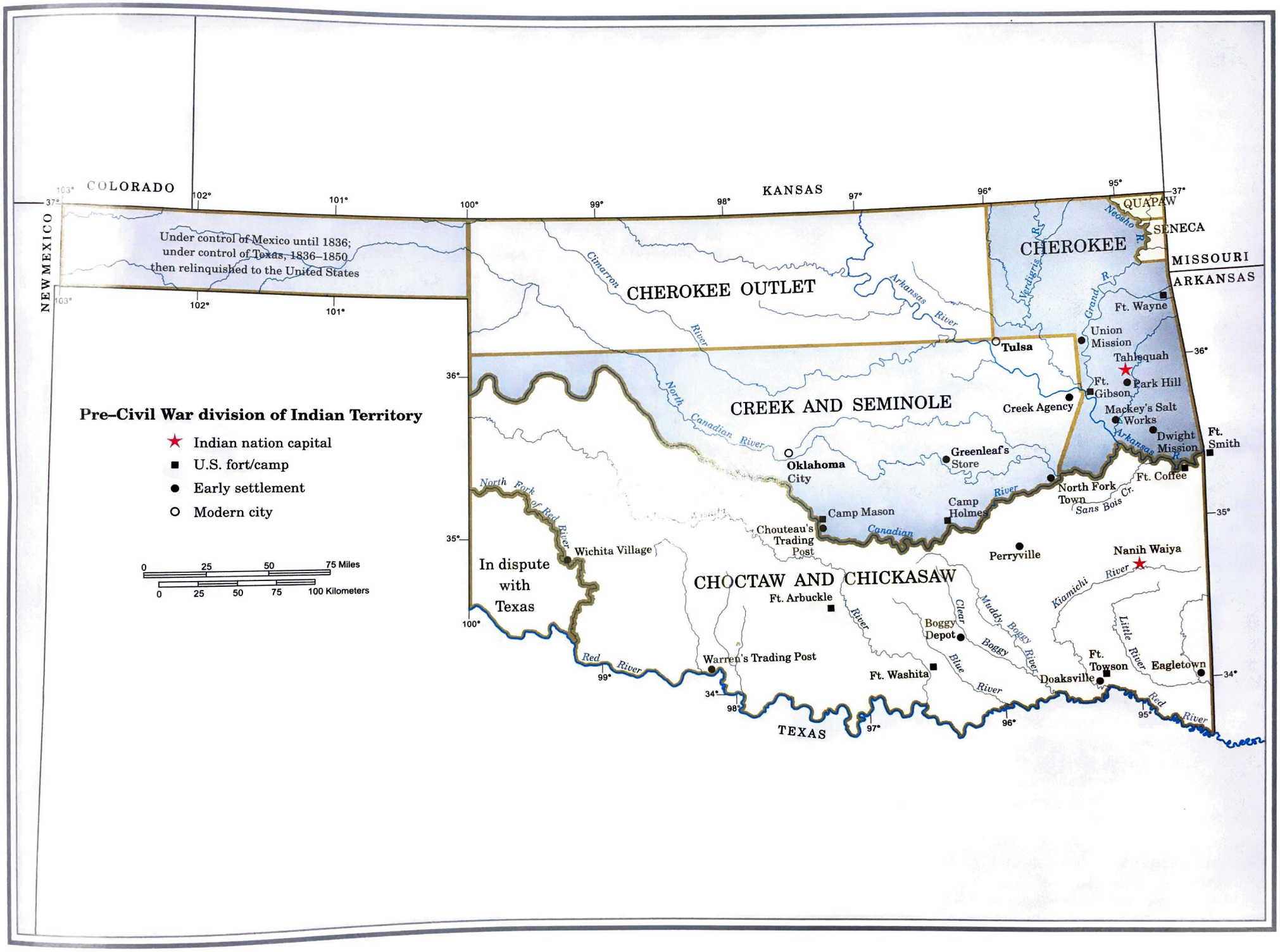
No systematic federal plan or policy underlay all of this activity. In 1817, Congress reiterated its 1808 authorization of presidential discussions with Indian tribes on the subjects of land exchange and removal, but neither Secretary of War John C. Calhoun nor President James Monroe declared himself satisfied. They sought finite congressional legislation not only for removal but also for the formal organization of an "Indian Territory" west of the state of Missouri and territory of Arkansas. They believed that the territory should be organized according to the formula of the Northwest Ordinance, with the same institutions of law and government that characterized other federal territories, including ultimate entry into the union as a state. Despite much favorable interest, Congress did not enact such legislation. In 1827, President John Quincy Adams and his secretary of war, James Barbour, repeated Monroe's recommendation, again unsuccessfully. Meanwhile, the creation of Indian Territory continued piecemeal.

The Removal Act of 1830 contains the first congressional authorization for the creation of a western Indian country. Section one states "that it shall . . . be lawful for the President . . . to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any state or organized territory, and to which the Indian title has been extinguished, . . . to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there." The Trade and Intercourse Act of 1834 defined Indian country more specifically as that part of the United States west of the Mississippi "not within the states of Missouri and Louisiana, or the Territory of Arkansas." This language established the eastern boundary of Indian Territory. The international boundary between the United States and Mexico marked the Red River as Indian Territory's southern border and the 100th meridian as its western. The 1854 Kansas-Nebraska Act changed the northern boundary of Indian Territory from Canada to Kansas. Thus, little by little, piece by piece, Indian Territory came into being.

In the same drawn-out fashion, the federal government's removal policy took shape. Between 1830 and 1835, under the authorization of the Removal Act, the United States concluded treaties with each of the five Indian nations of the South, which led to the loss of their eastern lands and their relocation west of the Arkansas.

In 1833, as the removal crisis reached a climax in the East, two other refugee groups found homes in Indian Territory. Federal commissioners located a mixed band of Senecas and Shawnees north of the Cherokee Nation between the Grand River and the Missouri border. North of them, in what became the far northeast corner of Indian Territory, the commissioners placed a small group of Quapaws who had been living among the Caddos along the Red River. This completed the map of Indian Territory.

The plan for some form of centralized government for the territory remained alive. In 1834, the Jackson administration presented to Congress another proposal for the formal political organization of Indian Territory, but again the lawmakers rejected it. Thus, throughout the removal period, Indian Territory remained as much an idea as a formally created and discrete place—indeed, more an idea than a reality.


Pre–Civil War division of Indian Territory
Indian nation capital
U.S. fort/camp
Early settlement
Modern city
0 25 50 75 Miles
0 25 50 75 100 Kilometers
COLORADO
KANSAS
NEW MEXICO
MISSOURI
ARKANSAS
TEXAS
Under control of Mexico until 1836;
under control of Texas, 1836–1850
then relinquished to the United States
CHEROKEE OUTLET
CHEROKEE
QUAPAW
SENECA
CREEK AND SEMINOLE
CHOCTAW AND CHICKASAW
In dispute with Texas
Cimarron River
Arkansas River
Verdigris R.
Neosho R.
Grand R.
North Canadian River
Canadian River
North Fork of Red River
Red River
Kiamichi River
Little River
Clear Boggy River
Muddy Boggy River
Blue River
Sans Bois Cr.
Tulsa
Ft. Wayne
Union Mission
Tahlequah
Ft. Gibson
Park Hill
Creek Agency
Mackey's Salt Works
Dwight Mission
Ft. Smith
Ft. Coffee
North Fork Town
Greenleaf's Store
Oklahoma City
Camp Mason
Camp Holmes
Chouteau's Trading Post
Wichita Village
Perryville
Nanih Waiya
Ft. Arbuckle
Boggy Depot
Warren's Trading Post
Ft. Washita
Ft. Towson
Doaksville
Eagletown