

MEETING HELD AT MIAMI, OKLAHOMA
OCTOBER 16, 1934.

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Meeting

Senator Thomas:

Members of the various tribes of Indians supervised by the Miami Agency, we are here today to confer with you, to perhaps give you some information and then to hear from you. I am advised that the following Indian tribes are supervised by this Agency: Miami, Quapaw, Eastern Shawnee, Ottawa, Seneca and Wyandotte. There are some other tribes that are not recognized that live in this vicinity, remnants of various tribes of Indians. When I shall have concluded a brief statement, we will have a similar statement from your Commissioner, Mr. Collier. I come before you myself as the representative, or one of them, in the Congress of the United States. I am one of the two Senators from Oklahoma. I am a member of the Indian Affairs Committee of the United States Senate. All bills, all proposals effecting all Indians come before our committee. Of course that means that all bills effecting Indians in Oklahoma and here come before our committee. In all probability, I will be the Chairman of the Senate Committee when the next Congress convenes. Of course that is problematical, but it appears now I will be the Chairman because I am the ranking member that can serve and if things go as they ordinarily do, I will be the Chairman of that committee. So I come before you as your public servant, your representative in the United States Congress, also as the prospective Chairman of the committee where I will have a larger responsibility as Chairman than I now have, simply as a member.

When I decided to make the tour of the State and to confer with the Indians of the various tribes, I wired an invitation to Mr. Collier, our Commissioner, to join me. He very kindly consented to make this tour with me, and I am delighted that he is here. He is the Commissioner of Indian Affairs - that means that he is the head of the bureau that administers all the laws for our Indian population. The Congress passes the laws and Mr. Collier enforces them. So it is important that Mr. Collier could come to all of the Indian reservations and tribes and see them at home, how you live, let you talk to him in addition to his talking to you. I have known Mr. Collier for many years, at least for twelve years. He is a sincere friend of the Indian population of America. Mr. Collier, however, comes from the western country. He is not as familiar with the Oklahoma problems as he is with the far western problems. He is thoroughly with the problems of those in Arizona and New Mexico, the Zunis, Pueblos, and Navajos. He is thoroughly familiar with the Indians throughout the entire west and northwest, but our Oklahoma Indians make up a peculiar class of citizenship. In the west the Indians live on vast tracts of land called reservations. They have in the main not yet been allotted. Out there in the deserts of New Mexico, they have nothing in the world but a cactus and sand hills and mountains. It takes a large tract of land to support even a Navajo sheep, or goat, whatever you call it. That is about all they can raise, these goats. Every spring they sheer these sheep or goats and get a shaggy wool which they weave into a rug, which is called the Navajo rug. The Navajo Indians very largely get their living from these sheep and production

of this wool. If you could see them as I have, you would come to the conclusion that you would not want to live in that country. These Indians have been there forever. They do not want to leave, they want to stay, and so they have this large tract of land, probably 16,000, 18,000 or 20,000 acres. They were born there, that is their home land and they are satisfied. If they are satisfied that is the place for them. You Indians in Oklahoma have been allotted, you have your homes, and you participate in the affairs of this section of the country and in the government, in county affairs, in township affairs, if you have townships here, in some counties they have abolished townships. So the Indian problem in Oklahoma is a different problem from the problem of the west. Years ago the Indians in this state had their reservations. They lived upon vast tracts of land. Years ago your forefathers had their own governments, their own form of life, their own mode of living. Later on in some way your lands became separated and divided. Now the Indian citizens of the State of Oklahoma live among the white people on allotments surrounded by white people. So as I see it, the Oklahoma Indian problem is not the problem of the Indians in the far west. Now, Mr. Collier is thoroughly familiar with the Indian problem in the far west, and because he is not as familiar with our advanced problem in Oklahoma, I was delighted when he consented to come here and tour the agencies with me. I want him to know you, hear you, and he wants to hear you likewise, and if Mr. Collier will have the opportunity, as he will have, of learning your problems, your mode of living, your wishes, your aspirations, then he and I when we get back to Washington will have no trouble in working out the problems for the Oklahoma Indians.

The Choctaws and Chickasaws do not have the same problems as the Indians here. Every tribe has its own problems. Every Indian family presents an individual problem. One family may want to raise livestock, another may want to raise cotton in the south, and another something else, and then again they may not want to raise anything. I find that to be true too frequently throughout the country. We are trying to make it possible for the Indians not only here, but everywhere, that want to work, and have a home of their own, and be somebody. We want to make it possible for you to work, have property and be somebody. There is no reason why Indians can't be the same as everyone else. There is nothing in this state that an Indian citizen cannot aspire to. You can aspire to be Governor, to be Congressman, (W. W. Hastings is an Indian). If your children want to become teachers, lawyers, doctors, the way is open to these youngsters to get an education to become whatever they want to become. If they still want to stay on their allotments, it is the purpose of the Indian Office and the Government to provide you with facilities that you can become what you want to become. I do not agree in all particulars with some of those who are working with the Indians. For example, take the boys and girls in the Navajo reservation. They take them from that desert and send them to the Riverside Indian School in California, located in the most beautiful country you have ever seen. These children are placed in wonderful, beautiful buildings - they are taught in those schools how to take care of orchards, orange groves, vineyards, and the various things they raise there. They go through that school and then when they are through, they go back to the desert of Arizona.

They are disappointed, no other place to go. They have to go back. We are trying to get them into as many positions as we can. When they go back to the desert, they take back with them a character of education, which in my judgment, is not the best for them. I am of the opinion that these children on the Navajo reservation should be educated and taught to make a living on the Navajo reservation. I voiced this protest and opinion when we were in that section of the country. I may be wrong, but my policy is to educate the Indian child to prepare for what he wants to do when he gets through school. The boys and girls from this section of the country are better educated when they stay in this community and learn the white ways in this community. If they are sent off, they come back strangers. Now Mr. Collier and his bureau, and my bureau has made a determined effort to help the Indians. Last winter the bureau prepared a bill. It is known the Wheeler-Howard bill. It took its name from two members of the Congress - a bill usually takes the name of the Chairman of the committee, so this will was called the Wheeler-Howard bill because of the two chairman, one named Howard and one named Wheeler. This bill came to us rather late in the session and it proposed a number of changes in the Indian life. We considered the bill weeks, yes, for months, and when we got through considering the bill, we embodied in a new bill all things that we could agree upon. We have twenty states who have great numbers of Indians, great numbers of tribes, I think over 200 tribes. In Oklahoma we have seven agencies and each of those agencies supervises from five to fifteen tribes. There are Indians around Miami that have been lost and forgotten with Indian blood coursing through their veins, yet the Government has forgotten those tribes. If they need help - we should give them all the

help we can. An Indian is an Indian because of the blood in his veins. In past years, not Mr. Collier, the Indian Office has measured Indians by the amount of property that they owned. If an Indian had no property, he was not an Indian, in past years. So far as I am concerned the Indian citizen is an Indian in proportion to the amount of Indian blood that courses through his veins and those who have lost their land and money are Indians just the same. The poor Indian is deserving and should have more help from the Government than the rich Indian. The rich Indian can get along alright. My point is this: that the Indian who has no money, no farm, no allotment, and few friends, that is the man, the family that the Government owes an obligation to. I heard a little story a few days ago in the southern part of the State. An Indian was brought before the police Judge in one of the cities. This Indian had been arrested for reckless driving, which meant, of course, that he had too much of something they sell that causes reckless driving, but this Indian was brought before the police Judge. The Judge said you are charged with reckless driving, in a condition threatening and endangering the lives of other citizens of your community. What have you to say? The Indian says "Bought corn-whisky - had new car, drove heap fast, saw two bridges, took the wrong bridge." The Indian citizen is just exactly like the white citizen, no difference, except the whites have had thousands of years in training in what we might call government and civilization, and the Indians have had only 150 years in association with the white people. It might be best for the Indian to go on in his former way. I am not sure what might have become of the Indians, if Columbus had not discovered America. You might have had better towns, schools, roads, etc., but I doubt it. In other sections where Indians have

been left alone, they have not made much progress. Of course we gage progress by our view point. We must live here together. There is no use to speculate on what might have happened. It has happened you are here and the whites are here. The lands have been divided - some Indians still own their lands, others have no land and no money. It is still the problem of the Government to look at conditions as they confront us, but the Indians that have no land have lost it and I am not going into detail as to how they lost their land. It makes no difference to me. However, it will be my policy to do what I can to find a piece of land some place, put that Indian on it and give him a home. Personally, I am not for going back to the reservation. Of course if they want to go back, alright, but I do not think they want to go back. Fifty or sixty years ago, we had reservations, but we do not have them now. There is not^a/single reservation in Oklahoma, as I understand reservation. A large tract of land, owned by the tribe, where all of the Indians live together. No Indian has any particular place he can call his own. (Description of various types of Indians homes in the different parts of the country). We have made progress beyond that point in Oklahoma. The Indians of Oklahoma want homes, they want houses, furniture, food. The Indians of Oklahoma want the latest style in dress, and most of them have it. You walk down the street, and you can't tell an Indian woman from a white woman, unless you see their face. They like to dress like the whites. They become just the same as the whites. From my standpoint, I approve that policy.

I don't think you could go back and become old-fashioned Indians if you wanted to. So this bill was prepared last winter, in my judgment, to save the great mass of Indians living in the far west, living in New Mexico and Arizona. In New Mexico, we have a great number of

Pueblo reservations - large tracts owned in common by the Pueblo clan. Before I went out there, I thought it was just one reservation, but when I got out there, I found the Pueblos divided up into fifteen or twenty reservations, and each reservation was separate and distinct. So the Pueblos appear to be the same sort of people, living in the same kind of homes, made out of mud and straw. That is their ancestral home which have been there hundreds of years and perhaps thousands of years. They want to stay there on that reservation. We cannot get them to leave there. So this bill was drawn to help the Pueblos form a government, to organize, to make progress in the line they want to. In Oklahoma, having no reservations, this bill from my standpoint does not fit the Indians of this state, unless perchance you want to leave your allotments, your homes and go off some place and buy large tracts of land, wild land, and build some homes on this reservation and try and help yourselves to live out there by yourselves. I do not think you want that. I would not permit this bill to pass. When it proposed a plan to take Indians of Oklahoma from their allotments, and put them on a reservation some place, because of this I said that that section shall not apply to Oklahoma until I can go back and visit each Agency, and tell the Indians what this bill is and explain it, have them ask questions, and make it clear what the bill proposes to do for you. If you are for it, I want you to tell me so, and if you are opposed, I want you to tell me so. After you have heard both of us, I am going to call on representatives and various members of these tribes, and have you tell us what you think about this bill. This is a conference meeting, and you should ask questions, any question you want to, and we will try to answer you. As your Senator, I am governed very largely by

what you say here today.

This bill is now the law. It has been passed, the President has signed the bill, it is now the solemn law of the land. Those Indians in the west are under this law. The Navajo Reservation contains 25,000 square miles. We went over that agency last year. We have no reservation of that kind, but those Indians hardly ever see a white man. It is natural, proper and commendable that they be given a chance to formulate a government for themselves using the facilities that they have. I am for the bill for the reservation Indians, but we have none of those in this state and if we are going back to the reservation, we will come under this bill. If the Indians of Oklahoma decide to go back to the reservation idea, they will cease participating in the affairs of the county and state. The white people in the western states do not permit the Indians to participate in public affairs. They are not allowed to vote, pay taxes and in the eyes of the white people of those states, are looked down upon, regarded the same as cattle, jack rabbits, etc., they are the forgotten people. It is the policy of Mr. Collier and the government to try to help those Indians to make something of themselves. That is the purpose of the Wheeler-Howard Bill, but we had that 75 years ago and have grown away from all of it. When this bill was passed and proposed for my Indians, and I call you my Indians because I am working for you, there were six sections in the bill that I did not think should be approved and accepted by the Indians of my state, so I put a provision in the bill that would make Oklahoma Indians left out until I could come down and confer with you and see if you want those six sections made applicable.

The first section that I excepted was that one providing for extension of restrictions over your land forever. You may have a deed to your farm, but if there is any restriction upon it of any kind or character, Section 2 extends that restriction forever. You can never sell it, give it away, will it to your children. When you die, the land is still there, your children could not get the land. They could still live there. In effect, the title is taken back by the government and held in trust for your children during their lifetime, and so on, so 100 years from now, there might be 500 people who have an interest in that land. As matters now stand, that is ~~now~~ now the case and so until I could come back to Oklahoma and confer with you, I was not willing to have this apply to you. As long as grass grows and water runs that restriction would remain on your land. Of course, the Bill says until Congress repeals the Act. But my friends, if the bill passes, the Indian Office will always be opposed to repealing that law, because they have a conviction that the government can advise and supervise you Indians better than you can do it yourselves. Many of those in Washington have that viewpoint. If you want to lose title to your property back to the government and you advise me you want to come under this act, or if you oppose Section 2, you should tell me.

The other sections that I exempted our Indians from was for providing for the creation of reservations. In the first place, I am opposed, as a matter of policy, to our Indians going back to the old way of living. (Detailed description of former customs of old Indians in comparison with present customs of Oklahoma Indians.) I think there is a better way. The policy I suggest is a policy to

take the money that would be necessary to buy a reservation and buy individual tracts of land where the Indian wants it bought and the kind of land that the Indian wants to buy, to raise what he wants to raise. In place of buying some poor land, I would confer with the Indian, find out the kind of land he wants, and where he wants it, and then purchase the land for him and help him get a start, furnish his house, give him what he needs to do what he wants to do. I think that is progress. That is what the white people aspire to. They want a home, so I have suggested instead of buying reservations, buy the Indians land that a white man can live on. I am afraid that if they start the reservation policy, they will say: The Government has bought me this land, they won't let me starve; they will take care of me and the government will have to prepare rations, so that these Indians would not try to help themselves, have no ambition, and if that should happen, how that reservation soon would become regarded by the other people of the state; it would be known as an Indian poor farm. I am opposed to that, to taking this proud race of people who once owned this property, finding land that the white people cannot live on and make the Indians live on it. Some of Mr. Collier's men went out and bought some mutton and gave it to these Indians at Muskogee, and when they found it was mutton, you know what was done with it. Indians like the good food that the white man likes. I know the Indian Problem is a big one. It is as big as 300,000 Indians can possibly make it. Every Indian tribe presents a different problem. What suits the Quapaws might not suit another tribe, and so on. (Detailed discussion of various kinds of meat sold in Europe and

especially Russia). Every people has its mode of living and kind of food. The point I am making is this: I am in favor of making the Indian problem a special one with each tribe and help them to help themselves in the way they want to be helped, confer with them and see what they want done. Take money, power and facilities of this great nation of ours and help that man as he wants to be helped. You are not under six sections of this bill. Your land titles have not been touched. They apply to the other Indians but not to you.

This bill provided that Indians can form constitutions. You must first be living on the reservation before you can form a corporation. You cannot form one because it is to promote the community welfare and inasmuch as you are separated, a corporation could not be incorporated. You, in order to come under this provision, must first give up your land and get the reservation and move on it, then we can apply for a corporation and have our constitution. When we get our laws, what could you do with them? At this time we have too many laws. If we had 50 more governments in this state, we would have 50 times as many people as we now have nosing into our business. So at this time you are not under the land provision, the corporation provision. If you want under them, I want you to tell me so, because you are not now covered by those six sections of this bill. The bill has some good points. This bill provides for the appropriation of \$2,000,000 each year to be given to Mr. Collier's office to buy lands for the landless Indians. He might buy a large tract and put a lot of Indians on it, or he might buy separate allotments for each Indian. There is a precedent for that program. In 1886 _____'s band of Apache Indians were fighting the United States Government.

There were over 100 of those Apache Indians. Every time they saw a white man, they tried to kill him. When the government captured them they brought them down to Fort Sill and put them on a military reservation. They were supervised and they were kept from way back in the 80's until about ten years ago when they petitioned to be set free. The government decided that they would give these Indians their choice of going back to the Mescalero Reservation in New Mexico or selecting land in Oklahoma. The older Indians wanted to go back and went back. The younger Indians wanted to stay here in Oklahoma. They said that if we would get them a piece of land and help us get a start, we will stay here. About one-half went back and one-half stayed in Oklahoma. The government bought them land and gave it to them, built them a house, gave them cattle, horses, etc. That was ten years ago. That band of Apaches are in the best condition of any Indians I know of. They give us less trouble than any Indians because they are on good land that a white man could make a living on. If I was Mr. Collier, I would never buy an acre of land unless it would serve some good purpose. The acre might contain a spring, timber, being therefore, able to serve a good purpose, but I would not buy any farms that white men have discarded, worn out. I would not permit an Indian to go on that kind of land. I would use that \$2,000,000 to buy lands for individual Indians and lands that they could make a living on. If a group wanted to buy land together, that would be all right.

The bill provides for \$250,000 to be appropriated every year to be used in helping our boys and girls to go on and pursue

better educations. Many can't live at home and attend school on account of not having money for food, books and clothing. This fund is for the particular purpose of making loans or advancing money to the ambitious young people. The only thing is the fund is not large enough but is large enough to start. If the money is demanded and used well, I will be in favor of increasing that fund.

Now those are the main provisions of this bill. As I understand it, every good point in the law that serves any good purpose in Oklahoma, I have kept in it, but those provisions that I was not sure about, I held out of the law until I could confer with you. Now Mr. Collier will make a statement as long as he wants. After that we are willing to hear any question that you have.

Now at this time, it gives me pleasure indeed to say that our Commissioner is here with us; I am glad he gave the time from his office in Washington ^{to} come to Oklahoma and see 50 tribes in Oklahoma. I have always said that John Collier has only one idea, ambition, incentive, and that is to help the Indians of the United States. He believes that what he is doing is best for you. I might not understand your problems, but I am in a position where I have to represent you legally, and I want to represent you in the way you want to be represented.

It gives me great pleasure to present to you your Commissioner, Mr. John Collier.

Mr. Collier:

Senator Thomas, Friends, Superintendent Andrews, and Members of the Various Tribes:

The thing that I am most anxious to impress upon you is the same thing that Senator Thomas wants to impress on you. We have come here to invite your thought about this legislation, to get your ideas about it. It means a good deal for Senator Thomas, with his innumerable obligations to be going to each of the agencies and meeting with the Indians, as long as they want to, to get their help in formulating legislation. It means a good deal for me to be here in the same way because I am busy. In days gone by it was not customary either for Congress or the Indian Office to come back to hold mass meetings for the Indians and tell them that we want to do what ~~we~~ they want us to do. That is the purpose of both Congress and the Executive Department, but our coming will have been of very little use unless we can get your suggestions based on a study of the bill and of the problems of your own lives.

The Wheeler-Howard Act, as Senator Thomas has told you, is now law, for all of the area outside of Oklahoma and parts of it, important parts of it, are law for Oklahoma. Under this new law we are able, we are going to be able, to supply the Indians with many things which they have long been asking for, which we could not supply them without this law. Some of those things we can already supply the Oklahoma Indians, because they have been brought under parts of the law. Some of them we cannot yet supply to the Oklahoma Indians because as yet, Oklahoma is excluded from parts of the law. I believe

that after certain changes are made in the wording of the law, then Oklahoma ought to be in it, and that practically all of the Indians will want to have the whole law applied to them. I am confident that there will be agreement between the Interior Department and Senator Thomas and you about what those changes ought to be and then about extending certain benefits to you. Senator Thomas and I are in substantial, practically complete, agreement regarding what it is we want. We are not in exact agreement as to the present meaning of the act. What I have to say to you will be to develop my view of the act as it is and then I will suggest some of the changes that ought to be in it.

The first thing I want to tell you is that as I see it, Senator Thomas has referred to the southwestern tribes. They are the tribes that least need the act. Insofar as I had to do with the building up of the Wheeler-Howard Act, I was not thinking of the Navajos, Pueblos and Apaches, and their tribal lands. I was thinking of the Indians in the allotted areas of the country who have lost their land through the allotment system. I was hunting for a way to restore their land, for some arrangement which would make it possible for the allotted Indians to keep what land they have and hold any new land that the government buys for them. The allotted lands are not only in Oklahoma. All of the Indians in South Dakota are allotted. The Indians of the State of Washington and Oregon are in most cases allotted. Most of the Indians in Minnesota and all in Nebraska are allotted, and so on. My understanding of the Wheeler-Howard Bill is that its most important parts, the land parts, are for the Indians that

have lost their land, including the Oklahoma Indians. That is the part of the bill that will concern most of you. If you take the act and read it, you won't find anything in there about going back to the blanket or anything of that sort. In the first place, you will find that the bill as a whole is optional. Section Nineteen of the bill, in fact, requires every tribe to vote on it before it goes into effect and lay it before the tribes. The first of those elections is being held in eight or nine states on October 27. Then when you come to the organization features of the bill, they are permissive simply. A group can organize as it wants to. However, that is not entirely correct because the only way that credit can be extended is through corporations that are to be formed to administer the funds. There is a ten million dollar credit fund. That fund is made available to the Indians through corporations that are to be formed to administer credit and when administered, each Indian tribe will want to form these credit corporations.

I want to talk about the condition right here in the Quapaw area. The figures I am going to give you have not been published. They are the results of study made by the President's National Board, to determine the condition of the Indian lands, how much they have, and how much they have to have to make a living: The Ottawas, 388 of them, with 1332 acres of land, which is less than four acres per capita. The estimated potential income from the land plus wages in normal times, is \$110.00 per year for each Ottawa Indian. In other words, they are poor. The Wyandottes, with 701 of them, and 2294 acres of land, have a potential income of \$130.00 per year. The Shawnees, 262, with 3462 acres, show an income

of \$190.00 per year, per capita. The Quapaws - 52, with substantial royalty incomes; subtract them from the total and there are 476 with 4818 acres, much of it poor land; in other words in this area, there is a considerable shortage of land. We all know this, of course. If you work on this idea which is the basis of the report of the President's Commission, it estimates that an Indian ought to have an income of \$300.00 a year, a minimum subsistence income for anyone. How much land would be required in this area to make that possible if all of it were used efficiently? The answer given by the Commission is that the Miami area needs 31752 acres of new, good land. They estimate that that land could be bought for a little over \$300,000.00 under normal conditions. If you take the State of Oklahoma, you find a comparable situation in most of the state, but not in the west. Take the Five Civilized Tribes, they have only 1,500,000 acres of restricted, tax exempt land. Much of it is very poor land and the Commission estimates that the Five Civilized Tribes in order to obtain a standard of living of \$300.00 per year, it would take 2,000,000 acres of new, good land. You are not only concerned with getting land. You are concerned with getting the capital to use the land. By the way, under the Wheeler-Howard Act, the grant of money for land purchase is a gratuity. That is, the tribes nor individuals do not become indebted to the government. To use the land, credit is necessary. In the past, as you all more or less know, we have not had any real system of credit for Indians. Their land was restricted, they could not mortgage it. For that and other reasons, they could not borrow money. That is true now of the poor Indians of Oklahoma. On the other hand, the government did not ex-

tend credit in any amount worth mentioning. We have had a pitiful, little credit system in the past which has amounted to \$1.50 per year on a per capita basis. The Indians have been shut out from credit. That has been a great handicap. The Wheeler-Howard Act sets up a credit policy and it appropriates a \$10,000,000 loan which is a grant, not reimbursible. It is to be apportioned out among Indian Tribes or groups of Indians. They are the corporations that are spoken of. Suppose a given group will receive \$100,000 of that credit fund and it will be a revolving fund. Money will be loaned out, and when that is paid back, it will be reloaned, so it will go in and out as a revolving fund. It is not feasible for us to try to administer from Washington a credit system reaching hundreds of thousands of individual Indians. The credit fund must be administered through local organizations of some kind, through credit associations formed of the Indians who need credit. They must be responsible for deciding who shall get the credit and how much, and for hounding the man who borrows. I am glad to say this in the presence of Senator Thomas who is a member of the Appropriations Committee, that the ten million dollar fund is not nearly big enough, however, it is 40 times as big as the amount of credit the government has been extending year by year to the Indians.

What we are driving at, we want to find out what we want, is that land shall be supplied to the landless Indian and more to him who has too little land; that credit must be furnished. I think that we would all agree that the credit should be administered by local credit associations and not by the Bureau in Washington.

If we want those results, and all agree on it, we can have them. If the Wheeler-Howard Act in its present form does not supply what we want and everybody is agreed, then it will be easy to change it. Nobody that I know wants to say that the Wheeler-Howard Act as passed is the last word or is perfect. Even the most carefully through-out acts, including the Constitution of the United States, have to be fixed up. Twenty amendments have been passed to the Constitution of the United States. The Constitution in the hands of the Courts has been construed to have meanings that our forefathers could not have had in their minds, of course. It is the same way with any act passed by Congress. While the committees of Congress worked on the bill indefatigably, still it was not possible to do a perfect job. The House finally passed one version of the bill about a week before adjournment and the Senate passed another piece and then in great haste, they had to get together and in the haste, some things were done successfully and some not so successfully. I want to get back to this, I assure you that from my own point of view, I had a great deal to do with pushing this thing along, but I was not doing it primarily with respect to the Navajos and Pueblos, but with respect to the allotted Indians. These tribal Indians, such as the Navajos, Apaches and Pueblos, many of them have got good land. The amount of land owned by unallotted Indians has been steadily increasing. It is the land of the allotted Indians that has been fading away, which under the operation of the allotment system, is bound to pass out of Indian ownership through sales after the death of the original allottee. The law is so drawn that you cannot keep the land after the death of the allottee. We all know that now. You

You cannot subdivide an allotment of land among twenty heirs. Therefore, you have to sell it. There is no choice and as a matter of fact the 1910 amendment directs us to sell it if we cannot subdivide it. There are other complications that make it practically certain that all allotted land has passed into white ownership. We have 7,000,000 acres of land belonging to heirs of deceased allottees, which if we did not have the Wheeler-Howard Act, we would have to sell or try to sell. In Oklahoma, the thing is still further complicated in the Five Civilized Tribes area by the Federal law which lifts the restrictions on much of the allotted lands after the allottee dies. That results in the sale of it even more quickly. Outside of Oklahoma, the same thing happens more slowly. The fundamental purpose of the Wheeler-Howard act is to correct this situation, which has grown out of the good intentions of the man who drew up the allotment scheme, which was not wanted by the Indians, but was resisted by them. The tribes of the Southwest do get benefits out of the Wheeler-Howard Act. They can organize their tribal community governments in a much more effective and stable form under the Act, because under the old law, if they organized at all, it was because the Commissioner of Indian Affairs was willing. The great need for this Act is for the allotted Indians in and out of Oklahoma. They need a credit fund and they need other features in the Act. It applies to you also. Personally I have no interest in whether you say we want the Wheeler-Howard Act applied to us. I am interested in your saying that you are determined to have something done which will furnish land to your landless members, credit to those who need credit, and stop this process of losing your land as fast as you get it. You cannot write a bill in mass meeting. It must be left to your members

of Congress to draft your wishes in a bill. If it turns out that a special bill has to be drafted, that is the way it will be done. Senator Thomas wants results. We do. But we do want you all to express your thoughts and desires in these matters. A Word about the organization features of the bill. I first want to say that the Wheeler-Howard bill is going to be very hard to apply in some places unless it is amended because it uses the word "reservation", and nobody knows what that word means. As a matter of law, we use it so loosely, that nobody knows what it means as a matter of speech. Senator Thomas will remember in the last Congress, the legislation that was passed allowing the sale of 3.2 beer in areas that were not Indian reservations. In the State of Minnesota, it turned out as a matter of law, that one-third of the whole state was a reservation and although no Indians lived there, beer could not be sold. That simply means it was a reservation a long, long time ago, and that is one meaning of reservation. Reservation is what the Senator has described in the southwest, in Oregon and Wisconsin; where you have a solid body of land that has never been broken up into allotments. The bill, if you read it again and again, carefully, it uses the word "reservation" and never says what it means. That compels the Department to construe the thing arbitrarily and if we do, somebody is going to Court and get another construction. We have either got to get rid of that word, or define it. A lot of the confusion here in Oklahoma has grown out of the use of that word. The more carefully you read it, the more confused you are. For example, if you take Section 16, which deals with the right of Indians to organize tribal organizations, and give certain powers to them, it says "Any tribe or tribes residing on the same reservation

shall have the right of organizing for community welfare." You may be living on some sort of a reservation up here, some of you. But certainly the members of the Five Civilized Tribes are not. It is not only here. The bulk of the Chippewas of Wisconsin and Minnesota are just as much scattered as the Five Civilized Tribes. The California Indians are even more scattered than the Oklahoma Indians, so that what we will have to do pending the amendment of the Act is simply to construe that it means "neighborhood, community" or something of that kind. Then we will have to seek an amendment, a definition, that will make it possible for Indians to organize. It may be a tribe or a piece of a tribe, or one hundred Indians living in an area where they want to organize for cooperative purposes. I have to exonerate the Interior Department for that word "reservation." It was not our word. Now, when you organize, you do not organize a government within a government, not under this Wheeler-Howard Act. In the first place, you keep any power, or authority/^{you}now have. When you are organized, what power do you get? The power to employ legal counsel. You already have that; that power to prevent the Interior Department from selling or leasing, or encumbering the tribal assets and the power to prevent the Interior Department from spending tribal funds without consent of the council. The arbitrary power of the Secretary of the Interior is taken away from him. For the rest, the new thing given is that when a tribe organizes under Section 16, then the yearly appropriations proposed by the Interior Department for that tribe have to be submitted to the tribes before they are submitted to Congress, so if the tribe does not agree, the tribe can say what it wants, and then it is the duty of the Secretary of

the Interior to transmit the recommendation of the tribe to Congress and Congress will decide. There is nothing about municipal Government in that. Nothing about a State within a State. Nothing that could possibly effect the citizenship of the Indians. It gives right to organize with respect to tribal property, in such a way to protect themselves. I would say that they need that protection now. No executive office ought to be imposed with that power. I hope we are not abusing it right now, but we should not have that power. If the Department had not had that power in the years gone by, it would not have expended more than \$100,000.00 in the last twenty-five years for Indian trust funds.

Now we pass onto the corporation, assuming that a tribe wants to incorporate. Here we are free of the word "reservation." A corporation simply gives the Indians authority to incorporate; to do various kinds of business; they can buy land; they can acquire real and personal estate; they can hold, manage, operate and dispose of property. A tribe that incorporates here might want to run a mill and grind its own corn. In another territory they might organize for a different purpose, and would be allowed to do so. That is the essence of the corporation plan. It merely extends to the Indians the same kind of power that everybody has to form partnerships, corporations, and so on. The credit fund is extended through the corporation to the members of the group. You see there is nothing wild-eyed about that plan. We don't say it is perfect, but it is nothing but an extension to the Indians of normal privileges that other people enjoy and which could not possibly conflict with citizenship.. It is much more modern than ancient. The group is essentially

a modern device, worked out in the last century of time in England and the United States to do business under modern conditions. It is not a thing that the ancient tribal Indians devised or knew anything about. The Indians of the modern world need it. After the word reservation is amended, we can meet Senator Thomas' objection; if the act required you all to live together, to be living in physical contact with each other, you could not organize. As it reads now, you could not but after the term is changed, you will be able to do what all the white people are doing. I am sure there will be no difficulty in getting together on that.

Going on through the bill, you will note the Educational Loan Fund. The buying of land is possible here, but we are handicapped, because we cannot extend the credit to you. You need credit to use the land. Yesterday the Senator fully explained the feature which approaches Civil Service requirements. I think this is going to result in Indians getting jobs in the Indian Bureau. It is very important, enabling us to employ many more Indians than now. I am happy to know that all those employed on the ECW projects at Muskogee, with the exception of one man, are Indians. We are now constructing school buildings and hospitals at a cost of \$8,000,000 and 92 percent. of the force employed including superintendents and engineers are Indians. Less than 8 percent. are white men and I believe there again we are going to establish a new high level. The bill allows us to extend that same method to the regular Indian Service. It does not take away the status of those who already have Civil Service protection, but when a vacancy occurs, the qualified

Indian has preference. We held a new examination for Indian superintendents. A great many competed and only seven qualified. We got to studying that examination. My heart is all with the Indian. I could not pass these examinations. It is very important that the Wheeler-Howard Act wipes out the Civil Service barrier applying to Indians. Those are the material elements in the bill.

Now I come back to the matter of the extension of the trust period, restrictions. We all know as a matter of course, that when the restrictions are lifted, the Indian generally does lose his land. When patent fee is issued, generally the land is sold when restrictions are lifted. Therefore, as a temporary measure, this language was adopted which extends all restrictions until further directed by Congress. Yet I agree with the Senator that to extend all restrictions for an indefinite time into the future on all allotted land is not practicable and is not desirable. It is not the case which the Senator quoted yesterday as the classic one which the Senator cited of former Vice President Curtis. That is a silly condition, and there are innumerable parallel cases. Hence, I would not agree with the Senator that this means forever. There is a deeper reason than that why the restriction could not be made permanent under the existing system of law and it goes back to what happens after the death of the original allottee. The Indian Bureau has been trying very hard to hold onto heirship lands and not sell them until we have seven million acres of land. It is quite customary to find that there are fifty heirs to each allotment and sometimes two hundred and fifty. We cannot partition that land. What we do is to rent it to white men and we actually go through the solmen farce of paying to

each heir one cent every three months for an allotment with a perfectly indescribable amount of bookkeeping. It would pay the government to buy that land. Furthermore, the bulk of Indian land is grazing land and can only be operated in large tracts. Yet what we have is not just the grazing land broken up into separate allotments but each allotment broken up into separate interests. The time will come sooner or later when Congress will rise up against that waste of money in administering the real estate of restricted Indians and mostly this heirship land. To make the restriction everlasting until in the next generation we have four thousand heirs to some of these parcels, what would we have then? We would be taking over Washington with our clerks, stenographers, property clerks, field agents, etc. I take it that the Administration is going to have the authority to permit sales of trust allotments and heirship lands where conditions require it. It is going to exercise that power. The land which is going to permanently remain under federal trust will have to be land where we have worked out some arrangement that makes it possible to administer the land without the government. This bill partly meets the problem in this way, it has a permissible clause in this section on corporation. It says a group of Indians for a corporation, buy land, including restricted land. It may also be the heir to whom the land is willed, and also it may take over the land if the allottee desires and give him in exchange what is called a certificate of interest. It means that they could turn back their allotted farm land and in exchange, get a share in the timber revenue. The original bill against free patenting was stricken out by Congress. On the initiative of Senator Wheeler, and with my agreement, they

struck that **out** and it is still possible anywhere in the country to fee patent land where it ought to be fee patented. That does not meet the condition in the Five Civilized Tribes because it is by removal of restrictions that they can sell the land. We must get the Indians so that they can use their land and can have all the benefits without running into any complications. The original bill gave the Secretary of the Interior the right to compel any man to exchange his allotment, the title, for a certificate of membership in the corporation. That was stricken at a very early stage. We are trying to find some way out of the mess with the Indian group and the individual Indian. It is a thing upon which we want your thought.

I think I have talked much longer than I meant to but my object is to convey to you that you have an interest in this Wheeler-Howard Act and in the problems which it strives to solve. We are seeking light. There has been some little effort by several people in this state and one newspaper to start a fight between Senator Thomas and the Administration over this thing. We are in fundamental agreement, we are not in a controversy. On the contrary, we are in agreement but not perfect agreement, not on how to construe this act. We are seeking light and I am confident that something is going to be done by the next Congress that will give you what you need. It is good fortune that Senator Thomas is going to be the Chairman of the Indian Committee. Senator Thomas, through all of the years I have known him, has given hundreds of days of time to the needs of the Indians of the country. He was serving the Indians with wisdom and we are all very happy that there is a prospect that he will be the Indian Chairman.

Meeting called to order at 1:45 P.M., after a period for lunch. Senator Thomas calls for a representative of each tribe to speak and present the views of their respective tribes.

Lucien Daseney, Ottawa Representative:

With due respect to these men - They have come here with a program presenting to us for our betterment in the near future which I am proud of. As I look back to when the Mayflower landed in America - they colonized, they were helpless, but us Indians showed them courtesy and allowed them to partake of the soil and told them to come and make their home. They were fleeing from England where their taxes were so high. At that time, there were 1,500,000 Indians. In America today there is scarcely 500,000 Indians. We showed the Caucasian courtesy and gave them a chance to have them a home. We owned the entire hemisphere of American and today they own what we owned and we are the colony and they are the Indians and now we come to them and ask that they give us back the land and we gave it to them. We could never have been what we are if it had not been for the ingenuity of the white man. We came from what is known as Wakatipu Island. There was a confusion as to who/^{we}were subjects of, whether America or Great Britian. The United States Congress went into discussion with Parliament and we were finally ceceded to America. We settled up near Ohio and in later years they found the state of Ohio was producing and fertile, they sent a delegation out from Washington to negotiate with us. They said to the Indians, "We will give you one cent for what the buffalo hide goes around." The Indians agreed to that term. Then they cut the hide into strips and weaved it into a larger rug and said that that much ground was the amount they meant.

The Indians seen they were beat. They moved us onto land in Jackson County, Kansas. 12,000 fullbloods in Ohio settled Kansas. Today there is but one fullblood surviving that great nation of Ottawas. We have diminished until there is only one and we are appealing to the government today for aid. The country is on charity today and we are asking for aid because we have come to a state of depression where we have got to have help. I am in favor of Mr. Thomas' action. He shows that he wants to help us and we have got to cooperate in order to get results. They asked me to intercede for us and I am fighting for a home for me and my children. I am 65 years old. I drew an allotment under the Dawes Bill of 1880. We got our land and later on the restrictions were removed. We did not have oil and mineral production. We did not realize what our country was worth. We did not know the value of our land. In consequence, my tribe has sold its land and all we have left is a five-acre spot that is called a graveyard that is waiting for us all. That is all we have got left. Why shouldn't I get up here and plead for our people. We want a chance to have a home and to pay for it and help me and I will show you I will make good. I have realized what a home is to a man. A man without a home is like a ship without a sail, he is helpless. The American Indian is the most patriotic citizen. He is loyal to the flag. Now as we plead as a nation going down, help us and we will try to help ourselves. In the last war 90% of the Indians in it were not drafted; they volunteered. Here's where I want to live and die. America is my home. Now, Mr. Thomas, I am pleading for my tribe; 1300 acres. We will gladly accept anything that you give us. Take us off of FERA, give us a chance to make a living for ourselves, be self-supporting. Put

work out here us Indians can get, and let us earn our own way. There is many things: If you want to help an Indian, give him a chance, give an opportunity. In all my lifetime, I have never had an opportunity. I have always been a man who tried to help the fellow that down. Many a man walks to my door and asks for a bite to eat. I have never turned a one of them down. That is my attitude. I am willing to help and want to help.

Edward Bluejacket, Eastern Shawnee Representative:

Mr. Commissioner, Friends: First of all, I want to thank Senator Thomas for the stand he has taken against the Wheeler-Howard Bill for us Oklahoma Indians, and also for his stand on this education business. I feel like he does, that this education fund should be increased. With the amount that the Bill specifies, it would not allow the boys to learn the college yells; entirely too small. Then I heartily approve of his plan of giving land to us landless Indians for homes here among friends, here where we have been raised up; and also, for the older folks who have been driven further and further west. Our tribe one time lived in New York. They have been driven continually west through the trail of tears. We don't want to see no more of that. Mr. Thomas, I want to thank you on behalf of the other members of my tribe for your efforts.

Allen C. Johnson, Wyandotte Representative.

Mr. Chairman, Honorable Commissioner and Mr. Andrews, our Superintendent: I am not going to make any big, fine speech. I take the pleasure of reading what I have written. We are extremely de-

lighted to meet with you and glad to have the opportunity to express our status as members of the Wyandotte business committee. The action delegated to us to exercise, to properly conduct the tribal affairs at a general council. Under the circumstances, we are duty bound to exercise the powers given in this resolution. I believe we are standing on approving a few sections - Section five which deals with the landless Indians; Section Seven, education; Section 11 and 15, Indian claims; Section 19, who may be eligible under the Act. There is only one question I would like to ask these gentlemen. If we avail ourselves of this loan, it seems we will have to get under the community form of Government.

Answer: You will have to have a corporation.

Question: Ninety per cent of our people are white - and they do not like this community idea. We believe it would be more essential to our tribe that we have these sections to be available to us with the exception of that loan, if we can, if it is possible that that could be amended. I believe that is all I have to say - Thank you very much.

Vern Thompson - Attorney for the Quapaw Tribe.

The Quapaw tribe is partially Scotch. They have always had business managers and carefully studied every Act that effected Quapaws. In an early day, 1895, I think, the Quapaws allotted their own land, a very peculiar situation so far as the tribe is concerned. They all meet in counsel and divided their land into allotments of 240 acres each, 200 acres on the prairie, and 40 acres located in what is now known as the "Devils Promenade", where most of them live. I have known these people for 32 years. I have lived among them during that time, and learned their customs and manners. They accomplished this act without any dissention among themselves.. They

were not induced by any outside forces and they asked at that time very shrewdly that the Secretary of the Interior approve those allotments and that they be restricted from sale for a period of twenty-five years. Ever since that time, anything that has come up, you will find them cutting out of the newspapers every item affecting their property. They have had a custom of employing counsel during various times to advise them about what these acts were, and then they have discussed them among themselves. When, previous to the initiation of this bill, there was an Act providing for the establishment of trust funds and they became interested in that matter, and they concluded that they were not in favor of establishing a trust fund, and have it placed in some bank and they employed council and went to Washington and went to Senator Thomas and the Congressmen from this district and advised them of their desires. As I recall, Senator Thomas was in favor of establishing trust funds for some tribes, but when the Quapaws went to him and he came out and fought their battles for them. But when this bill came out, known as the Wheeler-Howard bill, they got this bill and came to my office with this request: It is a very complicated thing; we do not know exactly what it means, and as the Commissioner has conceded today, they have not yet decided on what it means. There is a conflict between Senator Thomas and Commissioner Collier as to what it means. They said - "we want you to study this - and then we want a council meeting on it". When the bill first came out from the Commissioner's office, it was not at all like the bill known as the Howard-Wheeler Act. It provided for communities to be separate and apart from the State, for an eminent domain, for entire separation of the Indians from the whites. Commissioner Collier was here in explaining that original bill and I want to say that the Quapaws have

become convinced and know he is working to find out and trying to develop what is best for the Indians. What would be good for one tribe might not be good for another. At that time the Quapaws instructed me to submit to Commissioner Collier several questions relative to the original bill. The Commissioner very graciously stated at that time that he figured that we were not trying to obstruct it; that he figured that the criticisms that were being made were constructive and he subsequently modified that bill in several respects. Before this bill was submitted, the Quapaws sent a delegation to meet those in Washington. The bill as passed is entirely satisfactory to the Quapaws. They were not in favor of any of the community provisions, or any of the provisions under which a community could be formed. You have heard the statement made that there were some 476 members of the Quapaw tribe. Most of them are one-fourth, one-eighth, and less bloods, and they have scattered all over the country. The full bloods have always asked that restrictions be retained on their lands. Fortunately for them ore was discovered on a good deal of the land retained by the Quapaw full bloods and they have obtained from that source large sums of money from time to time and I think most of them have used that money wisely, equipped fine farms, and are raising fine families and are educating them in the best schools of the land. Naturally that group is not in favor now of having any law passed which will endanger their individual holdings, take away their homes, and deprive their families of the right to inherit that which they have accumulated, and any action which tends to do that, they are opposed to. Consequently, they have studied this act very carefully.

They were in communication with Senators Thomas and Disney, when this bill was passed. The questions they asked are: Something was said yesterday at Muskogee about the right of inheritance. They don't want to favor anything or any amendment, if it is going to be an experiment. (Quotes a part of Section 4 of the bill). The land would descend only to the heirs of the Quapaw tribe. We understand it to mean that if an Indian woman had married a white man, and they had children, they say that in their opinion that provision would endanger the right of their children to inherit. As suggested by Mr. Collier, it has not been defined as to who Indians are, what reservations are, or what degree of blood.

Mr. Collier:

The intent of the house committee was all inclusive. Any heirs of a Quapaw Indian, whether white or Indian, belonging to the tribe or not.

Mr. Thompson:

Commissioner Collier has been very kind in trying to work out these things. When they heard this meeting was to be held they first called their council together and went over this bill again. Then they called the tribal organization together and went over it in the same way and talked among themselves, in Indian language. They adopted at their tribal meeting the resolution which I will read in open meeting, so if any of them are not in favor of it, they may be heard. The Quapaws have very carefully refrained from joining any organization for the reason that they had a peculiar problem of their own. We do not want to take any position which will hurt any poor member of our tribe or any other tribe. Here

is the resolution that they have adopted?

"WHEREAS, the members of the Quapaw Tribe of Indians of Oklahoma, have on this 14th day of October, 1934, in called meeting, assembled for the purpose of studying and discussing the Wheeler-Howard Bill, or the bill known as the Indian Self-Government Bill, for the purpose of determining whether or not the members of our Tribe were satisfied with the bill as passed by the last Congress on June 18, 1934, 48 Stat. c 576, and especially P. 13 which provides that Sections 2, 4, 7, 16, 17 and 18 of said Act should not apply to the Quapaws and other Indian Tribes in Oklahoma; and

WHEREAS, the entire Act as passed by the last Congress has been fully explained to the members assembled by members of our Tribal Council, our Tribal Attorney, and others; and

WHEREAS, we are advised that Senator Elmer Thomas and Commissioner John Collier are coming to Miami, Oklahoma, on Tuesday, October 16, 1934, for the purpose of making inquiry of the members of our Tribe as to their desires in this matter.

NOW, THEREFORE, BE IT RESOLVED at this Tribal meeting of the Quapaw Tribe, after having fully considered this matter, that it is the sense of this meeting that it is not our desire to have the next Congress amend or change the Act as passed by making Sections 2, 4, 7, 16, 17 and 18 of said Act applicable to our Tribe or by in any other manner attempting to deprive our allottees of any rights now enjoyed by them under their allotments or in any manner changing the law of descent of the State of Oklahoma, which is made applicable to our members.

BE IT FURTHER RESOLVED that we are unalterably opposed to any system which seeks to deprive our members of their rights as

individual citizens of the State of Oklahoma and of the United States to acquire and enjoy individual ownership of property subject only to such restrictions in the disposal thereof as shall be necessary and proper in protecting our individual members from being overreached and despoiled of such property rights; and that it is not our desire to return to a tribal form of government under which we are supposed to own all of our property in common.

BE IT FURTHER RESOLVED that we fully appreciate the interest being taken in our affairs by our Representatives in Congress, and especially the interest manifested by Senator Elmer Thomas and Congressman Wesley E. Disney.

BE IT FURTHER RESOLVED that we urge all members of our Tribe to be present at the meeting to be held in Miami, Oklahoma, on Tuesday, October 16, 1934, so that we will have the advantage of any further statements or explanations which may be made by Senator Thomas or Commissioner Collier on that occasion.

Adopted this 14th day of October, 1934, at the Council Grounds of said Tribe at Devil's Promenade in Ottawa County, Oklahoma.

Attest:

Victor Griffin
Chief and Presiding Officer of
said Quapaw Tribal Meeting.

Henry E. Hoffman
Secretary of Quapaw Tribal
Council and of said Tribal Meeting.

Alex Beaver,
Second Chief.

We appreciate the efforts of Commissioner Collier on many occasions on behalf of the Quapaw tribe.

Mr. Collier:-

Just one or two matters of information. How many Quapaws are there living here?

Mr. Thompson:-

I do not know the number. A good many of them. I have met some here today who live in Kansas, who have sold their lands.

Mr. Collier:

I wonder if Mr. Andrews has any information.

Mr. Andrews:

Five hundred twenty-eight altogether; living at this jurisdiction, old and young, 325, another, 16, and off of any reservation whatsoever, 187, including all degrees of blood.

Mr. Collier:

Are there in this area any Quapaws who are in want, or are they all prosperous?

Vern Thompson:

I made that inquiry; there might be some. I don't know exactly how many.

Mr. Collier:

What has been the experience of the FERA on that?

Mr. Andrews:

I know there are Quapaws of various degrees of blood who are undoubtedly in need of assistance.

Mr. Collier:

The reason I am asking this is that a doctor was telling me a pitiful story of Indians who have need of medical assistance

and cannot pay for it. Are there Quapaws who have no land, who would like to have land, and would use it if they had it?

Chief _____:

I would say there are some Quapaws who never did have any land. Of course there were some born after allotment and never did have no land. They would be heirs.

Mr. Collier:-

I am trying to find this out, not so much with respect to the Wheeler-Howard bill, but as to the need for relief among the Quapaws.

Vern Thompson:

This corporation business is so new they don't know what it is, and what it will lead to. An Indian woman said to me, "let someone else try it first."

Moody K. Palmer:(Miami Tribe)

For the last eleven months, I have been employed with the FERA, and I might be able to enlighten you about Quapaws in immediate need of relief. The first part of the year I was working in the capacity of commodity distributor and had opportunity to come into personal contact with many of the destitute families. I am not able to give exact number of Quapaw families that received relief. Of course relief was issued after investigation was made, and that information could be obtained in a very short time. There were not a great many, but there are some.

Senator Thomas:

How many members of the Miami tribe are there here?

Mr. Andrews:

We have no definite information. As near as some of the

members of the tribe could give me, it is estimated that there are 150, and between 300 and 400 in the Peoria.

Mr. Collier:

Are these what are called the "forgotten tribes?"

Moody K. Palmer:

Yes, I believe that is right.

Senator Thomas:

Here is a change being made in the policy of the Government. Under the last administration, we were told by Mr. Wilbur that his Department was not hunting up any "lost" tribes of Indians. I see now a very distinct change of this administration, hunting up those lost tribes, getting the members of the tribes, placing them on official rolls, and then as we can provide some assistance and take them back on the rolls under the supervision of the Government.

H. T. Palmer, Representative for the Miami Tribe.

Three years ago we had a council meeting and appointed a committee of two, with me as Chief, to get the enrollment of the Miami tribe. As far as we could get it complete, there are between 116 and 120. This roll has been lost by fire.

Willis McNaughton - Representative - Peoria Tribe.

Some three or four years ago we had an organization and I think Mr. Andrews has at this time the roll of 1913 some where around 200 members. Our tribe has been out from under the jurisdiction of the Government since 1915. We were trying to work out some solution in order to get our tribe back together again, and consequently we looked up our roll and I would say that in the neighborhood of 200 or 250 would catch our tribal number at the present time.

SENATOR THOMAS:

Do any of these Indians have any land?

Willis McNaughton:

There are less than 2,000 acres that are now in the hands of the original allottees.

Senator Thomas:

Are they restricted?

Willis McNaughton:

Under no restrictions whatever.

Senator Thomas:

How did you get put out of Government jurisdiction?

Willis McNaughton:

In 1915, we were declared citizens of the United States, entitled to all rights and privileges as such. And restrictions were removed from 100 acres. We drew 200 acres in our original allotments, and later on, 1915, the balance of our land was turned loose.

Mr. Collier:

In other words, the Government gave up responsibility for the property and at the same time gave up responsibility for your welfare?

Mr. McNaughton:

We as a tribe were among the first in this section of Oklahoma who got our patent to our original allotments. I don't have all the data with me, but I can produce it as evidence.

Senator Thomas:

Do Miami Indians have any lands left?

Willis McNaughton:

Very small per cent.

Senator Thomas:

What do they do to make a living?

Mr. McNaughton:

Just like anyone else, from hand to mouth. We are discriminated against everywhere you go. For instance, I was in Oklahoma City about six months ago, and wanted to buy some life insurance. I was turned down because I was one-half ~~breed~~ Indian. You can't get work or anything unless you are among friends and at home.

Senator Thomas:

You have found prejudice exists in Oklahoma among those who employ labor against the Indian?

Mr. McNaughton:

Everywhere I have gone.

Senator Thomas:

If that prejudice does exist, and I think it does, that is another reason why the Government should render you some assistance to make good for that prejudice.

Thomas Armstrong - Seneca Representative.

It has been put upon me to speak for the Senecas. It is going to be hard to do, but nevertheless I am going to do the best I can. I am a member of one of them poorest tribes you have been talking about here in the southeastern part of your county. We are back here in the mountains, rocks and hills, but we manage to live, but sometimes it is pretty poor. Now since this depression

we still get by, but I can't hardly explain how. Sometimes our
eats are mighty small. If there is anybody who needs aid we sure
do. I would like for the Commissioner and you, Mr. Senator, to
come and see where we are at.

Senator Thomas:

How about the land, do you have lands left?

Mr. Armstrong:

Yes!

Senator Thomas:

How many acres:

Some have forty, some have eighty, and some more. It is
practically all rough.

Senator Thomas:

Were these lands selected by the Senecas, or forced upon
them?

Mr. Armstrong:

I could not say.

Senator Thomas:

What can you produce on these lands?

Mr. Armstrong:

Some corn, some oats, but it is rought in small tracts.

Senator Thomas:

What kind of houses do your people have?

Mr. Armstrong:

Houses! I don't know whether you would call them houses
or not. I call them "shacks". We get by the best way we can.

Senator Thomas:

Are your lands all restricted?

Mr. Armstrong:

No.

Senator Thomas:

Can you sell your lands or mortgage them?

Mr. Armstrong:

Yes. There's restrictions on some of them. I tried to keep the restrictions on mine?

Senator Thomas:

When was that?

Mr. Armstrong:

In 1905. I told them I got drunk and thought maybe I could remain under restrictions but they took my restrictions off anyway. I made things just as bad as I could but it didn't do no good.

Senator Thomas:

What happened to your land?

Mr. Armstrong:

I had a white neighbor. They were selling high-priced hogs down in my country, Poland Chinas. Some of my white neighbors said to me, "Boy, get right in there. Now is the time to make some money." And I did; I bought some of them and gave \$200.00 apiece for some of these guilts and when I got a bunch raised the association busted up and I had to sell them at a low price. I gave a note for these hogs when I bought them. Well, this note came due and I did not have the money. I couldn't sell these hogs to meet the note and then I was forced to mortgage my farm. From then I almost lost my land. I mortgaged it here and there and the last time I mortgaged to the federal people. It seems to me like I have had pretty much of a

struggle. I have taken advantage of everything I possibly could to get a little money only make liquor, but I have sometimes felt like it. Anything you can do for my tribe, if you can get them land, these who have none, it will be greatly appreciated. The school benefits, we need that too.

Senator Thomas:

Where do your children go to school?

Mr. Armstrong:

A few are going to our school down here. Last year I think there was one Wyandotte went to our school and four or five Senecas. It seems that the Wyandottes, Senecas and Shawnees is the ones entitled to go there.

Senator Thomas:

Can't they go if they want to?

Mr. Armstrong:

They didn't let mine go there.

Senator Thomas:

Whom did you apply to?

Mr. Armstrong:

Mr. Kagey.

Senator Thomas:

You made application?

Mr. Armstrong:

I got an application and he didn't encourage me in any way and I took my application home and never filled it out.

Senator Thomas:

What reason did he give?

Mr. Armstrong:

I lived too close to a local white school.

Senator Thomas:

Were any other children of that vicinity refused admission to this Indian school?

Mr. Armstrong:

Several went there, but they are cut out now.

Senator Thomas:

Apparently the Indian Office feels that it is best for the Indian child, where possible, to go to a white school, and be educated there, than it would be to send them away to boarding school. Are there any of the children of the Senecas not in school?

Mr. Armstrong:

These two are all I know of.

Senator Thomas:

Are there many Indian children in this community who are not in school?

Mr. Armstrong:

Those are the only two I know of.

Senator Thomas:

If you know of Indian children of school age who want to go to school and are not in school, I wish you would make a brief statement, giving the names of children and the reason why they are not in school.

Mrs. Ina Smith, Seneca Representative:

I just wanted to enlarge a little bit on what Mr. Armstrong

said. I think that where you give us more land, it will be greatly appreciated and retain restrictions on the land anyway for those as old as I am. The younger ones can speak for themselves. The educational facilities are fine. You can do that for us. You never spoke of hospitals or institutions for the sick but I believe we should have that. If you could give us more land, that would be appreciated too; non-taxable is what I want.

Senator Thomas:

Have you any hospital facilities open to you?

Mrs. Smith:

Claremore.

Senator Thomas:

Can you get in there?

Mrs. Smith:

I have never been there myself. Furthermore, if you want to give us more land, that will be appreciated.

Senator Thomas:

Does anyone present want to make a statement?

James Kennedy - Wyandotte Representative:

I don't know why, but it seems as though the Senecas and Wyandottes belong to this school down here but are not getting to go on account of it seems that the Cherokees have taken it from them. My wife died when the children were small and I raised them up the best I could. Here this fall I went to Mr. Andrews to ask him to let my boy go to school to Haskell. Mr. Andrews refused to let my boy go and I went up there and saw the superintendent. Mr. Andrews didn't let him go and I wrote to Mr. Collier and I have his letter. He turned

me down too. He said to send him here to school here and the boy did not like it and has run off.

Mr. Collier:

We have a certain amount of accommodation in the boarding school, a total of about 15,000 in the whole country in the boarding schools. There are nearly 100,000 Indian children of school age and in determining what child shall be admitted to boarding school, we take into consideration two things: First, it ought to be a child who cannot go to school anywhere else. The child who most needs the boarding school should have first say. Then we are trying to develop some of the boarding schools to give advanced training to children of an age a little higher than the elementary grade. In any given case, our agents might make a mistake and shut out a child who has a better right than some other child. There are still thousands of Indian children with no school at all. At least 15,000 in the country, and in Oklahoma at least 3,600. The only way we can hope to provide for these thousands of children is either by building day schools of our own or making arrangements with public schools to take care of them. We cannot hope to get enough money for boarding schools for all of those children because the cost is prohibitive. In addition, we do believe that it is desirable for a child to be in his own home when he can. In my own judgment the line of development in any Indian education is doing everything we can to help build up the public schools and build Indian schools where we can.

Senator Thomas:

Why are Cherokees going to your school?

Mr. Collier:

I might add children from broken homes, institutional cases,

orphans and such are always to be given preference. You must remember there are a great number of Cherokees south of here. The Cherokees are situated far from day schools the same as any other tribe. That may explain why so many Cherokees are enrolled in this school. We are very short of the necessary funds to provide the proper clothing, even the proper food, the proper home conditions so that the Indian child can go into the white school and be happy there. It may be we are going to have to come to Congress for funds for this purpose.

Mr. Andrews:

We were given \$1,000 to assist in putting Indian children in public schools. We bought clothing and books for 134 of those children out of that \$1,000. Mr. Kennedy's boy was one of those children.

Senator Thomas:

Does anyone wish to make further statement for the benefit of Mr. Kennedy?

Mr. M. S. Cotter; Wyandotte.

I am 44 years old, a Wyandotte Indian. I worked several years in the Indian Service, up to 1929. It was my duty to gather up the runaway Indians. I know every Indian on this reservation and they are practically every one in school. Mr. Kennedy spoke about his boy going to Haskell. I would like to see that boy go to Haskell if he would stay there. If I remember right, a few years ago, one of his boys went to Haskell and would not stay. In all Indian schools, you can give a child an opportunity and if they don't take that opportunity there is no use to send them back again and again. Why not give the opportunity to someone who will?

Mr. Kennedy:

My opinion is to let the boy try again. Cotter has just gotten the better of things.

Senator Thomas:

Before we adjourn, I am going to make this request: That the business committees representing the various tribes get together and adopt resolutions something similar to that presented by the Quapaws. Not in that language, but setting forth anything that you want to set forth so it expresses the view of your tribe. I would like to have a copy and I am sure Mr. Collier would like a copy also.

I am going to make a further request: That every individual Indian sit down and write me a little letter telling me what you think about the amendments to this bill and I will consider that letter a private communication. That applies to the Miamis and Peorias as well as those who are officially recognized.

On behalf of Mr. Collier and myself, I want to thank Mr. Andrews for providing for this meeting. I wired Mr. Andrews and asked him to provide a place for the meeting. Later on Mr. Collier consented to come with me. I am glad he came. He should know all about these Indians, their families, their homes. His visit, I am sure has given him a new insight into conditions in this section of the country.

I want to express my appreciation to the school authorities for making this room available for this meeting. That shows the City of Miami is not against the Indians.

I want to thank these young ladies for the work they are doing. They have taken down all we have said. They will transcribe what we have said and this will be available to as many as want copies.

If you want a copy of what has been said here, write to either me or Mr. Collier and later on we will send them to you.

You are dismissed.

Reported by

Marie L. Hayes

Margaret Edwards

Five Civilized Tribes

Muskogee, Oklahoma

7-10-68

MEMORANDUM, the members of the Kiowa Tribe of Indians of Oklahoma have, on this 14th day of October, 1934, in called meeting, assembled for the purpose of studying and discussing the Wheeler-Howard Bill, or the bill known as the Indian Self-Government Bill, for the purpose of determining whether or not the members of our Tribe were satisfied with the bill as passed by the last Congress on June 18, 1934, 48 Stat. c. 876, and especially F. 15 which provides that Sections 2, 4, 7, 10, 17 and 18 of said act should not apply to the Cherokee and other Indian Tribes in Oklahoma; and

WHEREAS, the entire act as passed by the last Congress has been fully explained to the members assembled by members of our Tribal Council, our Tribal Attorney, and others; and

WHEREAS, we are advised that Senator Elmer Thomas and Commissioner John G. Haller are coming to Miami, Oklahoma, on Tuesday, October 18, 1934, for the purpose of making inquiry of the members of our Tribe as to their desires in this matter.

NOW, THEREFORE, BE IT RESOLVED at this Tribal meeting of the Gayton Tribe, after having fully considered this matter, that it is the sense of this meeting that it is not our desire to have the next Congress amend or change the Act as passed by making Sections 2, 4, 7, 14, 17 and 18 of said Act applicable to our Tribe or by in any other manner attempting to deprive our allottees of any rights now enjoyed by them under their allotments or in any manner changing the law of descent of the State of Oklahoma which is now applicable to our members.

BE IT FURTHER RESOLVED that we are unalterably opposed to any United States measure for curtailing the freedom of their persons or individual control of the source of wealth and of the means which we require and enjoy, individual ownership of property, subject only to such restrictions in the disposal thereof as shall be necessary and proper in protecting our individual members from being over-whelmed and despoiled of such property rights; and that it is not our desire to return to a tribal form of government under which we are supposed to own all of our property in common.

Fidelity Onion Skin

BE IT FURTHER RESOLVED that we fully appreciate the interest being taken in our affairs by our Representatives in Congress, and especially the interest manifested by Senator Elmer Thomas and Congressman Wesley L. Edging.

BE IT FURTHER RESOLVED that we urge all members of our tribe to be present at the meeting to be held in Miami, Oklahoma, on Tuesday, October 14, 1904, so that we will have the advantage of any further statements or explanations which may be made by Senator Thomas or Congressman Edging on that occasion.

Adopted this 14th day of October, 1904, at the Council grounds of said tribe at Dell's Prospect in Ottawa County, Oklahoma.

Pigeon Creek Skin

Attest:

W. L. Edging
U.S. Senator from Oklahoma

W. L. Edging
U.S. Senator from Oklahoma

Chas. Beaver
Sunt Chief