WHAT EVERY OKLAHOMAN SHOULD KNOW*

By Edgar S. Vaught

INTRODUCTION

This article by Honorable Edgar Sullins Vaught, United States District Judge, Western District, should be read by every teacher of history in the Oklahoma high schools to his or her classes. It is succinct, clear and comes from a high source.

Edgar Sullins Vaught came to Oklahoma in 1901 and in March 1902 he was chosen Superintendent of Oklahoma City Schools. He entered the practice of law in 1906 and in a short time became one of the leading members of the Bar of the State. His ability as a writer and speaker became so well recognized over the State and the United States that he was elevated to the position of leader in 1922 of the Lions Club International over all parts of the world. In 1928 President Coolidge appointed him as United States District Judge, Western District, which position he now holds.

Every teacher of history should recognize that this is no ordinary article.
—Charles Evans, Editor

Some years ago, in conversation with a friend of mine from another state, in which we were discussing the relative advantages and disadvantages of the various states, this friend made the remark: "The trouble with you people in Oklahoma is that you have no history. You are too new to have a history." I replied that I thought Oklahoma had a history, but this statement of his agitated me for some time. Partially as a result of his statement, I began to devote more time to the study of the history of Oklahoma and the Southwest with the idea of determining whether or not Oklahoma had a history. To my great astonishment when the history of Oklahoma is fully revealed it becomes an outstanding record of discovery, growth and development of this section of our country—the Great Southwest. In fact, I think I can demonstrate that Oklahoma history is such that, in comparison with that of any of the other states, it will not suffer.

The history of Oklahoma, so far as we know it, begins in 1540 to 1542 when Coronado in his famous search for gold came through Oklahoma from Mexico and thus attempted to extend Spanish dominion. The name Santa Fe is a striking example of the effect of this noted Spanish excursion. Other Spanish names which are existent in Oklahoma are Cimarron, Canadian (from Rio Canada), Rio Mora (for Mulberry), and once, Rio Nutria (for Beaver Creek.) At about the same time, however, that Coronado was attempting to gratify a greedy curiosity, the French were approaching from another direction. The French were great hunters and fishermen and instead of marching across the plains, they resorted to their boats and came up the Mississippi River to the Arkansas and thence by the

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Arkansas to the present sites of Fort Gibson and Muskogee in Oklahoma. They left their impress and many of the names now existing in Oklahoma were given by the French, such as Fourche Maline, Sallisaw, Dardenne, Poteau and Sans Bois.

The intense rivalry existing between Spain and France in Europe had its influence in the new country across the Atlantic and from this time there was bitter contention as to the ownership of what is now Oklahoma. In 1803, however, Napoleon, because of his misfortune in Europe and his fear that the French possessions in America might be acquired by England or Spain, ceded what was known as, and has since been designated as, the Louisiana Purchase which included all of the French territory west of the Mississippi, north of the Spanish possessions, to the United States.

The Louisiana Purchase in many respects is the most important step in the development of the United States as a nation. Prior to the acquisition of this vast territory by the United States, Spain, and later France, for nearly forty years had blocked the throat—the mouth of the Mississippi River—to the development of what is known as the Middle West. The Mississippi River and its tributaries constituted practically the only means of transportation and that territory lying adjacent to this river and its tributaries was seriously affected by the fact that Spain, and later France, refused to the United States access to the Mississippi through the New Orleans entrance except by special permit.

In 1763, by the Treaty of Paris, France ceded all of the Louisiana territory to Spain and Spain continued to occupy and extend her dominion until the year 1800 when, because of Spain's embarrassing situation with reference to her possessions and her increasing debts due to her wars in Europe, Charles IV of Spain ceded the Louisiana territory back to France, but with the condition that if it was ever again ceded away by France, it should revert to Spain. When, therefore, in 1803 the Louisiana territory was purchased outright by the United States, Spain's friendly attitude toward the United States was not increased in any manner.

Immediately thereafter there was friction between the United States and Spain over the boundary line between their respective possessions. At that time Spain and Mexico claimed possession of all that section north and northwest of Mexico, including what is now Texas, New Mexico, Oklahoma and portions of what is now Colorado, Arizona and California. But the event, in relation to this friction, with which we in Oklahoma are directly concerned, was the signing of a treaty in the year 1819 between the United States and Spain which provided that the Red River should constitute the boundary between their respective possessions. In the same year, 1819, Congress created Arkansas Territory which embraced substantially all of the territory now included in the states of Oklahoma and Arkansas.
In 1820 Congress proceeded to make some provision for the segregation of the various Indian tribes in order that there might be less conflict between the Indians and the whites. Prior to this time what is now Oklahoma was a hunter’s paradise. The French hunters and tradesmen, among whom were the Chouteaus, collected vast stores of hides and skins and carried them down the Arkansas River to New Orleans for sale. In 1824 there were more than two thousand hunters in this territory.

In 1832 Congress, pursuing its former policy, provided for a commission known as the Stokes Commission to deal with the Indians in the new territory and to negotiate treaties leading to friendship and more peaceful relations between the government and the Indians. This was a monumental undertaking. When we think of the numerous tribes of Indians which inhabited this section, at least for a portion of the time, we are not only impressed with the magnitude of the undertaking of bringing about peaceful relations, but we learn where many of our present Oklahoma names originated. The tribes that have since occupied this territory include the Senecas, Choctaws, Cherokees, Creeks, Osages, Wichitas, Wacos, Comanches, Kiowas, Delawares, Quapaws, Seminoles, Cheyennes, Arapahoes, Sac and Foxes, Pawnees, Iowas, Kickapoos, Shawnees, Potawatomis, Poncas, Sioux, Otoes and Missouris.

On August 24, 1835, in a meeting held at Camp Holmes near the present site of Lexington, Oklahoma, in what is now Cleveland County, the Stokes Commission and other representatives of the federal government entered into a treaty with the various tribes of Indians which is regarded as the first made by the United States with the wild Indians in Oklahoma. These tribes previously had had contact with Mexico and many of whom for that reason spoke the Mexican language.

President Jackson, shortly prior to this time, had made treaties with the Indians east of the Mississippi, particularly the Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles, which provided for their transfer from that section to the new Indian Territory, and after Arkansas was admitted as a state in 1836, all of what is now Oklahoma, except the Panhandle, was designated Indian Territory, set apart for tribes from the southeastern states and from Ohio.

This period saw the "Trail of Tears" when the Five Civilized Tribes were forced to leave their homes, the burial grounds of their ancestors and all of those things so traditionally dear to them, in Tennessee, Kentucky, North Carolina, Alabama, Georgia, Mississippi and Florida and establish new homes in the Indian Territory. It is charitable to say that they were unwilling emigrants. Thousands of them died on the way. Some of the Cherokees escaped to their former homes in the Smoky Mountains. In fact, such a large number refused to come, or escaped, and made their homes in the Smoky Mountains and nearby sections that many years later the
Cherokee Reservation was set apart in North Carolina where a colony of Cherokees now have their homes and schools, and live peacefully.

Many of the Indian tribes had Negro slaves, so in the Civil War the Indian Territory with its various tribes took sides with the Confederacy against the Union.

About 1866 Congress again disturbed the relations existing in Indian Territory. Many thousands of acres of valuable land had not been occupied by the Indians and there was a demand for additional land for white settlement, so other treaties were negotiated (if forceful submission could be regarded as negotiation.) Later all tribes were required to sell their lands to the United States and it was not many years until the United States owned much of what formerly had belonged to the Indians in Indian Territory.

In 1889 Congress, by appropriate act, opened the central portion of the Indian Territory to white settlement and attached to the Territory for governmental purposes certain other sections. The Five Civilized Tribes occupied what after 1889 was known as Indian Territory, but in 1889 when the famous "run" was had and from which date we mark the beginning of Oklahoma as a territory and state, the following counties were organized, to-wit: Logan, Oklahoma, Cleveland, Canadian, Kingfisher and Payne. The Territory of Oklahoma was organized by Act of Congress in May, 1890, in order that there might be some form of government in this new country which had been opened to settlement.

It is not necessary to relate here matters which are well-known to most of my audience—how the people came from every state in the Union, with little or much, as the case might be, to found new homes and help found a great commonwealth. No higher tribute can be paid to the type and character of citizenship than the fact that from April, 1889 to May, 1890, the people in the new Oklahoma Territory existed without any law or any organization of state or county or city government. The only laws in existence were those of the United States and the only officers empowered to enforce those laws were the United States marshals and their various deputies.

After May, 1890, however, the Territory was organized as a government. A governor and other territorial officers were appointed, a legislature was elected, and a form of government was in force in the Territory. The various county organizations had their beginning. Laws governing not only the counties but the cities and districts were enacted. Provisions for schools were made also and the embryonic state had its beginning.

In September, 1891, the United States Government had effected its treaty with the Sac and Fox Indians whereby what is known as
the Sac and Fox Reservation was opened for white settlement and two additional counties were organized, known as Lincoln and Pottawatomie.

In April, 1892, treaties were made whereby the government came into ownership of certain lands in the western part of what is now Oklahoma, known as the Cheyenne and Arapahoe section. This was admitted to the new Territory as six additional counties, namely, Blaine, Dewey, Day, Roger Mills, Custer and Washita.

In 1893, by the treaty with the Cherokees, the government came into possession of what is known as "the strip", which consisted of the northern portion of the present state of Oklahoma extending from the Osage country to the Texas border, a territory larger than the state of Massachusetts. This section was opened to settlement in 1893 under the second "run" and seven counties were formed from this additional territory: Kay, Grant, Garfield, Pawnee, Woods, Woodward and Noble.

In 1901 the Kiowa and Comanche country which had been purchased by the government, was opened to settlement and three additional counties were added to the new Territory: Kiowa, Comanche and Caddo.

There are two additions to Oklahoma, however, which have an unusually interesting history. The Spanish treaty of 1819 provided that the dividing line between the United States and the Spanish territory should be the Red River, running east and west, and the one hundredth meridian, running north and south. The Red River, however, has two forks, one extending in a westerly direction known as the South Fork and one running in a northwesterly direction known as the North Fork. After admission of Texas as a state, in 1845, that territory between the two branches of the Red River was claimed both by Texas, which had organized the disputed territory as Greer County, Texas, and by the United States. This engendered intense rivalry between Texas and the United States and much uncertainty on the part of the occupants of the lands in Greer County. Both the government and Texas stood by their contentions and President Cleveland, in December, 1887, issued a proclamation declaring the disputed lands to be part of the Indian Territory and warning all persons against selling or purchasing any of the land. That was the situation when Congress, in May, 1890, created the Territory of Oklahoma.

In order, however, that this matter might be settled definitely and permanently, the Attorney General of the United States was directed to bring suit in the United States Supreme Court against the State of Texas for determination of the title to Greer County, which turned on the question of whether the North Fork or the South Fork was the stream contemplated in the treaty with Spain in 1819. The suit was filed in October, 1890, and became one of the most
famous suits in our judicial history. In 1896 The Supreme Court, in this case (United States v. Texas, 162 U.S.1), held that the South Fork was the main stream and boundary and, therefore, the area in dispute was part of the United States and thus became part of Oklahoma Territory. In March, 1896, President Cleveland issued a proclamation declaring this area, that is Greer County, to be in a state of reservation until it should be opened for settlement and on the following May, Congress enacted legislation declaring the former Greer County, Texas, to be Greer County, Oklahoma Territory, with Mangum as the county seat.

Another interesting bit of history has to do with what is known as the Oklahoma Panhandle, which is a strip of land approximately 34 miles wide extending 165 miles west of the northwest corner of Oklahoma Territory and lying between Texas and Kansas. By Act of Congress in September, 1850, of the Texas Legislature on November 25, 1850, and by a proclamation of the President of December, 1850, the State of Texas ceded to the United States all claim to the territory west of the one hundredth meridian and north of thirty six degrees and thirty minutes north latitude. This might be explained in another way. Under the Missouri Compromise, slavery was prohibited in all territory west of the Mississippi, except Missouri, and north of the southern boundary of Missouri, which is thirty six degrees and thirty minutes north latitude. When Texas sought admission as a state, that portion of Texas north of thirty six degrees, thirty minutes, was north of the prohibited boundary and slavery could not exist in that section. In other words, Texas preferred to cede that part of Texas north of thirty six, thirty, later known as "No Man’s Land", to the United States in order that the remainder of the state of Texas could be recognized as a slave state. For many years after 1850, then, this strip, which we have always known in Oklahoma as the Panhandle or No Man’s Land, was occupied as a ranch country. It was not a part of any state and was wholly without law. After Oklahoma Territory was organized, Congress provided that this "No Man’s Land" should be attached to Oklahoma Territory and thereafter it was known as Beaver County until statehood. The constitution, in dividing the Territory of Oklahoma into counties, made three counties out of the Panhandle—Texas, Cimarron and Beaver, and they are now three counties in the state of Oklahoma.

The Territory of Oklahoma had a marvelous growth from 1889 to 1907. Her citizens were ambitious for statehood. One group wanted a separate state out of Oklahoma Territory and these were known as the "double statehood group". Another strong group saw the possibilities of developing an even greater commonwealth by uniting the two territories, Indian Territory and Oklahoma Territory, into the State of Oklahoma. This engendered much debate and developed intense jealousies on the part of the two Territories. Many ambitious statesmen, believing that two states would furnish more
public offices than one, insisted on two states. In June, 1906, Congress passed what is known as the Enabling Act which provided for the organization of the State of Oklahoma out of the two Territories. News of the passage of this Act was greeted with great enthusiasm in both Territories because the matter was settled once and for all. Members of the Constitutional Convention were elected, as provided by the Act, the constitution was written and adopted, and on November 16, 1907, the new state started on its career as the forty-sixth state in the Union.

The history of Oklahoma since 1907 is well known to most of you, and the progressive development of this young state has challenged the attention of the entire nation. According to the 1940 census, we have a population of approximately two and a half million which is in excess of the population of any of twenty-six states. From raw prairie country, we have started from the "grass roots" so to speak. We have developed a system of education that is a credit to any state. Our State University, our Agricultural and Mechanical College, our various teachers' colleges and our other higher institutions of learning would be a credit to many of the older states. No state in the Union can boast of more beautiful churches than Oklahoma. Religion has played an important part in our development. Our people as a whole are law-abiding and certainly our citizenship is representative of the best type and character of citizenship in this nation. With approximately two per cent of our citizenship foreign born, we might say that our people are truly American citizens.

The state has gone far commercially. We have great highway systems, factories, manufacturing institutions of various characters, and in recent years, Oklahoma has become one of the greatest oil producing states in the Union.

Oklahoma has taken its place among the leading states as an agricultural state. As a cotton, wheat and corn producer, the state holds a high rank, while pecans, fruits, berries and many other products are produced in abundance.

Nature has done much for Oklahoma. Its climate is ideal with the exception perhaps of thirty days in midsummer. It is a healthful country. In fact, practically everything in Oklahoma has something to command our admiration. Oklahomans should feel proud of their state.

Quit apologizing that you live in Oklahoma, and when you speak of your state, speak of it with a spirit of pride and not with apology. If you prefer to live in another state than Oklahoma, there are plenty of transportation facilities to satisfy your desire. I have long felt that it is much more patriotic, if you do not like a community or state, to move.
Oklahoma has been built by the sacrifices of her citizenship. We have had nothing given to us. The raw prairie and the sod houses have given way to cultivated fields and modern homes and the early day settlers, who endured all character of hardship, today see in the sons and daughters whom they have given to the new state, our leaders in the state, in the church, in education and in the business world. Those of us who have lived in Oklahoma for the past forty years like to think, with pride even though without justification, that we have contributed to the development of our new state and therefore that we are a part of it.

In taking this position I would not leave the impression that I think there is no room for improvement. There are many things which will stand modification and improvement. Our educational system, our methods of agriculture, our government in state, county and city, our penal institutions, our respect for law, our participation in civic enterprises, our attitude toward religious, charitable and other eleemosynary institutions, all will stand a generous review, with such modifications and improvements as an enlightened intelligence will suggest.

So I conclude with this thought, if we knew our state better, its history, its advantages and its possibilities, we would become more enthusiastic Oklahomans and have a greater pride in the state we have helped to build.

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