

## THE HISTORY OF ALLOTMENT

*As you read the information below, stop and summarize the federal policies in the boxes provided.*

From 1870 to the early 1900's, federal Indian policy was dominated by removal, treaties, reservations, and war. Following the Civil War, tribes were forced to sell or cede their lands to the U.S. government and make room for the settlement of western tribes. The many attempts to undermine tribes and their governments and to open Indian land for settlement by non-Indians was ultimately determined by the federal policy of Allotment. Before allotment, land belonged to the Indian nations rather than any individual. The tribes initially resisted and rejected the allotment of their communally-held lands. However, their resistance was unsuccessful, and it was made clear that should the tribes reject allotment, Congress had the power to enforce the distribution of the land. Advocates for land allotment eventually succeeded, and the years to follow were plagued by federal policies that ultimately resulted in the loss of over 90 million acres of tribal land.

### **The Dawes Severalty Act of 1887**

The **Dawes Severalty Act or the General Allotment Act of 1887**, known as The Dawes Act, was passed under President Grover Cleveland. This act empowered the federal government to break up tribal land and force assimilation on Native Americans living on reservations under the premise that Native Americans lived as individuals rather than as members of tribes.

Each head of household was allotted 160 acres of farmland, or 320 acres of grazing land. In order to receive the land, tribal members were required to enroll with the **Office of Indian Affairs** (later renamed the Bureau of Indian Affairs [BIA]), and their names went into the "**Dawes Rolls.**" This registration was the determining factor of citizenship and only members who were granted citizenship were those who accepted the divisions of land. The Dawes Act initially did not apply to the territories of the Five Civilized Tribes, Osage, Sac and Fox, Miamies, and Peorias, in the Indian Territory, nor reservations of the Seneca Nation of NY and the Red Lake Ojibwe.

The land allocated to Native American tribes under the conditions of The Dawes Act was land that tribes had already controlled. Tribes were underpaid for their land, and if they refused the conditions, their land was confiscated and sold to non-natives, resulting in tribes' losing vast amounts of tribal land.



*Stop and Jot: Summarize The Dawes Act and its impact.*

### **The Curtis Act (1898)**

During the 1890s, demand for the lands of the Five Civilized Tribes in the Indian Territory of Oklahoma increased with a flood of white settlers. With the influx of settlers, there was a call to form a new state. Previous legislation, such as the Dawes Act of 1887 that had stripped land away from tribes, had not applied to the territories of the Five Civilized Tribes.

In 1893, the **Dawes Commission** was created by the U.S. to negotiate with the Five Civilized Tribes to further push assimilation and move towards statehood. This was followed by the **Curtis Act of 1898**, which took control of Indian affairs and eliminated tribal governments/judicial systems in Indian Territories. The Curtis Act authorized the Dawes Commission to prepare new citizenship roles for each tribe. This new Act extended the Dawes Act provisions to the territories of the Civilized Tribes in Oklahoma that had been off limits previously. In order for the Tribes to receive the land allotments, members had to enroll with the Office of Indian Affairs. Once enrolled, the individual's name went on the "**Dawes Rolls**." The Curtis Act was yet another attempt to strip autonomy and land of the tribes. This act was initiated without tribal consent and gave Congress decision-making powers over the tribes.



*Stop and Jot: Summarize the Curtis Act and its impact.*

### **The Burke Act (1906)**

Under the Dawes Act, Native Americans who accepted the provisions of the Act were entitled to receive U.S. citizenship. However, under the same Act, there were things in place that complicated the process. These complications resulted in many tribal citizens not receiving US citizenship status despite being promised this. The land allotment was held in a “trust” by the U.S. Government for a 25-year period. Once this period was over, the federal government then decided whether or not individuals were “competent and capable” to assume ownership of the property and to become citizens.

In 1906, the **Burke Act** was passed into law. The Act stated that citizenship would be withheld until after the 25-year period for those whose land was in a trust. Native Americans who took the allotment and assimilated expected to become citizens. However, as a result of this Act, the U.S. government was given enormous power over the individuals who were eligible for allotments. The Secretary of the Interior was given the power to decide whether individuals were “competent” enough to handle their own affairs before they could receive their land allotment. The Secretary often classified mixed-race citizens as “competent” because the Bureau of Indian Affairs believed their European ancestry made them mentally superior. Often individual owners who were deemed “competent” were not notified that they

had been approved. This change in status resulted in their being taxed. After a period of taxes not being paid, the land could be sold without the owner's consent. The Secretary also determined who would be the next in line to receive land allotments if someone passed away. If no owner could be determined, then the land could be sold. The Burke Act another example of the U.S. government trying to establish control over land. Millions of acres of tribal or Indian-owned lands were lost to their rightful owners.



***Stop and Jot: Summarize the Burke Act and its impact.***

### **Lasting Impact**

Prior to the Dawes Act, Native American tribes controlled approximately 150 million acres of land. The Dawes Act, the provisions of the Curtis Act and Burke Act ultimately resulted in the stripping of over 90 million acres of tribal land. And subsequently, the sale of land to non-natives. This resulted in the elimination of united tribes. The unity and social structure that Tribes had lived for centuries changed irrevocably.



***Stop and Jot: Summarize the overall impact of these federal policies.***

### **Sources**

- Kidwell, C.S. (n.d.). *Allotment*. *The Encyclopedia of Oklahoma History and Culture*. Retrieved April 19, 2023, from <https://www.okhistory.org/publications/enc/entry.php?entry=AL011>
- National Archives and Records Administration. (2022, February 8). *The Dawes Act (1887)*. National Archives and Records Administration. Retrieved April 19, 2023, from <https://www.archives.gov/milestone-documents/dawes-act>
- Tatro, M.K. (n.d.). *The Burke Act (1906)*. *The Encyclopedia of Oklahoma History and Culture*. Retrieved April 19, 2023, from <https://www.okhistory.org/publications/enc/entry.php?entry=BU010>
- Tatro, M.K. (n.d.). *The Curtis Act (1898)*. *The Encyclopedia of Oklahoma History and Culture*. Retrieved April 19, 2023, from <https://www.okhistory.org/publications/enc/entry.php?entry=CU006>
- U.S. Department of the Interior. (2021, July 9). *The Dawes Act (U.S. National Park Service)*. National Parks Service. Retrieved April 19, 2023, from <https://www.nps.gov/articles/000/dawes-act.htm>