

Abstract: "Land Tenure Among the Aborigines of Oklahoma"¹

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Three major culture areas are defined for Oklahoma: (1) The sedentary agricultural culture of the southeastern woodlands (the Caddo); (2) The transitional culture of the eastern and central prairie (hunting-agricultural, the Osage; agricultural-hunting, the Wichita); (3) The nomadic, non-agricultural culture of the western plains (The Mescalero, the Kiowa and Kiowa-Apache, the Comanche).

Land tenure is a factor in the culture of a people, especially in the activities centered about means of subsistence. In this respect Oklahoma is, and has always been, an area of transition. The geographic transition, from woodland, to prairie, to plain, was of paramount importance in restricting the means of subsistence of its aboriginal denizens.

All aboriginal peoples had a concept of territoriality, i. e. an idea of the territorial dimensions claimed by a tribe or a tribal unit (kindred or locality), upon which they would camp, hunt, gather, and cultivate which were zealously defended against alien usurpation. The Plains Indians never went beyond this basic tenorial concept. The Osage modified this slightly by placing land marks, in the form of girdled trees, around traditionalized base settlements where they enjoyed a rude agriculture. The Wichita, more stable and less nomadic than the Osage, further refined this concept in that their settlements were of a more-or-less permanent nature. Agricultural families were allowed the unlimited usufruct of lands needed for cultivation, but such lands reverted to tribal tenure upon their abandonment. The Caddo, the only truly sedentary peoples in aboriginal Oklahoma, subsisted upon horticulture and, hence, had a formalized policy in regard to land. The tenorial unit among the Caddo was the family, although cultivation and harvesting were community enterprises. Each family held sufficient lands for its need, usually along the banks of a river.

In no case was land held in severalty, allodial lands beyond the scope of the communal-minded Indian.

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