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THE HERITAGE OF THE OKLAHOMA CHILD

*By Charles Evans*¹

Oliver Goldsmith, whom fame has named the perfect poet, says,

"Such is the patriot's boast where'er he roam,
His first, best country, ever is at home."

Though we passed a short season ago through an era of almost twenty-five years when the "Star Spangled Banner" was almost derided and any tribute to the flag was met with strange silence, again destiny has brought the states and the nation to a life and death struggle where it is made clear that the indefinable and rather indefinite force called patriotism is the power of powers which sustains, preserves and perpetuates the state.

Though Scott, some two hundred years ago filled his songs to the brim with tribute to Scots,

"Who have with Wallace bled,
Scots, whom Bruce bath often led
Welcome to your gory bed,
Or to glorious victory."

He sent forth that other sentiment taught to millions of the Anglo-Saxon race in the lines,

"Breathes there a man with soul so dead,
Who never to himself hath said,
This is my own, my native land."

Still it remains for an Englishman in this very hour to sound the clearest note of home love in the weakest, and darkest days of England's existence and with his passionate patriotism snatch his country from a fate worse than death.

Winston Churchill, speaking June 4, 1940, declared: "We shall defend our island whatever the cost may be. We shall fight on the beaches, the landing grounds, in the fields, in the streets and on the hills. We shall never surrender."

So at this time when love, home and country and devotion to ideals which make this America and Oklahoma what they are, are giving the finest and highest definition of patriotism known thus far to man, would it not be well for Oklahomans to dwell upon those gifts Providence has bequeathed us and which with righteous labor of our fathers, has made us in this fateful and glorious hour what we are.

¹ Doctor Charles Evans, recently chosen for the position of Secretary of the Oklahoma Historical Society, has been identified with Oklahoma—*Who's Who in America* states—as an educator, author, lecturer.

One of the sages of Israel when sending a rallying call to the distressed and defeated Jews, reminded them they should remember they might lose a battle but should not lose a war because the God of the universe had fashioned them in indestructible patterns. Remember said He, "The Rock from whence you were hewn, the hole of the pit from whence you were digged."

The people of this commonwealth have reason now to think upon the rock from whence they were hewn. Stretching east and west some three hundred miles and from north to south more than two hundred miles, Oklahoma lies at the very heart of the United States, a republic the richest and most powerful nation upon the earth. Oklahoma City, our capital, is but a few miles from the land center of America. The State, while twenty-second in population in the United States, excels all but thirteen in riches. So strategic and balanced is the position of this state in America that its products proclaim it neither an eastern nor a western state, nor a northern or southern territory. In wheat, a northern product, she ranks among the foremost five states. In cotton, king of the South's agricultural wealth, Oklahoma often has pressed close to Texas, the leader in that staple.

Some verse maker caught this unique situation of the Sooner State as he said,

"Oklahoma the child of the warm Southern Sun,
And the mountains which temper the winds as they run
To clasp in sweet amity charming queen wheat
And jolly King Cotton in bonds so complete
That the South cries, 'She's mine and about it doth throw
Its garlands of roses with love all aglow;
While the great rugged North with devotion that thrills
Shouts 'Mine too' as proved by her snows and hills."

The sun and the soil, its immeasurable agricultural and mineral wealth together with its pivotal position in America and the north American continent have made this commonwealth a magnet drawing the best of the Anglo Saxon races into its confines. This has been given a flavor, a tang, a texture and glamor possessed by no other state because it brought contact and amalgamation with the greatest Indian bloods of North America. These First Americans, with their age-old traditions, with their arts and mysticisms as ancient and sacred as those of the Greeks and Romans, these races proud, poised, strong as men can be in their sense of honor justice and truth, met the swift, eager and conquering Americans and together formed a state, so unique that it is and shall always have a peculiar strength in the American union.

Age gives to people as to wine a mellowness which warms the emotions, stimulates the arts and sciences and excites high pride. Many of our citizens here underrate their State when they think of it as dating from 1889 or 1907. Let the Oklahoman in the presence

of one who boasts of Mayflower blood or of the strain of the First Families of Virginia, lift the chin a bit high and say, "My own state was discovered and entered by European explorers seventy-nine years before the Pilgrims landed at Plymouth Rock, and sixty-seven years before the English settled at Jamestown." Our lineage is one of the oldest and noblest in America.

With this seasoned, age-old and exalted force giving strength to the blood of Oklahoma's children, the unthinking too often overlook the glorious heritage brought to them by the infusion of the early Indian life. The Five Civilized Tribes and other First Americans, brought here more than one hundred years ago, mighty leaders, schools, a splendid home life, churches and the printing press and set up laws, customs and courts that have given color, force and dignity to our history not bequeathed by Indian life to any other state. Does the Virginian glory in the name of John Smith? Oklahomans can with even more pride point to that Indian pioneer-chief, diplomat and statesman, John Ross of the Cherokees. Does Kentucky boast of its Boones, its Hendersons, its Hardins? Oklahoma in its history just a little later, can offer their equals in education, service and leadership directly out of its Anglo-Indian life, in its Boudinots, its Ridges, its McCurtains. If our people have found just pride surging through their hearts since statehood as its great senators, congressmen, writers and artists, of Indian blood have shed lustre upon entire America, let them remember and know that this is no new thing to this race. It has enriched our history through its amalgamation with the Anglo Saxon blood for more than a century.

Someone asked Emerson what was the chief and important production of Massachusetts. The Sage of Concord, it is said, replied, "Men." Though the Oklahoma child can range his eyes across this state that is larger than all New England, and possesses material wealth so that it ranks among the few Billion Dollar States in annual—output, still like the old Bay State, it can offer its men and women as its substantial glory.

A few years ago as the writer of this article stood on a pier looking out over the beautiful blue bay of Miami, Florida, a voice at his side said, "This is a great sight." Turning I entered into conversation with a splendid man and found him to be a farmer from Maine. When I told him I was from Oklahoma, his eyes lighted, his voice grew kindlier, and he said, "Oklahoma, the home of Will Rogers. Say, did you know him?" Scarcely waiting for my answer, he went on, "Sir," and his voice grew low and full of feeling, "there's a man that just should not have died! We needed him so; why, the day my wife and I out on the farm, heard that Will Rogers was dead we just broke down and cried. We sort of felt like he was our very own."

The picture of that Maine farmer with his words about Will Rogers, "our very own," would, if hung in the school rooms of Oklahoma, do much to remind pupils and teachers, that dwell as they may upon the worth of their State, they cannot stress it too much. For when Will Rogers and Wiley Post winged their way that day in 1935 into the blue of world wide renown and glory, it served to remind the whole earth that in the genius of the Philosopher of Good Will and the Columbus of Aviation, Oklahoma had placed for all time, human progress under obligation.

So, magnify as we will its industrial progress, its tremendous strength in oil and agricultural resources, its towns and cities, two of which are richer and more beautiful in their fifty years than were Rome or Athens in their first four hundred years; with all this let the citizens of our State take an inventory of their spiritual and material blessings and know that their native heath is not only one of the fairest lands on this continent but that it rates with the oldest and most famous states in all that sustains strong and just patriotism.

An article like this is often challenged as lacking too much in fact or not sufficiently saturated with statistics. Mr. Gradgrind in Dicken's *Hard Times*, fed "facts, Sir, nothing but facts," to his pupils and only the genius of England's most popular novelist could describe the weakness and sorrow such teaching brought. Nothing but facts are in the statements here set forth, but they have received a color due them from any genuine Oklahoman who knows the history of his state.

If the teacher of this State's children, in home or school challenges this line of thought set forth here, if he doubt that in its very place under the sun, in the set of its rivers, valleys and mountains, in the riches of its earth, in its peculiar human progress growing out of a singular blending of great races; if he does not feel or see that the heritage of the Oklahoma child is no less than marvelous, let that teacher or citizen take up the challenge and follow it through. He or she will find the story grows more beautiful and prideful the deeper he digs and the further he goes.

And let no one cry, "A citizen may bud and blossom into genuine state and national appreciation without dwelling too often and too much upon the virtues or the glories of his native or adopted land. Let him do his daily duty, pursue the even tenor of his way and he will secure all the pride of patriotism life needs." Not long ago all America was shocked and in a sense enraged that a survey revealed the highschool graduate and even the collegiate of this land by thousands, knew nothing of the lives of such men as Washington, Jefferson, and Jackson and Lincoln. It became such a severe challenge to present American education and patriotism that it was brought to the floors of the American Congress as a subject for

weeks of profound and serious discussion. Whether the ability to rightfully evaluate a citizenship in any state or the whole of America is closely coupled with the appearance in days of national peril with "fifth columns," bunds and scores of other organized enemies of the American Constitution, it is well that the schools and colleges and all leaders and moulders of thought realize that the pride in and love for their home and country have never been stressed enough.

Would it be too much to say on this point that if American youth issues from our schools without that knowledge of their country that is needed to make them know and appreciate America and its respective states, it comes about perhaps because they met no teacher or influence that dwelt upon the glories of their native land with burning patriotic zeal.

What have the words of Shakespeare meant to English youth through the centuries as it put into their mouths the passage in which the dying John of Gaunt apostrophizes his country:

"This other Eden, demi-Paradise,
This fortress built by Nature for herself,
Against infection and the hand of war;
This happy breed of men, this little world,
This precious stone set in the silver sea,
Which serves it in the office of a wall,
Or as a moat defensive to a house,
Against the envy of less happier lands;
This blessed plot, this earth, this realm, this England."

Here is Shakespeare's immortal devotion to the little island that held Stratford the place of his birth. So though in a milder, gentler way may not the Oklahoma child run the story of Oklahoma in the earliest days of heroic exploration through the period of territorial settlement, sacrifice and conquest on through statehood, a story of progress unparalleled as measured by years; learn of the McCoy's, the LaHarpe's, the Chouteaus, the Rosses, the Sequoyahs, the Posts and the Rogers, associating with these the splendid names in the period of statehood; they will find in such a history a heritage surpassed by no people.

If any excuse need be offered for this challenge to the leaders and moulders of thought in this young commonwealth for them to hold high this legacy of blood and treasure to the Oklahoma child let summons be made upon one of the most matchless minds of England, Joseph Chamberlain. Installed as Lord Rector of Glasgow University, Chamberlain, the supreme political force of England at that time chose for his subject, "Patriotism." In this address he said a thing every teacher, parent and pulpiter should not forget:

"I propose to speak to you on a subject which although of *more importance to your country* than any classical or mathematical learning, yet forms no portion of any curriculum and remains *without a Chair and without a text book*. 'Learning,' says Lord Bacon, 'should be made subservient to action'; and your action will

largely depend and the conception which you form in youth of the duties and privileges involved in that *greatest of civic virtues and most important element of national character which you now call patriotism*. What is this patriotism, this almost universal instinct for which more men have given their lives than for any other cause, and which counts more martyrs than even religion itself—this potent sentiment which has produced so great and splendid deeds of heroic bravery and of unselfish devotion—which has inspired art, and stimulated literature, and furthered science, which has fostered liberty, and won independence, and advanced civilization—and which on the other hand has sometimes been misunderstood and perverted and made the excuse for brutal excesses and arbitrary tyranny.”

Though the word “Okie” has been thrown about by loose minds and “Grapes of Wrath” has been quoted so loud the voice of Truth could not be heard, frequently, let the Oklahoman look straight ahead and know the record of his homeland runs just one way: toward increasing power and greatness.

Entering the halls of fame at Washington he will find his heroes there; turning into the temples of art he will find some of the leading painters of the land, renowned artist from his state; in music all America has been listening in rapture to “Oklahoma,” the highest form of light opera produced in this country in the last fifty years; and even in the realm of the finest of all fine arts, poetry. we have Mencken, a renowned national critic saying, “Oklahoma is producing now more poetry of merit than any other section of the United States.”

So with the lines of one of our singers, beloved by the nation, Jennie Harris Oliver,² telling of the loyalty to her home, let us feel happy and secure in our heritage:

“Oh, do not seek this red land
Unless it be for staying—
 (The red, red earth the jealous gods
 have alchemied for you!)—
And do not drink its red dew
With any thought of straying;
The gods have dyed its tawny waters, too.

Oh, do not seek this red land
Because its gold is flowing—
 (The black, black gold the jealous gods
 have for their own to spend!)—
And do not turn a furrow
If you think you must be going;
Your feet will carry red earth to the end.
Oh, do not seek this red land
When red bud lamps are burning—
 (The rose-red lamps in leafless springs the gods
 go lighted by!)—
And do not seek affection
If you’ve any thought of turning;
For red-earth love will hold you till you die.

² A biography of Jennie Harris Oliver by Bess Truitt was published in *The Chronicles of Oklahoma*, XXII (Summer, 1944), No. 2, pp. 138-142.

STORY OF THE OKLAHOMA BOUNDARIES

By M. E. Melvin, D. D.

As a state Oklahoma is a child among older states, being only thirty-seven years old in November, 1944. But as a geographical area of great historical significance its story antedates that of many older states. Its history can largely be written around the story of its boundaries. For 100 years prior to statehood events of profound significance were taking shape, north, south, east and west of Oklahoma, each of which affected the final shape the state would take.

In less than one hundred years after the Louisiana Purchase of 1803 every foot of land of this great real estate transfer had been allocated and formed into sovereign states of the union, except what is now the state of Oklahoma. With Arkansas on the east, Texas on the south and west, Colorado and Kansas on the north, the possible boundary lines of Oklahoma had already been pre-determined. There were no possible adjustments to make by negotiation. There were later history making disputes over interpretations of defined lines, but when Oklahoma was admitted as a state it was largely a matter of "take it or leave it". In this respect as in some others Oklahoma is unique.

Oklahoma represents then the "left-overs" after the garment of the public domain had been cut to fit the pattern of other states by the congressional "tailors". But there was abundant compensation in this: that when the "seams" of the boundary lines were permanently closed, Oklahoma had woven into its cultural fabric some of the warp and woof of four differing cultures surrounding it. And in this again Oklahoma is unique.

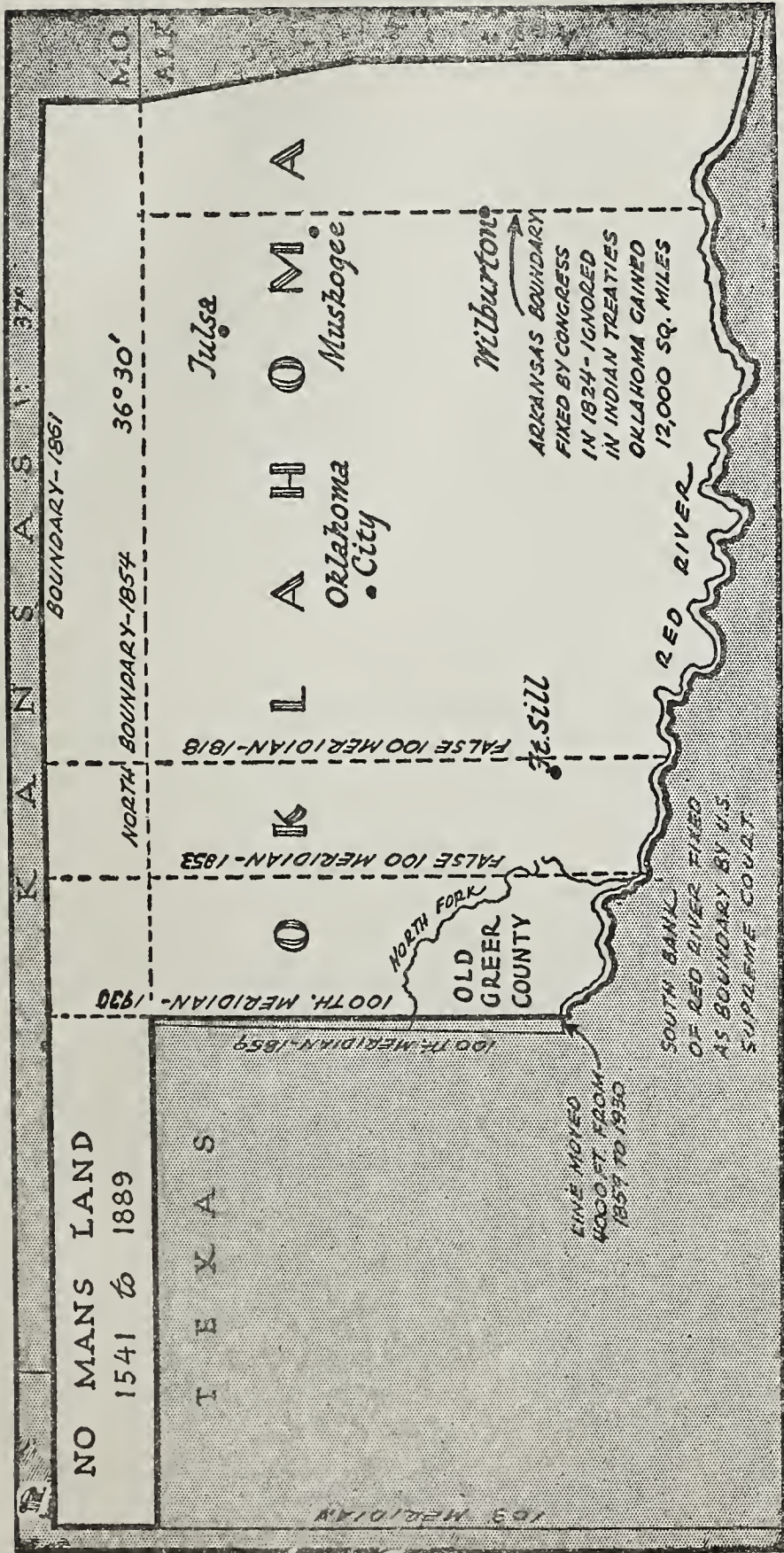
THE EASTERN BOUNDARY—SOME FORGOTTEN HISTORY

Arkansas Territory was set up by Congress on March 2, 1819. Its western boundary was fixed as the 100th degree of longitude.

¹ An article on the boundaries of Oklahoma by the writer appeared in *The Daily Oklahoman* for April 23, 1944, Section C, p. 10. The editors of *The Chronicles of Oklahoma* asked that the article be enlarged and rewritten, with adequate documentation, for preservation in the volumes of this publication.

Acknowledgment is hereby made of the courtesy of *The Daily Oklahoman* in permitting the reprint of portions of the article, and especially the use of the drawing, illustrating the contents.

Any attempt to add anything to what has already been written on the boundaries of Oklahoma would certainly include grateful acknowledgement to the following: M. L. Wardell, "Southwest's History Written in Oklahoma's Boundary Story," *Chronicles of Oklahoma*, V (September, 1927), No. 3, pp. 287-96; Roy Gittinger, Ph.D., *The Formation of State of Oklahoma* (Berkeley: University of California Press, 1917); J. Stanley Clark, "The Northern Boundary of Oklahoma," *The Chronicles of Oklahoma*, XV (September, 1937), No. 3, pp. 271-90.



Just eight days before this, on February 22, 1819 Spain and the United States signed a treaty defining the boundary line of the Louisiana Purchase west as up the Red River to the 100th Meridian and thence north to the Arkansas river, etc. Therefore all of what is now Oklahoma, except the "Panhandle", was a part of Arkansas Territory.²

The series of "experiments" in Indian policy was just beginning. The Government undertook to settle the civilized Indian tribes, living east of the Mississippi river, on ceded lands west of the river. Large tracts in what is now western Arkansas and Eastern Oklahoma were ceded to the Choctaws and Cherokees. Conflicting interests between white settlers and Indians were inevitable. The whites in the ceded areas were ordered to move east. Many refused. In 1823 congress voted an appropriation to negotiate a new treaty with the Choctaws. The stipulation was that the dividing line should begin at the southwest corner of Missouri and run due south to Red river. Nothing was done.

The people of Arkansas became aroused over the proposal for the dividing line, and sent a memorial to congress, which Senator Benton of Missouri sponsored. The Senate soon thereafter passed a bill with little opposition to fix the western boundary of the Territory at a point *40 miles west of the southwest corner of Missouri*, and thence due south to Red river. This was on March 23, 1824. On May 26th the lower house of congress passed the same bill. This act of congress definitely established the western boundary line.³

Thereupon the Choctaws dissented that this line would throw their cession open to white settlers. It must be remembered that the Indians were interested in pushing the whites farther east, and the whites were ever trying to push the Indians farther west.

On January 20th, 1825, less than eight months after congress had fixed this line, John C. Calhoun, the then Secretary of War, directed by President Monroe, concluded a treaty with the Choctaws by which the boundary line was to begin 100 paces east of Fort Smith, and thence due south to Red river⁴ "it being understood that this line shall constitute and remain the permanent boundary line between the United States and the Choctaws."⁵ Conway, the delegate to congress from Arkansas territory protested in vain.

The Cherokee lands lay north of Arkansas river. The white settlers of this area were becoming dissatisfied with the growing pressure of the Cherokees and began to ask for their removal. What became known as the *Lovely Purchase* lay within the Cherokee lands.

² John Hughes Reynolds, "The Western Boundary of Arkansas", *Arkansas Historical Association*, Vol. 2.

³ *Ibid.*, p. 221.

⁴ *Ibid.*, p. 223.

⁵ *Senate Documents*, XXXV, 57 Cong., Vol. II, 149.

Many whites had settled in this area (a part of which is now Washington County, Arkansas). And the Cherokees were restless over the encroachment of the whites. The problem was no easy one to solve.

On May 6, 1828, (John Quincy Adams was then President, and Calhoun Vice President) a treaty was signed with the Cherokees which named the boundary line starting at the point of the Choctaw line (100 paces east of Fort Smith), and thence by direct line to southwest corner of Missouri.⁶

These two Indian treaties, 1825 and 1828, nullified a specific act of congress, took a strip 40 miles wide from Arkansas across its entire western boundary, equal to about 12,000 square miles. If this line had stood it would pass through Wilburton, Oklahoma. Senator Benton challenged these treaties in the Senate without success. "To congress it belonged to dispose of territory; and to her it belonged to repeal her own laws."⁷ "The fact that the Secretary of War concluded the Choctaw treaty within eight months after an act of congress fixed the boundary 40 miles west, and that the same act appropriated the money for negotiating a treaty with the Choctaws in conformance with the act, made the action of the Executive a bold, if not a high handed one. The question was never carried to the courts. Arkansas submitted too tamely; she should have exhausted every legal means of overturning the treaties."⁸

So the eastern boundary of Oklahoma was pre-determined for her by the Indian policy of the Government, which was too much of a hit and miss policy. Looking back now in the perspective of more than 100 years it is perhaps safe to say that the Government through executive order did the right thing but in the wrong way. The writer does not recall another instance where an act of congress has been nullified by the Executive.

THE NORTHERN BOUNDARY—MORE FORGOTTEN HISTORY

A strange combination of problems mingled in the final fixing of the 37th degree of latitude, rather than the 36-30 degree as the southern boundary of Kansas.^{9 10} The slavery issue, the problem of the Indians, and the growing demand for a trans-continental railroad, each played its part.

The logic of the situation on the organization of the Kansas-Nebraska Territory, and later on the admission of Kansas to the

⁶ *Ibid.*, p. 206.

⁷ U. S. Senator Thomas H. Benton, *Thirty Years View*, I, 107 ff.

⁸ Reynolds, *op. cit.*, p. 227.

⁹ For a fuller discussion of the Northern Boundary, see Gittinger, *op. cit.*, chapters 1-3.

¹⁰ Roy Gittinger, "The Separation of Nebraska and Kansas from the Indian Territory", *Chronicles of Oklahoma*, I (January, 1921), No. 1, pp. 9-29.

union, called for an extension of the historic 36th degree and 30 minute parallel of latitude. This line had played an important part since the days of earliest history. As far back as 1663 it was named by the Crown of England as the northern boundary of North Carolina. As time passed it became the dividing line between Kentucky and Tennessee, and west of the Mississippi, the line between Missouri and Arkansas. It was named as the famous "Missouri Compromise" line, above which slavery could not be permitted. Across Oklahoma it disappears to become the northern boundary of Texas. Why this strange break?

In the original bill in congress known as the Kansas-Nebraska bill the 36-30 line was named. Southerners in congress were opposed. Two objections were advanced: it would again disturb the Indians who had been assured of permanency; it would open to white settlers a large part of the unallocated Louisiana Purchase, and the Southerners were not interested in increasing the population north of the "Missouri Compromise" line of 36-30. The agitation for a trans-continental railroad to follow the old Santa-Fe or Oregon trails pleased the Southerners less. They would protect the Indian, keep whites out, and have the railroad farther south.

Senator Douglass, with whom the railroad issue was an obsession, came forward with a compromise in the pending Kansas-Nebraska bill. He proposed to repeal the "Missouri Compromise", always humiliating to the South, leaving the question of slavery to each Territory or state, the erection of two territories, Kansas and Nebraska, and a change for the southern boundary from 36-30 to the 37th parallel. With the aid of Senator Dixon of Kentucky enough southern votes were secured to pass the bill. It became law, May 30, 1854.

But the slavery issue was intensified. Kansas began to fill rapidly. Abolitionists of the North moved in. It became the "battle ground" over the slavery question. In 1856 there were many clashes bordering on civil war. Then in 1857 came the Dred Scott decision of the Supreme Court permitting a slave owner to take his slaves where he would. Kansas was clamoring for statehood. The South could prevent it. Then one cold day in January 1861, after a number of southern senators had left their seats enough votes were mustered to admit Kansas as a state—with the 37th parallel as the southern boundary.

One is tempted to speculate thus far: under less tension and with more normal conditions the northern boundary of Oklahoma would have been a projection of the 36-30 historic parallel. And George Rainey, in his book, "The Cherokee Strip", is perhaps correct in the guess that if Calhoun, Clay and Webster, all three of whom died between 1850 and '52, had been living the Kansas-Nebraska bill would have been different.

THE PANHANDLE ODDITY—NO MAN'S LAND

Comparatively few know the history of the "Panhandle", and every one puzzles over the why of this oddity. For this reason it is well to tell the story briefly again.¹¹

It represents the last scrap on the "tailor's" bench. States and territories had been cut to pattern. There remained not a foot of land in the United States not allocated to some state or territory—none but this strip 167 miles long and 34 miles wide.

Being outside the limits of the Louisiana Purchase it was claimed by Spain until Mexico revolted in 1821. In 1824 Mexico annexed Texas to its state of Coahuila. In 1834 Texas declared her independence, thus taking with her this area west of the 100th meridian. In 1845 Texas came into the union. Being a "slave state", Texas had no wish to have her boundaries extend beyond the 36-30 parallel. In 1850 Texas sold to the United States for \$10,000,000.00 a large area which included all of the "Panhandle." When the territory of New Mexico was set up in 1850 its eastern boundary on the 103d meridian became the western boundary of the "Panhandle". Then the Kansas-Nebraska bill of 1854 defining the southern boundary of Kansas-Colorado on the 37th parallel completed the isolation of the "Panhandle".

This area belonged to no state or territory. It had no courts of law. "It was the only spot on the American continent where civil government had no power, law no existence, and courts no dominion." Cattlemen enforced their own laws. The two recognized crimes were murder and cattle stealing. The latter was the worse of the two. Death the penalty for both.

There is a rich abundance of stories of those lawless days. This one is typical: A homesteader was taken for cattle rustling and hanged. After the cow boys had finished their job they met the real rustler putting cows in the dead man's pen. They promptly strung him and went back to tell the widow of the first man that she had the laugh on them!

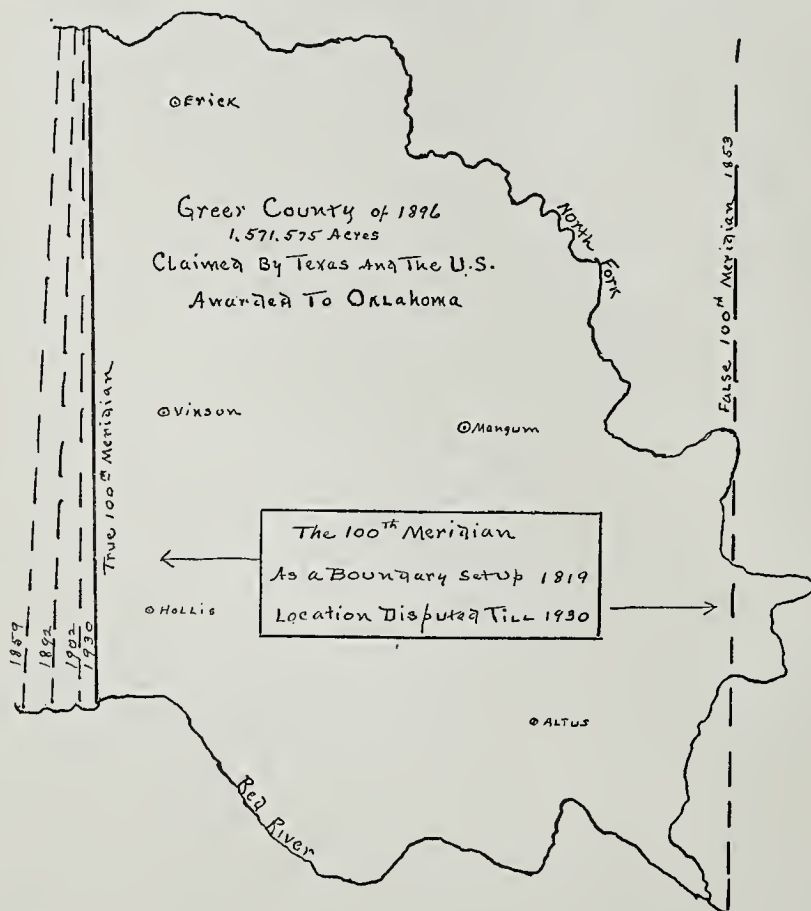
In July 1888 a sheriff of Kansas and four of his posse were killed in the "hay meadow massacre". The time was overdue for the Government to act. Through the influence of Wm. H. Taft, then Secretary of War, the whole of this forgotten strip was attached to Oklahoma Territory on March 1, 1889. "Old Beaver County" (the Panhandle) represents the history of the United States

¹¹ For an interesting story, see H. B. Kelley, "No Man's Land", *Kan. State Hist. Soc. Collections*, Vol. 4, p. 324 ff.; M. L. Wardell, "The History of No-Man's Land, or Old Beaver County," *Chronicles of Oklahoma*, I (January, 1921), No. 1, pp. 60-89; George Rainey, *No Man's Land*, 1937, contains many human interest accounts of the early days of the "Panhandle." Many newspapers contain interesting stories. Among them are: *Mangum Star*, May 10, 1939; *Guymon Herald*, Feb. 22, 1912, and April 27, 1933; *Cordell Beacon*, April 11, 1929; *Tulsa Tribune*, Dec. 21, 1930; *Boise City News*, Dec. 3, 1936.

. . . being tossed here and there at the will of kings, consuls, presidents and private individuals. It is what was left after the great land adjustments in North America. It was truly the remnant of empires, and being not far from the geographical center of the United States it was the last territory to be given final claims and ownership."¹²

THE WESTERN BOUNDARY—AND THE LONG CONTROVERSY¹³

The western boundary was also pre-determined almost 100 years before Oklahoma became a state. It figured in the treaty with Spain in 1819, naming the line as follows: . . . "at a point on Red river where the 100th meridian crosses that stream, and thence north . . . according to Melish's map." The definition of the line was unmistakable. The location of the point on Red river where the 100th meridian crossed it was anything but clear. The treaty makers



¹² *Ibid.*

¹³ W. L. Moore, *The Greer County Question*, (San Marcos, Texas: The Press of the San Marcos Record, 1939).

of that day knew less about that part of the west than we know of the boundaries of Admiral Byrd's ant-arctic claims.

Experts tried from 1853 to 1930 to locate the 100th meridian with scientific accuracy. The Melish map, published in 1818 placed it east of Fort Sill! Captain George B. McClelland in 1853, acting under government orders, with imperfect instruments, and one of them broken, located the meridian about six miles east of the junction of two main forks of Red river. In the meantime Texas had been admitted to the union, and properly claimed everything west of the 100th meridian. Obviously the McClelland line suited Texas. But it was not satisfactory to the United States. Another survey was made in 1859 and located the meridian about 4,000 feet west of the present and final line. And this did not please Texas. (See accompanying map of Greer County, showing the several surveys.)

Here a second factor enters. Which of the two forks of Red river was the Red river of the treaty with Spain? If the North fork, as Texas claimed, then the whole of the disputed area of more than a million and half acres, would go to Texas. But if the South fork, known as Prairie Dog creek, as claimed by the U. S. was the Red river intended in the treaty, then Texas would lose this area.

Texas had assumed jurisdiction over this area, and courts were functioning. Many Texans had moved into this area known as Greer county, thinking they were in Texas. After taking volumes of testimony, examining old records, consulting Indians, tradition, legend, the Supreme Court ruled on March 16, 1896 that the South fork was the real river of the treaty.¹⁴

This decision of the Court was flashed to Vernon, Texas by wire, and taken by mail rider to Mangum, late in the afternoon of March 16th. Pandemonium reigned. This decision swept away every court, and voided every title to property. The writer has talked with many who were living in Mangum at the time. Today we can hardly realize the severity of this blow to those Greer County Texans.

But the location of the 100th meridian was not yet settled. One can see a river, but a meridian is an imaginary line, involving higher mathematics and fixed stars. Another survey was made with satisfaction to none in 1892. Another survey in 1902 moved the meridian back east by 3,600 feet. The settlers who lived within the controverted strip, about a mile wide and 134 miles long were in a very unhappy situation. The writer visited Mrs. I. F. C. Moss in recent years who lives on a half section seven miles southwest of Hollis. During the 45 or more years she has lived there her home has not

¹⁴ Bulletin No. 817 of the U. S. Geological Survey, by Edward M. Douglas, contains valuable information on all state boundaries.

moved a foot, yet she has lived in one territory, two states and three counties.

Finally the Supreme Court appointed Gannet, an astronomical and geodetic engineer to run the 100th Meridian once for all. He worked from 1927 through 1929 largely at night to avoid the aberration of heat waves. He placed concrete markers every .66 of a mile. In 1930, one hundred and eleven years after the meridian was designated as a boundary, the Supreme Court ruled that the Gannet line was the true meridian.¹⁵ It is said to be the most scientifically accurate boundary line in the U. S.

THE SOUTH BOUNDARY—THE HISTORIC AND ERRATIC RED RIVER

As boundary lines between states, rivers are not as simple as they look. The Supreme Court has had to pass on a number of highly technical questions involving state boundaries and arising out of shifts in river beds due to sudden changes of course. But never in the history of our country has such a complicated and technical issue over a river boundary reached the Supreme Court as was involved in the dispute between Texas and Oklahoma in the Red river case 1920-1927. And never has the Supreme Court had to deal with such a river as the Red. "It was the most complicated boundary dispute on record anywhere. The settlement involved research in history, physiography, plant ecology, surveying, engineering and hydrology as well as law."¹⁶

For 100 years people thought little and cared less as to the actual bed of the sandy and erratic Red, or how often and when it shifted its course—not until about 1918, when the simple incident of discovering oil on the south side of the Red near Burkburnett, Texas, made every inch of the river bed a mine of "black gold".

The Supreme Court had previously ruled in the Greer County case that the south bank of the river was the boundary between Texas and Oklahoma. But where was the south bank of the Spanish treaty of 1819? The definition of a "bank" of a shifting river such as the Red presented complications. And what constituted the "bed" of the river?¹⁷

"Oklahoma claimed the entire river bed from one bank to the other. Texas claimed title to the south half. The United States disputed both claims and asserted proprietorship in the south half as trustee for the Indians."¹⁸ The contest became at once a three-cornered one: two states and the United States.

¹⁵ *U. S. Supreme Court Reports*, Vol. 272, p. 21, a detailed history of the various surveys of the 100th meridian.

¹⁶ *Geological Review*, April, 1923, pp. 161-189, Bowman on Red River Case.

¹⁷ John Thomson Faris, *The Romance of the Boundaries*, (New York: Harper & Brothers, 1927).

¹⁸ Grant Foreman, "Red River and the Spanish Boundary in the United States Supreme Court," *Chronicles of Oklahoma*, II (September, 1924), No. 3, pp. 298-310.

On January 15, 1923 the Supreme Court rendered its decision covering 5,500 pages of testimony in 9 printed volumes. The decision of a few thousand words, less than the content of a pamphlet, is not only a tribute to our Supreme Court, but it settled for all time some difficult problems arising out of the process of avulsion in water courses, named as boundaries. The simple effect of the decision was to define a "bank" as the "cut bank"—cut by the normal flow of water, where vegetation stops; to confine Texas to the south as far as the south bank; to give Oklahoma the north half of the bed and political control over the entire bed; to give to the United States as trustee for Indians the south half. After an ordered survey and the report of the commissioners the whole matter was accepted and confirmed by the Supreme Court April 25, 1927. And thus ends the last chapter of the story of the Louisiana Purchase of 1803.¹⁹

In the long process that led eventually to the shape that Oklahoma was to assume, it profited from the beginning on all four sides. There are the 12,000 square miles on the east that might have remained a part of Arkansas; a strip across the north 34 miles wide that came as an outside compromise over the slavery issue; all of the southwest corner through the decision of the Supreme Court of 1896; all of the forgotten "No Man's Land"; and last one half of the bed of the sandy and sluggish Red river.

But acres and miles of territory constitute the least that Oklahoma gained. By virtue of its location, surrounded by four differing cultures, it received a substantial strength from each. And this makes Oklahoma unique among her sister states. And this helps to explain the versatility and dynamic vitality of the citizenship today.

¹⁹ *U. S. Supreme Court Reports*, Vol. 274, p. 714.

FREE LAND HUNTERS OF THE SOUTHERN PLAINS*

By Carl Coke Rister

Part I

The "Oklahoma" land rushes of the late 1870's and the 1880's were interesting expressions of a long-standing land hunger of homeless people. As early as the creation of our first public domain, landless citizens of the United States urged on Congress the enactment of a free homestead law. Decade after decade they bombarded Washington with such a proposal and land legislation became a perennial subject for debate. Yet up until the Civil War, the best they could get was a preemption act giving those who had "squatted" on unsurveyed lands first choice at the minimum price of \$1.25 per acre when once the tracts of which their homesteads were parts were put on the market.

During the late 1840's, land seekers did find political pressure through the Free Soil Party, which became so important a minor political movement as to impress the young Republican Party in 1860; and when Abraham Lincoln accepted the nomination for the presidency, he was committed to a proposal for a free homestead law.¹ On May 20, 1862, during the stress of civil war, a Republican Congress fulfilled its pledge to the people. . . "Any person," the law provided, "who is the head of a family or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall, from and after the first of January, eighteen hundred and sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public land."² The law required a residence of five years before the final transfer of ownership was made.

That part of the law barring those who had borne arms against the United States government kept out ex-Confederates but thousands of ex-Unionists thronged the Kansas and Nebraska frontiers, claiming free homesteads. In 1866 D. F. Drinkwater, Secretary of the United Press Association, wrote from Topeka: "Kansas in town and country has made rapid progress since I was here last fall. . . .

* This is the first of two articles on the opening of lands in the Indian Territory, contributed by Carl Coke Rister, Ph.D., head of the History Department, University of Oklahoma, Norman.

¹ See platform as given in H. S. Commager, ed., *Documents of American History* (New York, 1944), 363-4.

² *U. S. Statutes at Large*, XII, 392 ff.

It is estimated that since last January the accessions to the population of the State cannot be less than a hundred thousand. Should the census be taken today there would probably be a showing of at least 240,000 as the population of the State."³ At Wilson, there were six houses in 1870; in 1872, there were over 30, and not less than 50 farms, each from 80 to 160 acres. By 1880 the approximate line of settler occupation was the one hundredth meridian. Of 52,288,000 acres of land in Kansas, only 30,870,532 acres were not in farms; while Nebraska, with a total of 48,758,400 acres, had 38,813,574 acres not in farms.⁴ Even as early as 1868, the land rush in these states led beyond the settled frontier, within the country ranged by the hostile Cheyennes and Arapahoes.

In Texas, the rush for choice farm lands was just as marked. By its agreement with the federal government on March 1, 1845, Texas was allowed to "retain all the vacant and unappropriated lands lying within its limits."⁵ Indeed, Texas even had an advantage over other Southern Plains states because of its reputation of being the greatest of the range states, and of having an individual, liberal land policy. By 1865 regional land companies and immigrant aid societies had sprung up all over the state. In 1866 delegates from fifteen or twenty counties met in Galveston and organized an immigration company by which they proposed to issue 2,000 shares, of which common stock would be sold at \$50 per share and preferred stock at \$100 per share.⁶ When other organizations of a similar character were formed, their promoters asked the legislature to lend its support to their cause.

The legislature responded by enacting two laws. The first was an attractive land act of August 12, 1870, the merits of which the *Houston Telegraph*, in January, 1873, said: "Let immigrants to Texas remember that a single man is entitled to eighty acres of land, and a man of a family to one hundred and sixty acres out of the public domain of Texas, the only condition being three years residence upon the land, having it surveyed, and paying the patent fee."

³ *Letters to the Connecticut Courant, Pennsylvania Independent Republic, Washington Chronicle, North Carolina Union Banner, Nemoha Courier, Pittsburg Commercial, and Topeka Record* (Washington, 1867).

⁴ William M. Thayer, *Marvels of the New West* (Norwich, Conn., 1888), p. 635.

⁵ *U. S. Statutes at Large*, V, 797-8.

⁶ The company was headed by such men as J. S. Sellers, J. S. Thrasher, C. R. Hughes, G. W. Crawford, J. S. Massie, F. H. Merriman, William H. Baker, J. H. Herndon, and Ashbel Smith. The *Texas Almanac for 1867*, pp. 272-3. Governor Throckmorton had also urged his legislature to match the efforts of independent enterprise. See *Message of Governor J. W. Throckmorton to the Legislature of Texas* (Austin, 1866), p. 13.

The second law in the same year created a Bureau of Immigration and Gustav Loeffler was appointed as superintendent.⁷ By July 1, 1874, the Bureau had established a southern agency at Atlanta with C. W. Matthews in charge, and a western agency at St. Louis with Dr. W. G. Kingsbury as its head. Steps were also taken to influence European immigrants. An English agent was appointed to serve without pay, and another for France on the same basis. Leading steamship lines agreed to reduce their rates to immigrants bound for Texas; and, indeed, the superintendent of the Bureau in his annual report of 1873-1874 stated that "all railroad companies and steamers running into Texas carry immigrants at one-half of regular rates, besides allowing 200 pounds of baggage free to each ticket,"⁸ with the exception of the Houston and Texas Central which required that immigrants should come in groups of ten or more to obtain reduced rates.

No doubt the Texas Bureau of Immigration gave force and drive to the occupation of public lands. During the first six months of 1873, it reported that 60,000 immigrants had arrived, and by the end of the year, 125,000.⁹ Two years later, General J. B. Robertson, who had succeeded Loeffler as superintendent, stated that "300,000 immigrants had come into the state the past fiscal year." The *Frontier Echo* (Jacksboro, Texas) of March 2, 1877, estimated that over 400,000 home seekers came to western Texas in that year, the most of whom filled the border tier of counties (Cooke, Montague, Clay, Wise, Jack, Young, Archer, Stephens, Erath, Comanche, Brown, and Mills). Then in the next two years the next tier, from Wichita County to Coleman County, was occupied, and west of this line was a region yet hardly freed from the numerous buffalo herds.¹⁰

⁷ The Texas Constitution drawn up under the federal Reconstruction Act of March 2, 1867, provided in Article XI, Section 1: "There shall be a bureau known as the 'Bureau of Immigration,' which shall have supervision and control of all matters connected with immigration. The head of the bureau shall be styled the 'Superintendent of Immigration.'" H. P. N. Gammel, ed., *Laws of Texas* (10 vols., Austin, 1898), VII, 28. For information on the work of the Bureau, see *Annual Reports*, 1873-1875; *Texas House Journal*, 1873, p. 409 ff.; *Annual Messages of the Texas Governors*, 1866-1885, pp. 105-110.

Regional newspapers supported the Texas state government by accenting immigration. The *McKinney Enquirer*, January 11, 1868, spoke of settlers from southern states; *Flake's Daily Bulletin* (Galveston), April 19, 1868, advocated the payment of immigrant travel fares and mentioned English promotion of Texas immigration; and the *Fort Smith New Era* (Arkansas), September 29, 1869, listed immense numbers of Texas immigrants from the northern and western states.

⁸ The Bureau was discontinued with the adoption of the Texas Constitution of 1876.

⁹ *Annual Report of the Superintendent of Immigration*, 1873, p. 8.

¹⁰ For handbooks picturing Texas lands in Garden of Eden colors, issued by railroads and real estate organizations as late as the 1880's and 1890's, see Homer S. Thrall, *The Peoples Illustrated Almanac, Texas Handbook and Immigrant's Guide for 1880* (St. Louis, 1880); *Texas* (issued by the Southwestern Immigration Company, Austin, Texas, March 8, 1881); *The Resources and Attractions of the Texas Panhandle for the Home Seeker, Capitalist and Tourist* (Battle Creek, Michigan,

Although the region farther west was to a large extent semi-arid and occupied only by cattlemen, farmers moved out to claim it. During the early days of Texas, a large amount of school land had been set aside for education, much of which, in western Texas, could be bought for a nominal sum. Before the competitive bid law was enacted in 1905, "it was both the custom and the law to set a minimum price on all school and other lands coming on the market and the first bidder who complied with the law received the land."¹¹ Since the lease law gave preference to the lessee in the sale of his state-contract property, the rancher seemingly had an advantage over his rival, the farmer. But often he had already bought his four sections allowed under the law and could not compete for more. With his lease of surplus land expiring, therefore, he was generally faced with ouster proceedings by his ambitious rival. Sometimes, to save his ranch, he would persuade a close friend or kinsman to acquire that part of his lease offered for sale. And since the first bidder who complied with the law received first consideration, it may well be seen how hard-fought contests would develop. The County Clerk's office was the scene of many a tug-of-war between the rival factions, each trying to file his application first. Early settlers at Lubbock, Stanton, Midland and Big Spring can still remember such contests.

It is only necessary here to sketch one of these rushes, since one was much like another. On March 4, 1904, five sections of land came on the market at Gail, in Borden County, just below the Cap Rock of the Staked Plains. The Borden *Citizen* (Gail) of March 17 carried an account of what followed under a headline, "The War of the Ribbons. A Clash that Rivals the War of the Roses." For the last several days Gail had been the center of excitement, activity, and friendly banter between the "Red and Blue Ribbons," the cowboys wearing the blue, and the farmers, the red. The land offered for sale had been occupied by farmers for some time before it was put on the market, and when they learned that it was to be sold, they took turns at standing in the courthouse before the door of the County Clerk's office to enter their claims as soon as they were permitted to do so.

On February 29 a large band of cowboys rode into town for the sole purpose of expelling the waiting farmers. They decided

1890); and *Fertile Farm Lands in Texas for Sale by the Southern Texas Colonization Company* (n. p., 1891) compiled by M. Whilldin, Galveston, Harrisburg and San Antonio Railroad. The *Annual Report* of the Texas Secretary of State for 1879-80, p. 18, thus lists immigration companies: San Antonio Immigration Aid Company, capital \$100,000; Galveston and Santa Fe Land and Immigration Company, \$100,000; Southwestern Immigration Company, \$100,000; and Texas Land and Colonization Company, \$250,000.

¹¹ J. A. Rickard, "South Plains Land Rushes," in *Panhandle Plains Historical Review*, II (1929), 98.

that the time was propitious for action, since the farmers were few in number. Leading them was rough and ready Big Bob Odom. He "held a short council with his chiefs, and it was decided to make an attack at once. No sooner resolved than they filed into the courthouse yard and into the hall. The struggle was short. About ten minutes later they tossed the last red ribbon man out of the hall and then there went up a yell from the 'Blues' that would have stampeded an army of Apaches." But their celebration was premature. The ousted farmers scoured the country for recruits for a hundred miles or more and shortly reappeared with a greatly augmented force. Without preliminary negotiations, they pitched into the "Blues" and drove them pell mell from the clerk's office. It was estimated that 225 men participated in this second brawl.

The cowboys obligingly abandoned the field to their worthy foes, but not for long. They presently had collected a large force, bringing in cowboys from as far away as Abilene, Colorado and Big Spring, besides a large number of recruits from Garza and other counties farther north. In fact, they mustered a force of 175 cowboys as compared with only 125 farmers. The Sheriff of the county, fearful that the contest might develop into a free-for-all fight, required that each man present deposit his "shooting irons" in a rain barrel. Then the struggle began. It was a stubbornly fought affair in which "there was guying, grunting, and gnashing of teeth for a short time, after which there was a Blue demonstration."

By 1880 the frontier line of farmer occupation of the Southern Plains had pretty well swept past the one hundredth meridian in both Kansas and Texas; and as arable land subject to homesteading became hard to find, the competition between homeless people was increasingly intensified. Every well known highway was crowded with the covered wagons of movers, some hastening here and there to find cheap land or free homesteads and hundreds of others seeking nothing in particular. Their dust-stained and weather-beaten wagons were seen on every road. And as the frontier borders were more narrowly confined, they appeared in greater numbers at the outpost towns and communities of Kansas and Texas.

By the close of the 1870's thousands of land hungry people, not finding available homesteads in Kansas and Texas, looked with covetous eyes on the broad fertile prairies of Indian Territory. These millions of acres were occupied only by the Indians and intruding cattlemen. It was easy, therefore, for them to believe that those parts of Indian Territory not assigned to the Indians were public domain and subject to homesteading. Thus the stage was set for a far more colorful series of land rushes than occurred in either Kansas or Texas. But to understand them it is necessary for the reader to review those facts having to do with the break-up of Indian Territory after the Civil War.

In 1861, on the eve of the Civil War, Albert Pike, a Confederate commissioner, negotiated treaties with each of the Five Civilized Tribes of Indian Territory, under the terms of which the Confederacy was to protect the red men during the impending struggle, and to assume the federal government's annuity obligations.¹² John Ross, Principal Chief of the Cherokees, had no enthusiasm for such a treaty and would not thus commit his tribe until chiefs of the other tribes had done so.¹³ Indeed, through out the war a part of the Cherokees sympathized with and supported the Union; and, finally, at Cowskin Prairie, in February, 1863,¹⁴ they influenced the Cherokee Council to repudiate the Confederate treaty, although a strong contingent under Brigadier General Stand Watie continued to aid the Southern cause.

The end of the conflict brought drastic changes in Indian Territory. Congress initiated a program of concentrating western tribes on reservations to pave the way for the building of railroads and the development of the public domain. New treaties were negotiated with the Five Civilized Tribes in 1866 whereby they relinquished actual control over western Indian Territory, although the Cherokees retained nominal ownership of the Outlet, a broad prairie one degree wide and reaching from the ninety-sixth meridian to the western boundary of Indian Territory.¹⁵ The Creeks transferred to the federal government the western half of their reservation for which they were paid thirty cents per acre; and their neighbors, the Seminoles, gave up their entire reservation between the two Canadian rivers for fifteen cents per acre and were sold a smaller tract of 375,000 acres immediately west of the new Creek boundary for fifty cents per acre. The Choctaws and Chickasaws gave up their western lands between the ninety-eighth and one hundredth meridians for \$300,000.

Having then cleared western Indian Territory of the claims of the Five Civilized Tribes, the federal government next turned to the problem of moving in western tribes, thus reversing its policy of earlier years. Three large reservations and several smaller ones were set up. By the treaties of Medicine Lodge, Kansas, of October, 1867, the Comanches, Kiowas and Kiowa-Apaches were assigned al-

¹² Pike to Robert A. Tombs, Confederate Secretary of State, May 29, 1861, in *War of Rebellion. A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1881-1901), Series IV, Vol. I, 359; Ben McCulloch to Walker, June 12, *ibid.*, Series I, Vol. III, 590.

¹³ Ross and others to McCulloch, *ibid.*, Series IV, Vol. I, 669-687.

¹⁴ "Report of the Commissioner of Indian Affairs," in *H. Ex. Docs.*, 38 Cong., 1 sess., III, No. 144.

¹⁵ Treaty with the Cherokees on July 19, 1866 and ratified on July 27, in Charles J. Kappler, ed., *Indian Affairs, Laws and Treaties* (3 vols., Washington, 1903), II, 942; with the Creeks on June 14, and ratified on July 19, *ibid.*, 931; with the Seminoles, on March 21 and ratified July 19, *ibid.*, 910; and with the Chickasaws and Choctaws, on April 28 and ratified June 28, *ibid.*, 918.

most 3,000,000 acres, comprising the Wichita Mountains country between the ninety-eighth meridian and the North Fork of the Red River; and the Arapahoes and Cheyennes were given more than 4,000,000 acres between the holdings of the Comanches, Kiowas and Kiowa-Apaches and the southern boundary of the Cherokee Outlet.¹⁶ And in 1872 the Osages were settled on 1,400,000 acres between the Cherokee Nation and the Arkansas River.¹⁷ Then, fringing the western reservation bounds of the Five Civilized Tribes and Osages, small holdings were set up for the Kaw, Ponca, Tonkawa, Otoe, Pawnee, Iowa, Kickapoo, Sac and Fox, and Potawatomi tribes.¹⁸ In fact, by 1879, in Indian Territory, twenty-two separate reservations, under eight agencies, had been created for 75,000 Indians.

After all these tribal settlements had been made, there still remained unoccupied the greater part of the Cherokee Outlet (more than 6,500,000 acres) and the unassigned lands, an irregularly heart-shaped area in the center of the Indian Territory, called the "Oklahoma District" or "Oklahoma Country" (1,887,800 acres). The federal government had acquired the latter from the Creeks and Seminoles upon the condition that other Indians and freedmen (former Negro slaves in Indian Territory) would be settled thereon. But by 1879 the idea of colonizing the freedmen was abandoned and that of Indian removals completed.

Thus the stage was set for the "Oklahoma" Boomer movement. The Boomers, or those home seekers who agitated for the opening of "Oklahoma" to settlement, argued that all unassigned land in Indian Territory reverted to the public domain and was open to settlement under the Preemption and Homestead laws, when once the program of Indian removals was completed. This, the Commissioner of the Indian Bureau stoutly denied. He said that it was not a part of the public domain subject to settlement in a real sense, and would not be until Congress had formerly accepted it as such and had established land offices therein. Of course, tribal leaders of Indian Territory strongly supported the Commissioner.

Probably had the ensuing struggle been fought out only by these two groups it would have attracted little public attention. But two powerful outside forces joined the fray, established powerful lobbies in Washington, and popular interest was increasingly aroused. The Missouri, Kansas and Texas, the Saint Louis and San Francisco, and the Atchison, Topeka and Santa Fe railroads, as one force, had

¹⁶ Robert L. Williams, "Oklahoma and Indian Territory as Embraced Within the Territory of Louisiana, Over which the Laws of the United States Were Established," *The Chronicles of Oklahoma*, XXI (September, 1943), p. 258; Treaty with the Comanches, Kiowas and Kiowa-Apaches, October 21, 1867, Kappler, *op. cit.*, 982; and with the Arapahoes and Cheyennes, *ibid.*, 984.

¹⁷ *Ibid.*, 878; act of July 15, 1870, in *U. S. Statutes at Large*, XVI, 363.

¹⁸ For the setting up of these small reservations see Roy Gittinger, *Formation of the State of Oklahoma* (Norman, 1939), 110-115.

rights-of-way through the Territory and in one way or another backed Boomer agitation and sought to influence Congress. While as the other force, cattlemen had intruded onto the western Indian reservations under lease agreements. In 1882 P. B. Hunt allowed Texas ranchers to graze their herds on the fine grasslands of the Comanche-Kiowa reservation, and in the next year Agent John D. Miles permitted a similar arrangement between certain cattlemen and leading Cheyenne and Arapaho chiefs.¹⁹ In each instance, the Indians were paid "grazier" fees, either in money or beef. In 1883 the Cherokee Strip Live Stock Association of Caldwell, Kansas, negotiated an agreement with the Cherokee Council whereby members of the Association would be given a five-year lease of the Outlet for \$100,000 per year.²⁰ And during the same period, Secretary Henry M. Teller of the Interior Department allowed cattlemen to range their herds within the "Oklahoma Country" and to erect improvements.²¹ Boomers charged that federal officials were bribed by the ranchers for such a privilege, and complained bitterly of a policy that would permit ranchers to run their herds on hundreds of thousands of acres of grasslands in this region, and deny farmers (Boomers) at the same time the right to occupy 160-acre homesteads. But Indian Bureau officials promptly denied the bribe charge and said that the cowmen in the Oklahoma Country were only temporary tenants.

The period of Boomer agitation was approximately a decade, 1879-1889, five years of which were characterized by invasion after invasion. Among the early Boomer agitators were Judge T. C. Sears, a Washington lobbyist and an attorney for the Missouri, Kansas and Texas Railroad, and E. C. Boudinot, a clerk of the House committee on private land claims in the Capital. It was believed that he, too, was employed by the Missouri, Kansas and Texas Railroad. On February 17, 1879, *The Chicago Times* published an article signed by Boudinot in which it was claimed that there were 13,000,000 acres of unassigned land in Indian Territory, as fertile as could be found in the nation. To persons interested in knowing more about this region, he had prepared additional information and a map, the cost of which was probably borne by the Missouri, Kansas and Texas Railroad.

¹⁹ *Sen. Ex. Docs.*, 48 Cong., 2 sess., No. 17, Vol. I, 21-22.

²⁰ *Ibid.*, 151-152.

²¹ On July 12, 1883, Acting Adjutant General C. McKeever, wrote to Major General John Pope: "In answer to your telegram of 29th ultimo, relative to T. H. Campbell, the Secretary of the Interior states that in answer to a request to be allowed to go to Oklahoma country, the Interior Department informed Mr. Campbell that if he drove his herd there temporarily and did not attempt a permanent lodgment the Department would not interfere." . . . Microfilm from "Records of the Department of Interior, Office of Indian Affairs, Letters Received from the War Department, re. Special Case, No. 111." National Archives, Washington.

The *Kansas City Times* was also an ardent champion of the "Oklahoma" movement. For example, almost the entire front page of each issue of May 4 and 18, 1879, was devoted to a description of this agrarian Elysium, represented as a land of limpid streams, fine forests, far sweeping grasslands, and towering mountains. A fever of excitement presently gripped the landless people of Arkansas, Missouri, Kansas and Texas, and colonization societies were launched.²²

Kansas City business interests had previously launched the abortive Black Hills land rush, led by a border adventurer, Charles C. Carpenter; and now they were backing another headed by the same man. Carpenter appeared in Kansas City as a border Moses to lead the emigrant hosts to the promised land.²³ He was an excellent actor and for a time played his part well. He had long hair, a drooping moustache, and wore a broad brimmed hat, high-topped boots, and a buckskin coat fringed at the sleeves. He was a hearty, "well met" fellow, who talked glibly and incessantly, always commanding a hearing among the border movers.

From Kansas City, Carpenter presently went to Independence, Missouri, to launch his enterprise. But he needed money for his venture. Consequently he entered into an agreement with the merchants of the town to bring one thousand emigrants to a rendezvous camp just outside the city limits if they would pay him five hundred dollars, and an additional five hundred dollars when he had actually moved them onto the "Oklahoma" lands. But he could neither bring to Independence one thousand emigrants nor collect the initial five hundred dollars, whereupon he shook the dust of the town from his feet and moved over to Coffeyville. Here he and his wife had better success in "operating on the merchants . . . in raising funds."²⁴ At both towns he promised the merchants rich returns by way of Boomer trade.

Meanwhile, federal officials had become alarmed. Secretary Carl Schurz of the Interior Department sent Inspector John McNeil to Coffeyville to inquire into the situation. McNeil arrived on the evening of May 3. Moreover, Major General John Pope, commander of the Department of Missouri, had also made proper troop dispositions. He had sent three companies of Infantry to Fort Gibson and one troop of cavalry to each of the frontier towns of Coffeyville, Baxter Springs, Wichita and Vinita.²⁵

²² *Annual Report of the Commissioner of Indian Affairs, 1879* (Washington, 1879), xlv-xlvi.

²³ Inspector John McNeil described Carpenter as the "same bragging, lying nuisance that I knew . . . seventeen years ago, when he infested Fremont's quarters," in *Sen. Ex. Docs.*, 46 Cong. 1 sess., No. 20, p. 20. *The Commonwealth*, Topeka, as quoted by the *Wichita Eagle* of May 18, 1879, added that he was a "scalawag of the worst stripe."

²⁴ *Sen. Ex. Docs.*, 46 Cong., 1 sess., No. 20, p. 20.

²⁵ *Ibid.*

L. B. Bell, writing from Vinita, on April 19, 1879, expressed his misgivings of Carpenter's enterprise. He said that it was to take forcible possession of the Indian country. "The fact is," he stated, "the railroad crowd are going out there to get up a row, or, rather Indian war."²⁶ A correspondent of the Missouri Republican had also noticed that a Captain Seayrs (probably Sears) had begun to stake out a road via the Old Whiskey Trail and Bruner's Crossing of the Arkansas River to the Sac and Fox Agency, and thence southward across the Cimarron to "Oklahoma."²⁷

When McNeil conferred with Carpenter in Coffeyville on the evening of May 3, he was told that already a Mr. McFarland had organized another party of seventy-five families at Chetopah and was leaving for "Oklahoma" the next day. McNeil warned Carpenter that he would be arrested if he continued his agitation, for he believed that he was prompted by "powerful and unscrupulous influences."

But Carpenter seemed little daunted. "The movement will still go on," he said. He was especially angry because Major General Pope had threatened to deal summarily with him. "Unless he [Pope] cuts a better figure on the frontier than he did at Bull Run," he challenged, "there will be a 'hellitisplit' retreat, and it won't be Carpenter's expedition!"²⁸ The doughty leader was better at bluster than action. A short time later he left Coffeyville and its colony of Boomers, never to return.

Other leaders had better success at invasion. On May 26 a patrolling cavalry troop found several Boomers near Arkansas City south of the Kansas line and escorted them out of the forbidden country. Then three days later the same troop arrested a prominent Cherokee attorney, James M. Bell, who had led sixty-five families as far south as the Chikaskia River, also south of Arkansas City; but they, too, were returned to Kansas. Still other movers in parties of twos, threes and fours had also crossed the "Oklahoma" line, but they were presently back in their home towns of Kansas and Texas. In each instance, the invaders lacked a resourceful leader. They did not have to wait long. Hardly had Carpenter found a safe retreat in Kansas City before David L. Payne came to Wichita as leader of a more formidable movement that was to grow until ten years later the Oklahoma country was opened to settlement.

²⁶ L. B. Bell to "Dear Bill," April 19, 1879, in *ibid.*, p. 5.

²⁷ *Ibid.*, p. 18.

²⁸ *Kansas City Times*, May 3, 1879.

WILLIAM BROWN MORRISON

1877-1944

By Robert L. Williams

William Brown Morrison, son of James Davidson Morrison and his wife, Laura Chapin Morrison, was born June 12, 1877 in the Monmouth Church Community near Lexington, in Rockbridge County, Virginia. To this marriage union came four children:— Charles, who died at the age of seven years, William Brown, Kenneth Lamar and Mary Irene (Mrs. R. T. Phelps), now deceased.

John MacCorkle, brother of Alexander MacCorkle, serving on the side of the Colonies, was killed at the Battle of Cowpens. Margaret, the niece of said Alexander MacCorkle, and the daughter of his brother, William MacCorkle, married William H. Morrison, the grandfather of William Brown Morrison. William Alexander MacCorkle's mother (Governor of West Virginia (1893-1897), born Lexington, Virginia, May 7, 1857, died Sept. 24, 1930) was Mary Morrison, of the same Morrison line.¹

James Davidson Morrison, Captain of his Company (Kerr's Creek Confederates) Virginia Volunteers, which subsequently became Company H and Company G, 58th Regiment Virginia Infantry, Confederate States Army, entered the service August 1, 1861 at Staunton, Virginia at the age of 30 years.²

His maternal grandfather, Charles Chapin, for many years was County Clerk of Rockbridge County, Virginia, and his father, James Davidson Morrison, was a Member from Rockbridge County of the Virginia House of Delegates, 1874-1875.

William Brown Morrison was married on Christmas day 1902 to Christine Dorman Barton and to this marriage union came the following children, who survive him:—

Lt. William B. Morrison, U. S. Navy;

Lt. Ross W. Morrison, U. S. Navy;

James Davidson Morrison, Assistant Manager of Ground School at Rankin Aeronautical School, Rankin, California;

Mrs. Natalie Virginia Denison, Oklahoma City, Oklahoma;

Mrs. Elizabeth Chapin Stephany, Dayton, Ohio; and

¹ *Who Was Who in America 1897-1944* (Chicago, 1942), p. 760, also *Recollection of Fifty Years of West Virginia*.

² Information from Brigadier General Robert H. Dunlop, Acting The Adjutant General, letter of July 24, 1944.



WILLIAM BROWN MORRISON

Three grandchildren:— Gertrude Ann Morrison, William Barton Morrison, Jr., and James Harris Denison, Jr., survive, and all of whom attended the funeral at the First Presbyterian Church (U.S.), in Durant, Oklahoma, on March 22, 1944. Interment was in Highland Cemetery, Durant, Oklahoma.³

Having received his primary education in the schools of Rockbridge County, Virginia, he was a regularly matriculated student in Washington and Lee University from September 9, 1892 to June 16, 1897, on which date he graduated therefrom with a Bachelor of Arts Degree.

In June 1894 he was awarded the Latin Scholarship, and in June 1895 the Franklin Society Scholarship, and in June 1896 the James J. White Scholarship. The Franklin Society Scholarship was conferred on a student living in Rockbridge County, Virginia, and in competition for this scholarship the student's record during the previous two years is taken into account, first year students not being eligible. The James J. White Scholarship was supported by a memorial fund of \$1500.00 contributed by the alumni and friends of the University, being conferred for high attainments in the advanced courses in Greek.

He was a teacher of Latin, Rockville (Md.) Academy, 1897-1900; principal High School, Beaumont, Texas, 1900-1902; Vice-President and a teacher of Latin in the Durant Presbyterian College (U.S.), Durant, Ind. Ter., 1902-1904; Williamson, W. Va. Presbyterian Academy (U.S.) 1904-1907; whilst there he owned and operated a newspaper, *The Williamson Enterprise*; President Oklahoma Presbyterian College (U.S.) for Girls, Durant, Oklahoma, 1910-1920; from 1920 to 1922 engaged in bookstore business in Durant; 1922 until date of death, Professor of History in the Southeastern State College at Durant. While Professor of History at Durant State College during a vacancy in the Presidency, he acted ad interim as President and during that interval successfully and satisfactorily administered the affairs of the college; Member of the Oklahoma Advisory Commission of Education, Presbyterian Church in U. S.; Member Classical Association, Middle West and South; D. Litt., Austin College, Sherman, Texas, 1917; Trustee Austin College; Trustee Oklahoma Presbyterian College; President of Robert L. Williams Municipal Library Board of Durant, Oklahoma; Master of Arts Degree from University of Oklahoma, Norman, Oklahoma, 1925.

He was a member of the Masonic Lodge A.F. & A.M. No. 45, Durant, Oklahoma, Knight Templar, Knights of Pythias, Modern Woodmen of the World, Red Red Rose, Teachers' Organization, and a Democrat.

³ *Christian Observer*, July 4, 1944, Louisville, Ky.

He occupied a prominent place in the Southwest as an author and writer, and a poet, many of his poems being published in the *Anthology of Poetry by Oklahoma writers*. Among the books of which he is author are: *Red Man's Trail*, *An Oklahoman Abroad*, *Out in Oklahoma*, and *Military Camps and Forts*.⁴

A fine and public spirited citizen, an admirable Christian gentleman and liberal churchman, and faithful husband and father, his memory remains as an inspiration.

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- ⁴ (a) *Diary of Rev. Cyrus Kingsbury*, 3 *Oklahoma Chronicles*, No. 2 (June 1925), p. 150-157;
(b) *Fort McCulloch*, 4 *Oklahoma Chronicles*, No. 3 (Sept. 1926), p. 216-222; 222;
(c) *Fort Washita*, 5 *Oklahoma Chronicles*, No. 2 (June 1927), p. 251-258;
(d) *Fort Arbuckle*, 6 *Oklahoma Chronicles*, No. 1 (Mar. 1928), p. 26-34;
(e) *A Visit to Old Fort Washita*, 7 *Oklahoma Chronicles*, No. 2, (June 1929), p. 175-179;
(f) *Fort Towson*, 8 *Oklahoma Chronicles*, No. 2 (June 1930), 226-232, 255-256;
(g) *Cornstalk The Shawnee*, 9 *Oklahoma Chronicles*, No. 1, (Mar. 1931, p. 13-16;
(h) *Old Philadelphia Baptist Church*, 13 *Oklahoma Chronicles*, (Sept. 1935), p. 266-272;
(i) *The Sage of Skullyville*, 16 *Oklahoma Chronicles*, No. 2 (June 1938), p. 234-240;
(j) *Colbert Ferry on Red River, Chickasaw Nation, Indian Territory*, 16 *Oklahoma Chronicles*, No. 2 (June 1938), p. 302-314.



JUDGE JAMES SANFORD DAVENPORT

JAMES SANFORD DAVENPORT

LAWYER, STATESMAN AND JUDGE

1864-1940

By Thomas H. Doyle

To administer and vindicate justice in the last resort, to apply and expound the laws for the advancement of right and the repression of wrong, is a most honorable office, and if a judge has proven worthy, able, faithful, upright and just in his position, his biography should be deemed a part of the history of his country.

As Mr. Webster said: "Justice is the greatest interest of man on earth. Wherever her temple stands, so long as it is duly honored, there is a foundation for social security, general happiness and the improvement and progress of our race. And whoever labors on this edifice with usefulness and distinction . . . connects himself, in name and fame and character, with that which is and must be as durable as the frame of human society."

The life story of Judge James Sanford Davenport, identified with Oklahoma for approximately half a century, is that species of biography which is history. His distinguished career comprehends and exemplifies the spirit and substance of the era which made the evolution of the present day Oklahoma inevitable.

Judge James Sanford Davenport was born near Gaylesville, Cherokee County, Alabama, at the farm home of his parents, William A. J. Davenport and Amanda C. Davenport, September 21, 1864. He was the tenth child in a family of eleven children. In 1880, his parents moved to Faulkner County, Arkansas, and settled on a farm near Conway.

The conditions existing after the Civil War were such that his opportunity for securing an education were necessarily limited. Having completed grades and Highschool and Greenbrier Academy, he for a few years taught a country school in Faulkner County.

Having chosen the law as his profession, and not having the opportunity of a college education, he devoted his spare time while teaching school to the study of law. His chief encouragement came from Col. G. W. Bruce, a lawyer of much learning and ability, and while a student at Greenbrier Academy, he lived at the home of and studied law in the office of Col. Bruce.

James Sanford Davenport was admitted to the practice of law in Arkansas, February 14, 1890. In the fall of the same year he moved to the Indian Territory, stopping first for a few weeks at the little town of Vian, then went on to Muskogee. He was there

admitted to the practice of law before the U. S. Courts of the Indian Territory, and with no adventitious advantages he there entered the practice. Early in 1891 he became a Member of the law firm of Denison, Maxey and Davenport, with offices in both Muskogee and South McAlester. In February, 1893, he removed to Vinita, which city continued to be his legal residence until summoned to his eternal reward, January 3, 1940. He is at rest in the family plot, Fairlawn Cemetery, at Vinita.

In Memorial services of the Bar Association, commemorative of his distinguished career as a citizen, lawyer, statesman and judge, and recording their profound appreciation of his public and judicial services, also stating family history, were proceedings in part as follows:¹

"On July 12, 1892, James Sanford Davenport was married to Miss Guelielma Ross, a great granddaughter of the noted John Ross, for forty years the Principal Chief of the Cherokee Nation. Of this marriage, a son and two daughters were born. His domestic life was distinguished for the devoted attachment of the members of his family for each other.

"On June 15, 1907—the year of Oklahoma Statehood—, Judge Davenport was united in marriage with Miss Byrd Ironside of Vinita, who is a direct descendant of the famous Shawnee Chief, Tecumseh. No children were born to them. Together with her and the two daughters, Judge Davenport is survived by a charming foster daughter, Gerry Lyles Davenport of Oklahoma City, and his only surviving sister, Mrs. Mattie Arthur of Tulsa, Oklahoma.

"He served as Mayor of Vinita, (1901-1903) and was four years a member of the Cherokee National Council, (1897-1901) which met at Tahlequah, then capitol of the Cherokee Nation, two of which years he was Speaker of the Cherokee House of Representatives. He was the only white man ever to have held this signal honor, having become a citizen by his marriage. By reason of the Constitutional succession to the office of principal Chief of the Cherokee Nation, he was in line and might have attained this high office, although of no Indian blood, of one of the outstanding Tribes of the American Civilized Indians. He was one of the attorneys for the Cherokee Nation in making the Negro Freedman Roll upon which such allotments were made.

"Judge Davenport was a member of the Presbyterian Church of Vinita, a member of the Woodmen of the World, of the Knights of Pythias, the Elks, and the Odd Fellows, Oklahoma Historical Society, and Oklahoma's Hall of Fame.

"He was organizer and Commander of Barrett Camp No. 888, Vinita from 1919 to 1927, of the Sons of Confederate Veterans. In fact his extreme loyalty to the Southern cause led him to an extensive affiliation with the Sons of Confederate Veterans, in which he held high offices, including that of Commander of Army of their Trans-Mississippi Department from 1921 to 1924, and a life member of Headquarters Camp No. 584, of Richmond, Virginia."

¹*Memorial Proceedings*, dedicated to the late Honorable James S. Davenport, Judge of the Criminal Court of Appeals, in a meeting of the Oklahoma County Bar Association and signed by the following members of the Committee for the Proceedings: J. Berry King, Chairman, Mary Francis, Welcome D. Pierson, and John Brett. Dated May 24th, 1940.

The Memorial of the Bar Association² concludes:

"May this therefore serve to convey fit and appropriate commemoration from all of us who mourn his loss as a citizen, friend, party associate, fellow lawyer, relative and comrade, with the hope that he may be received in the Hereafter with that same degree of high appreciation with which he was held by all of us who have been privileged to love, honor, respect and know him here below."

The "Organic Act" of May 2, 1890, providing a temporary government for the Territory of Oklahoma, and enlarging the jurisdiction of the United States Court in the Indian Territory, as established March 1, 1889, he often said, was in a large measure the cause of his coming to and casting his lot with the people of the Indian Territory. His career in his chosen profession was eminently successful, and full of those honors so much prized by lawyers.

With no favor of fortune or position his unswerving integrity, untiring industry and natural powers of mind enabled him to become early one of the leaders of the Indian Territory Bar, and for seventeen years, until the advent of Statehood he had an extensive practice in the U. S. Courts of the Indian Territory, district and appellate, and in the courts of the Cherokee Nation.³

With the advent of Statehood, and until elected a Judge of the Criminal Court of Appeals, he had a large practice in the United States Supreme Court, and in other Federal and State courts. The late Judge W. H. Kornegay, a member of the Constitutional Convention and a Justice of the Supreme Court; and the late Judge W. M. Thompson, one of the foremost lawyers of the Indian Territory, for several years a Commissioner of the State Supreme Court, and also Judge Wm. T. Rye, of Vinita, were associated with him in the practice.

To review the record of his long and useful life is to see in retrospect the colorful pageant of western pioneer life and romance of the Twin Territories, which he helped to mould into an American commonwealth. The part he played in the civic, executive and legislative history of the Twin Territories was but little less outstanding than his career as a lawyer.

At the election held for the adoption of the State Constitution, and election of the first Federal and State officers, Judge James S. Davenport was elected as a democrat member of the 60th Congress, and was re-elected member of the 62nd, the 63rd and the 64th Congress. While a member of Congress he maintained his law office at his home town, Vinita. It has been well and truly said that "no

² *Memorial Proceedings, ibid.*

³ "James S. Davenport, Esquire, of Vinita, Indian Territory, was on motion . . . duly admitted and qualified as an Attorney and Counsellor of the Supreme Court of the United States on the 28th day of January in the year of our Lord one thousand nine hundred and four and of the Independence of the United States of America the hundred and twenty eighth." (Certificate of Admission.)

man ever served in that body who had more genuine friends in Congress than did Hon. James S. Davenport."⁴

His high sense of duty, his love of justice, truth and honor made him worthy of the confidence and trust which had so often been placed in him by the people of the state. As has been truly said of him: "He betrayed no trust; he deserted no duty; he broke no friendship, he rose on on man's fall, nor raised his own reputation by defamation of others.

Judge Davenport was elected judge of the Criminal Court of Appeals at the General Election in 1926, he was twice elected to succeed himself, and the last term to which he was elected would have expired in January, 1945. For nearly half a century he typified and exemplified the highest ideals of the legal profession which, in all ages of civilization has been placed in the forefront, not only in the administration of the law, but also in the making and the execution of the law.

How admirably he discharged his trust in the administration of justice is known to all. As an able lawyer, and a great judge, he has left his character impressed upon our jurisprudence in no faint nor feeble lines. His name and fame are identified as clearly with the judicial history of our state as that, perhaps, of any other lawyer or judge. And no tribute to his exalted character and ability would be fulsome or extravagant when ranking him among the most distinguished of our lawyers and judges.

With a devotion unsurpassed he unswervingly sustained the great principles embodied in the Bill of Rights, both State and Federal, guaranteeing the principles of personal liberty, and especially safeguarding the fundamental principles of our government, freedom of religion, freedom of speech, and of the press, and the protection of personal liberty under the Writ of Habeas Corpus.

Believing, as he did, that justice was the law's highest end and aim, he exemplified Mr. Webster's oft quoted toast: "The law: It has honored us, may we honor it."

He brought to this court a well balanced mind, and performed his judicial services in such a manner as to command the respect and esteem of all of the citizens of Oklahoma. He made and loved and lived the law: "In all an honest man." No judge more conscientious, fearless, upright and just ever sat upon the appellate bench.

⁴ Representative James S. Davenport, Third District, from Oklahoma served on the following committees: 60th Cong., 1st Sess., Expenditures in the War Department and Territories; 60th Cong., 2nd Sess., Expenditures in the War Department and Insular Affairs; 62nd Cong., 1st and 2nd sess., Insular Affairs and Territories; 63rd and 64th Cong., all sess., Roads, Insular Affairs and Territories.

No appellate judge ever had more respect for his associates, and by his associates no judge was ever held in higher esteem. Both as a lawyer and as a judge he always stood for the highest standard of professional ethics.

Judge Davenport's judicial services as a Member and Presiding Judge, as shown by his opinions found in Volumes 36 to 68 inclusive, "Oklahoma Criminal Reports," speak for themselves, in them his strength of judgment and his innate sense of justice appear at their best. They will remain as a living and enduring monument to his memory, which neither time nor the elements can impair.

A great judge has passed on following eminent judges who have kept untainted the high traditions of the judiciary, which department of our government now stands where it must in all future ages stand, as the strong central column in the temple of free government.

Always doing his duty as he saw it and seeking no particular credit, he exhausted himself in service to the State, a martyr in fidelity to duty.

As a Christian he lived up to that command pronounced by the Master in reply to the lawyer's inquiry which furnished the supreme direction for the guidance of human society.

To his family and friends his distinguished career and judicial record is a priceless heritage.

Speaking of him as a man and as a friend, knowing well his worth and the many noble qualities of his heart and mind, the writer would characterize Judges James Sanford Davenport as the ideal gentleman. It would seem that the noted English playwright had in mind just such a character when he wrote these words:

"His life was gentle, and the elements
So mixed in him, that Nature might stand up,
And say to all the world, 'This was a man!'"

LIEUTENANT THOMAS JEFFERSON RAINEY

By Lillian Frye Rainey

This is the story of the brief but full life of Lieutenant Thomas Jefferson Rainey, a pilot in the 359th Fighter Squadron of the First Army Air Force, one of those who died that all mankind might be free.¹

On June 14, 1943, a telegram bearing two stars was brought to me. It said that my son Tom had been killed when his plane, a P-47 Thunderbolt, crashed near Fire Island, New York City. That was all. That is still all that we know of Tom's going, but of Tom's stay on earth there is so much to tell!

Born on the 4th day of July, 1921, he would have been twenty-two years old his next birthday. As a boy growing up he was particularly glad to have been named for President Jefferson and thought it great fun that his birthday should have been the Fourth of July. This may have had some slight bearing on his marked interest in the history and government of our country. While president of the student body of Harding Junior High School, Oklahoma City, in 1936 he was awarded the Sons of the American Revolution medal for outstanding scholarship, leadership, citizenship and character. Later, at Episcopal High, Alexandria, Virginia, where he prepared for college, he won the history award for his paper on American History, and at Yale in his freshman year received the much coveted Andrew D. White history prize for the outstanding paper on Modern European History. I mention these recognitions, which he would depreciate if he could, as they point the trend of his mind and explain in part his sense of personal responsibility and eagerness to get into the war.

The American Creed was not just words or a formula to Tom. He believed with all his heart that it was his duty to support his country; to love it; to support its Constitution; to obey its laws; to respect its Flag; and to defend it against all enemies. To that end immediately after the tragedy at Pearl Harbor he left Yale University where he was in his Junior year, and enlisted as an aviation cadet. Believing that war was certain to come, he had, on entering school in the fall, taken the C.A.A. course offered and had learned to fly.

¹ Written as a labor of love with no thought of publication and placed for all time in the Oklahoma War Memorial, this story is presented in *The Chronicles* as an expression representing that of thousands in our State experiencing the sacrifices of a gigantic struggle. It is the story of an Oklahoma pilot written by his mother, envisioning the spirit of American youth setting forth with high hope into the realm of the unknown where only brave pioneers venture and embodying that warm devotion which all parental life is now giving to their loved ones involved in this great Global War.—Eds.



LIEUTENANT THOMAS JEFFERSON RAINEY

In a letter written on Dec. 19, 1941, he said: "During the last two or three weeks I have been so busy that I have not been able to do many of the things I should like to do. As an example I should have liked to put down a few of my general views about the war and the events leading up to our entrance into it in my letters home. There will be time enough for this when I get home, however." And, again: "After all has been said and done I have reached my decision. I am entering the Air Corps. My appointment has come through and I am accepting. Perhaps my decision is not the right one, and I know you all would have preferred to see me wait but I think that I have considered the matter rather calmly and coolly, and I feel very strongly that what I am doing is right and best. At any rate there is no turning back now but only looking to the future." Before leaving Yale he wrote in regard to leaving school and the friends of several years' making: "Packing up and leaving is a rather gloomy and unpleasant operation and I am not enjoying it in the least but it is a necessary by-product of the course of action which I am pursuing."

As early as the spring of 1941 Tom was convinced that America must get into the war and was concerned at the apparent apathy and indifference and even outspoken isolationism in the country. About this time he read a small book entitled "America", written by David Cushman Coyle which carried such chapters as, "What Are We Up Against? What is Nazism? Defeatism? Why Help England? All American" and others dealing with similar subjects. He thought it should be widely distributed and discussed, and implemented that belief by dipping into his own meager funds to buy and send out fifty copies to those whom he thought it might arouse.

This was the summer he spent in Washington as secretary to his good friend, Mike Monroney, the representative from our district in Congress. I doubt if Tom ever spent a happier two months. Washington was unbearably hot, and frightfully crowded but overnight, as it were, it had become alive. It had become the Capital of the World. And, as Tom might have expressed it, it was right down his alley. His letters home were full of comments on bills pending before Congress and of what various people whom he had met thought and said about the important public questions.

When he returned to Yale in the fall he was particularly interested in the debates before the Political Union Club where both sides of many questions were presented by the ablest speakers in the country. Tom had a judicial mind and liked to weigh the relative merits of such arguments. As his roommate once wrote me, "Tom's marvelous sense of humor, breadth of understanding and tolerance were amazing. It was these qualities which enabled us

to get along so intimately for so many years in prep school and in college."

In Tom's Sophomore year he heeled the Yale News and lost by a fraction of one point. I know now that it was a great disappointment to him but at the time he made light of it and accepted it with a fine spirit. John Taber, the secretary of the class of 1943, shared that experience with Tom and wrote me:

"I had the pleasure of knowing Tom well. We heeled the News together Sophomore year, and ever after that valuable experience for both of us we saw much of each other. Always during our friendship he impressed me by his ability to appreciate true values in people, in issues and in tastes. His intellectual curiosity was all too rare in our community; had it had time to expand further it would have left its impress on our class. But Tom felt the tug of events more strongly than most of us and so left a Yale he really loved early. His going was just another manifestation of the social responsibility he felt. He wanted to serve his country unselfishly; he had that sense, too, far beyond most of us. He did serve and will serve still as an inspiration in many worthy fields to those members of Yale 1943 who shared several of the years of his rich life."

To those who knew Tom, or Tommy or T. J., as he was called, what I have written would seem a bit on the serious side. For Tom was gay and full of fun. As his friend Archie Ragan of Atlanta wrote, "Tom worked hard and played hard and when he was out relaxing all of us were insured of a good time because of his infectious spirits and exuberance." The world was an intensely interesting place to Tom. He liked people, liked to talk with all kinds of people; he wanted to know what they thought and how they felt and why. On vacation trips home and with transportation in his pocket he often hitch-hiked for the sheer adventure of meeting people and finding out how they lived. Some of his accounts high-lighted by his sense of humor were often most amusing—sometimes a little sad. In spirit he was the most democratic person I have ever known.

In my hand I hold his marked copy of *Standard English Poetry*. He liked Robert Burns' dry Scotch wit. Underscored is this line from "Cotters Saturday Night": "Princes and Lords are but the breath of Kings. An honest man's the noblest work of God." And, again, from another poem this line: "The rank is but the guinea's stamp, The Man's the gowd for a' that." Farther on I come on Tennyson's prophetic lines from Locksley Hall:

"For I dipt into the future far as human eye could see,
Saw the Vision of the world, and all the wonder that would be;
Saw the heavens fill with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales:
Heard the heavens fill with shouting, and there rain'd a ghastly dew
From the nation's airy navies grappling in the central blue;
Far along the world-wide whisper of the southwind rushing warm,
With the standards of the peoples plunging thro' the thunder storm;
Till the war-drum throb'd no longer, and the battle-flags were
furled,

In the Parliament of man, the Federation of the world."

In thinking of the people, the books, the places and the associations which influenced Tom most, I should say, of people, his father; of books, Carl Sandburg's *Life of Lincoln*; of places, our summer home, an island of towering pines, moss and rock in the Georgian Bay area of Canada; of associations, the Boy Scouts. As a member of "Troop Fifteen" at the First Presbyterian Church he put his whole heart into the building and furnishing of their scout house at Camp Kickapoo and later spent happy weeks two different summers at Y.M.C.A. Camp Cunningham in the Arbuckle Mountains. He became an eagle scout and made his first trip to Washington to the scout Jamboree. His old felt scout hat was one possession dating back to scout days which he refused to give up. Battered and without shape, which bothered him not at all, he clung to it for reasons of sentiment, I suspect, though he insisted that for trolling and motor-boating up Moon River which flows by our door in summer it stayed put in any breeze and was easy on the head. It hangs still in company with a favorite faded red sport shirt on a peg in the house on Moon River.

His first appointment in service was to Maxwell Field, Montgomery, Alabama where he was inducted and attended pre-flight school. From there he went to Dorr Field, Arcadia, Florida, for primary training, then to Bush Field, Augusta, Georgia, for advanced training, and on January 14, 1943, at Napier Field, Dothan, Alabama, he received his wings and his commission as Second Lieutenant in the Army Air Force.

Almost at once he was sent to Chickopee Falls, Massachusetts to Westover Field to learn to fly the new fighter plane, the P-47 Thunderbolt which he had requested. In the spring his squadron was advanced to Trumbull Field at Groton, Conn., and in June moved to Mitchell Field, New York City for the last flying before going overseas. It was here on June 14th, five months after having received his wings, that his plane crashed into the ocean near Fire Island.

His father, his sister and I saw him in April while he was still at Trumbull Field. He loved flying and was happy and enthusiastic about his plane. He said to me: "I wouldn't change places with anybody in the world." He knew well the risks and dangers which lay ahead but was eager to get over and do his part in the war.

When I mentioned a poem about flying I had read he cited me to the one below which he said better expressed his feeling about it. It is called *High Flight*:

"Oh, I have slipped the surly bonds of Earth
And danced the skies on laughter silvered wings;
Sunward I've climbed, and joined the tumbling mirth
Of sun-split clouds—and done a hundred things
You have not dreamed of—wheeled and soared and swung
High in the sunlit silence; hovering there,
I've chased the shouting wind along and flung
My eager craft through footless halls of air.

Up, up the long, delirious burning blue
I've topped the wind-swept heights with easy grace
Where never lark, or even eagle flew—
And, while with silent lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand and touched the face of God."

Tom's faith was not a formal creed, but an inward spirit and conviction. As some one said of him, "His cheerfulness, his winsome friendly way, his readiness to bear his own weight and a little more were reflections of what had become his deepest faith about life." He had a feeling that those who had enjoyed social privileges had great social responsibilities and that he who had been favored by Fortune should be among the first to accept the hardship and danger of days such as these.

I do not know how the accident happened, or why just at the fulfillment of long months of training Tom was not to go on, but surely God has a use for him and somewhere he is busy in a great service.

His body lies in Fairlawn Cemetery. Four of his boyhood friends, two of his favorite teachers and Paul Henry Habbe, his "buddy" who brought him home were the pall-bearers. Doctor Harold Walker, pastor of the First Presbyterian Church, conducted the services. Clark Snell sang, with violin accompaniment, two hymns which Tom and his sister, Dorothea, used to sing together: "Our God Our Help in Ages Past" and "Dear Lord and Father of Mankind," and at the close, Tennyson's "Crossing the Bar." Through the service a warm shaft of sunlight pierced the stained glass window and lay for a time on his flag draped casket as if to say: Do not mourn for him; there is no death; and even now he is in God's tender keeping.



OKLAHOMA WAR MEMORIAL—WORLD WAR II

PART V*

* The Oklahoma War Memorial is sponsored by the Historical Society to honor those from Oklahoma who have given their lives in the service of the country in the present Global War and to preserve their life stories in the permanent records of the State. The compilation of this Memorial and its publication were authorized by the Board of Directors of the Oklahoma Historical Society in the quarterly meeting held on July 27, 1943. Replies are received daily in response to personal letters addressed to the nearest of kin to our war dead, whose names have been located through search in the State press and other publications, through casualty lists from the War and the Navy departments, and through aid of friends of the Historical Society, giving essential data on special cards which are placed on file in the Society. With mounting casualty lists, more than 1,400 of these cards have been returned completed. Much additional material which has been placed under the individual names of the deceased has been sent in by relatives and consists of photographs, newspaper clippings, copies of citations, and letters or manuscripts written and signed by the nearest of kin. Those relatives who have not done so are urged to send such additional data (concerning education, training in service, church membership, etc.) to the Society that the records in the Memorial may be complete. While it will not be possible because of lack of space allowed in *The Chronicles* to publish these heroic stories in full, the Historical Society plans eventually to present a brief biography of each one of Oklahoma's war dead, in this quarterly magazine. The first list of these biographies was published as Part I of the "Oklahoma War Memorial—World War II" in Volume XXI, Number 4 (December, 1944). Other lists have appeared as Parts II, III, and IV in the spring, summer, and autumn numbers (1944), respectively. Additional lists will be published in future numbers.—Muriel H. Wright.

JAMES P. ATKINS, Technician, Fifth Class, U. S. Army. Home address: Bristow, Creek County. Mrs. Mary Pauline Atkins, Wife, Rt. 5, Bristow. Born July 26, 1923. Enlisted February 11, 1943. Served as Parachutist, Airborne Command. Died October 29, 1943, in airplane crash, routine flight Camp MacKall, Hoffman, North Carolina.

R. K. BELL, Private, U. S. Coast Artillery. Home address: Oswalt, Love County. Mrs. Erie Bell, Mother, Oswalt. Born February 20, 1919. Enlisted March 10, 1941. Died December 5, 1942, in Japanese prison camp, Mukden, Manchoukuo.

EDDIE R. BOCK, Second Lieutenant, U. S. Army Air Corps. Home address: Tulsa, Tulsa County. Mrs. Hulda Bock, Mother, 124 South Elwood, Tulsa. Born July 27, 1920. Enlisted May 22, 1943. Died January 15, 1944, Tarrant Field, Fort Worth, Texas.

JOHN G. BREES, Aviation Cadet, U. S. Army Air Corps. Home address: Chickasha, Grady County. Mr. and Mrs. R. C. Brees, Parents, 1628 South 18th St. Chickasha. Born August 16, 1920. Enlisted September, 1942. Would have received wings on February 9, 1944. Died January 22, 1944, in training flight piloting a B-25 Bomber, La Junta Air Base, La Junta, Colorado.

BRUCE B. BROOKS, Second Lieutenant, U. S. Army Air Corps. Home address: Oklahoma City, Oklahoma County. Mrs. Bruce Brooks, Wife, 316 W. 10th Ave., Mitchell, South Dakota. Born March 19, 1920. Enlisted January 20, 1942. Decorations: Air Medal; Oak Leaf Clusters, three; Order of the Purple Heart awarded posthumously. Attended High School, Platte, South Dakota, and two and one-half years of college at Iowa City, Iowa. Member of Methodist Church. Had completed forty-eighth mission. Died October 16, 1943, in action over Italy.

ROY E. BUCK, First Sergeant, U. S. Army. Home address: Stillwater, Payne County. Mrs. Angie Buck, Mother, 415 West 11th St., Stillwater. Born August 12, 1919. Enlisted September 16, 1940. Awarded one machine gun and two rifle medals. Member Oklahoma National Guard, enlisted January, 1939. Served with 45th Division. Died December 7, 1943, in Italy.

WILLIS O. BUCKLEY, Staff Sergeant, U. S. Marine Corps. Home address: Beggs, Okmulgee County. James D. Buckley, Father, Beggs. Born April 1, 1917. Enlisted April 4, 1938. Three years foreign service in China and Philippine Islands. Taken prisoner by the enemy at the surrender of Corregidor. Died May 21, 1943, in Japanese prison camp, Philippine Islands.

KENNETH LEE CHAPMAN, Corporal, U. S. Army. Home address: Watonga, Blaine County. John Chapman, Father, 7559 San Fernanda Road, Burbank, California. Born January 26, 1925. Enlisted June 19, 1940. Took part in major battles in North Africa. Died November 19, 1943, in Italy.

WILLIAM C. CLARK, Second Lieutenant, U. S. Army Air Corps. Home address: Okmulgee, Okmulgee County. Mrs. Helen Clark Duesbury, Sister, 411 Siegler, Corpus Christi, Texas. Born December 31, 1922. Accepted for flight training in the Air Corps,

August, 1942. Member Oklahoma National Guard, enlisted November 14, 1939, and mobilized on September 16, 1940, with Headquarters Company, 179th Division, later a part of the 45th Division. Received wings and commissioned June 22, 1943, Yuma, Arizona. Attached to Bomber Squadron, Will Rogers Field, Oklahoma City. Died October 29, 1943, in bomber crash, near Thomas, Oklahoma.

IVAN H. CODAY, Private, U. S. Army. Home address: Coweta, Wagoner County. Clarence Coday, Father, Coweta. Born May 30, 1920. Enlisted February 11, 1941. Decoration: Order of the Purple Heart. Served as Machine Gunner, 45th Division. Died December 17, 1943, in Italy.

WILLIAM ORION COTTLE, Pharmacist's Mate, Second Class, U. S. Naval Reserve. Mrs. George Cottle, Mother, Box 331, San Miguel, California. Born September 26, 1918. Enlisted February 1, 1942. Decoration: Order of the Purple Heart awarded posthumously. Attended college three and one-half years and excelled in sports. Died June 16, 1943, in Southwest Pacific area and buried with full military honors at Sidney, Australia.

SEQUOYAH J. DOWNING, Staff Sergeant, U. S. Army Air Corps. Home address: Locust Grove, Mayes County. Mrs. Betsy Downing, Mother, Locust Grove. Born May 27, 1918. Enlisted April 25, 1942. Decoration: Order of the Purple Heart. Received Citation of Honor. A champion (118 lbs.) and won trophy for most popular boxer, 1938 Golden Glove Tournament. Served as Aerial Gunner on B-24 Liberator. Died October 18, 1943, in New Guinea, Southwest Pacific.

RICHARD D. EWING, Private, First Class, U. S. Army. Home address: Atoka, Atoka County. Mrs. Ella Katherine Weeks, Sister, Atoka. Born November 23, 1911. Enlisted Spring of 1941. Served with Coast Artillery, Anti-aircraft. Taken prisoner by the enemy at the surrender of Corregidor. Died February 7, 1943, in Japanese prison camp, Mukden, Manchukuo.

JOSEPH W. FLEMING, Second Lieutenant, U. S. Army Air Corps. Home address: Binger, Caddo County. Mrs. W. D. Fleming, Mother, Rt. 1, Binger. Born April 30, 1918. Enlisted May 12, 1942. Decoration: Order of the Purple Heart. Graduated Oklahoma A. & M. College, 1940. Died October 24, 1943, in African area.

DELBERT L. FORSYTHE, Second Lieutenant, U. S. Army Air Corps. Home address: Hastings, Jefferson County. Verne E. Forsythe, Father, Hastings. Born December 1, 1921. Enlisted April 5, 1942. Decoration: Order of the Purple Heart. Served as Pilot on P-51 Mustang, in India from August, 1943. Died January 2, 1944, in airplane crash, emergency landing, Dinjan, India.

JACK H. FRANS, Technical Sergeant, U. S. Army Air Corps. Home address: Fay, Dewey County. Mr. and Mrs. J. M. Frans, Parents, Thomas, Oklahoma. Born August 9, 1920. Enlisted March 9, 1942. Died July 27, 1943, near Funafuti, Ellice Islands, Southwest Pacific.

DARWIN E. GOIN, Private, U. S. Army. Home address: Vici, Dewey County. Mr. and Mrs. Oscar Goin, Parents, Vici. Born March 26, 1918. Enlisted September 26, 1941. Decoration: Order of the Purple Heart. Died November 10, 1943, in Italy.

JOSEPH C. GUNN, Private, First Class, U. S. Army. Home address: Tulsa, Tulsa County. Mrs. Elsie C. Gunn, Mother, 1612 East 15th St., Tulsa. Born December 2, 1920. Enlisted September 16, 1940. Decoration: Order of the Purple Heart. Member of the Oklahoma National Guard, enlisted October 26, 1938. Sailed for overseas duty May, 1943. Served with 45th Division in Sicilian campaign. Died December 29, 1943, in Italy.

KERMIT M. HALEY, Private. U. S. Army. Home address: Sapulpa, Creek County. Richard A. Haley, Father, 707 N. Hickory St., Sapulpa. Born August 25, 1922. Enlisted February 16, 1941. Decoration: Order of the Purple Heart. Served in Medical corps, 45th Division. Died September 22, 1943, in action, Salerno, Italy.

CHARLES STANLEY HARRIS, Seaman, Second Class, U. S. Navy. Home address: Oklahoma City, Oklahoma County. Mrs. E. A. Harris, Mother, 615 S. E. 20th St., Oklahoma City 9. Born April 18, 1926. Enlisted December 7, 1943. Trained at San Diego, California, before transfer to Tennessee. Died February 5, 1944, Naval Hospital, Memphis, Tennessee.

WILLIAM C. HOOVER, Private, First Class, U. S. Army. Home address: Enid, Garfield County. F. B. Hoover, Father, 814 E. Locust St., Enid. Born June 24, 1917. Enlisted May 20, 1942. Served as Radio Operator, Signal Corps. Died March 27, 1943, in airplane crash, Oliver Spring, Tennessee.

NORMAN N. HUGHES, Staff Sergeant, U. S. Army. Home address: Reed, Greer County. Mrs. Eva M. Hughes, Mother, Reed. Born March 2, 1922. Enlisted September 16, 1940. Member Oklahoma National Guard. Served with the 45th Division in the Sicilian campaign. Died November 8, 1943, in Italy.

STEVIE E. HUGHES, Second Lieutenant, U. S. Army Air Corps. Home address: Altus, Jackson County. Mr. and Mrs. Lonnie Hughes, Parents, Altus. Born December 31, 1922. Enlisted June 13, 1942. Attended University of Oklahoma 1941, and Altus Junior College, 1942. Received wings and commission Blytheville, Arkansas, May 28, 1943. Died December 24, 1943, Arlie, Texas.

CALVIN E. KELLEY, Staff Sergeant, U. S. Army. Home address: Eldorado, Jackson County. Mrs. Calvin C. Kelley, Wife, Eldorado. Born August 4, 1919. Enlisted September 16, 1940. Member Oklahoma National Guard, enlisted May, 1940. Sailed for overseas duty May, 1943. Served as Mess Officer with 45th Division, in line of duty during Sicilian campaign. Died December 15, 1943, in Italy.

HOMER DEWITT KELLEY, Second Lieutenant, U. S. Army Air Corps. Home address: Eldorado, Jackson County. Mr. and Mrs. John Kelley, Parents, Eldorado. Born April 9, 1917. Enlisted July 12, 1941. Enlisted Reserve Officers Training Corps 1938. Member Oklahoma National Guard enlisted May, 1940. Died March 2, 1942, in airplane crash, Barksdale Field, Louisiana.

HAZEN B. LANNING, JR., Corporal, U. S. Marine Corps Reserve. Home address: Nowata, Nowata County. Mr. and Mrs. H. B. Lanning, Parents, Nowata. Born December 19, 1919. Enlisted January 19, 1942. Decorations: Order of the Purple Heart; Asiatic-Pacific Campaign Medal. Senior, School of Journalism, University of Oklahoma. Served in Guadalcanal campaign. Died November 20, 1943, Tarawa Atoll.

JAY C. LEFLORE, Corporal, U. S. Army. Home address: North McAlester, Pittsburg County. Mrs. Clara J. LeFlore, Mother, North McAlester. Born October 23, 1922. Enlisted September 16, 1940. Choctaw Indian descent. Completed junior year McAlester High School. Member Oklahoma National Guard. Served with 45th Division. Died November 15, 1943, in action in Italy.

REX L. MADDEN, Seaman, First Class, U. S. Navy. Home address: Holdenville, Hughes County. Mrs. J. O. Madden, Mother, 324 So. Creek St., Holdenville. Born October 7, 1925. Enlisted June 2, 1942. Attended Holdenville High School. Died March 11, 1943, somewhere in North Atlantic.

CLOVIS RAY MARLOW, Private, First Class, U. S. Marine Corps. Home address: Enid, Garfield County. Mr. and Mrs. Ollie D. Marlow, Parents, 1419 E. Walnut, Rt. 4, Enid. Born February 21, 1918. Enlisted November 15, 1939. Decoration: Order of the Purple Heart awarded posthumously. Graduated High School, Enid, 1936. Died December 23, 1941, Wake Island.

PRENTICE A. MARTIN, Ensign, U. S. Naval Air Corps. Home address: Oklahoma City, Oklahoma County. Mrs. Victor T. Mount, Mother, 200 Edgemere Court, Oklahoma City. Born June 4, 1920. Enlisted May, 1942. Member Fighting Squadron, New Wasp Carrier. Died November 1, 1943, in airplane crash, Quonset Point, Rhode Island.

JACK T. MASSENGALE, Staff Sergeant, U. S. Army Air Corps. Home address: Okmulgee, Okmulgee County. Mr. and Mrs. R. L. Massengale, Parents, Rt. 2, Okmulgee. Born June 10, 1923. En-

listed December 1, 1941. Decorations: Air Medal; Oak Leaf Cluster. Died February 8, 1943, in action, North African area.

THEODORE A. MATTHEYER, Sergeant, U. S. Army. Home address: Chandler, Lincoln County. Mr. and Mrs. Eddie Mattheyer, Parents, Chandler. Born May 3, 1922. Enlisted March, 1939. Decoration: Order of the Purple Heart. Died October 15, 1943, in Italy.

LOYD L. MAULDIN, Second Lieutenant, U. S. Army Air Corps. Home address: Leedey, Dewey County. Mrs. Grace E. Mauldin, Wife, Moorewood, Oklahoma. Born May 21, 1920. Transferred to Air Corps March, 1942. Decoration: Order of the Purple Heart awarded posthumously. First enlisted in the Army December 12, 1939. Received wings and appointment as Flight Officer November 10, 1942, later receiving commission as Second Lieutenant. Served as Pilot on Bomber during raid over Keil, Germany. Died July 25, 1943, in action European area.

WALTER L. MAXEY, Private, U. S. Army. Home address: Tushka, Atoka County. G. M. Maxey, Father, Tushka. Born June 12, 1918. Enlisted November 27, 1942. Served in Armored Infantry Regiment. Died March 21, 1943, Fort Benning, Georgia.

VAIL R. MAYSEY, Private, U. S. Army. Home address: Oklahoma City, Oklahoma County. Mrs. Neva Maysey, Wife, 22½ South Robinson St., Oklahoma City. Born December 18, 1916. Enlisted March 16, 1942. Died December 17, 1943, Bougainville Island, Southwest Pacific.

CARL W. McCLANAHAN, Private, First Class, U. S. Army. Home address: Red Fork, Tulsa County. Mr. and Mrs. Archie McClanahan, Parents, 3622 South 26 W. Ave., Red Fork. Born July 20, 1921. Enlisted September 16, 1940. Decoration: Order of the Purple Heart. Served with the 45th Division. Died November 9, 1943, in Italy.

ERVEN R. McCLANAHAN, Private, U. S. Army. Home address: Red Fork, Tulsa County. Mr. and Mrs. Archie McClanahan, Parents, 3622 South 26 W. Ave., Red Fork. Born August 14, 1922. Enlisted September 16, 1940. Decoration: Order of the Purple Heart. Served with the 45th Division. Died October 9, 1943, in Italy.

WILLIAM ELWOOD McCLURE, Second Lieutenant, U. S. Army Air Corps. Home address: Hollis, Harmon County. Henry E. McClure, Father, Hollis. Born January 10, 1917. Enlisted January 16, 1943. Began operating tractor and power farm machinery at age of fourteen on his father's farm in Jackson County. Followed the wheat harvest with two combines four years, 1938-41, north from Oklahoma to Canadian line. Began training Hamilton Field as instructor chemical warfare; transferred to air corps training, passing all tests for cadets despite lack of high school education. Received

wings and commission Douglas, Arizona, July, 1943. Rated as Co-Pilot, B-17, Flying Fortress. Grounded by illness for three months beginning October 5, 1943. Died January 5, 1944, in airplane crash near Windover Field, Utah.

KENNETH W. McCOY, Corporal, U. S. Marine Corps. Home address: Hominy, Osage County. Mrs. R. L. McCoy, Mother, 622 West 1st St., Hominy. Born January 30, 1920. Enlisted June 9, 1940. Graduated High School. Served in overseas duty sixteen months. Died December 6, 1943, in South Pacific.

FAYTHE ANDREW MCGINNIS, Second Lieutenant, U. S. Army Air Corps. Home address: Muskogee, Muskogee County. Mrs. Ella McGinnis, Mother, 546 South 7th St., Muskogee. Born August 30, 1917. Enlisted February 21, 1942. Served as assistant athletic coach Langston University, Langston, Oklahoma. Died September 12, 1942, in airplane crash, Tuskegee, Alabama.

MERLE DEAL MCGINNIS, Messman, U. S. Merchant Marine. Home address: Chelsea, Rogers County. Mrs. C. H. McGinnis, Mother, Eloy, Arizona. Born August 29, 1924. Enlisted September, 1942. Had previously joined the Army at age of sixteen, served on Corregidor six months, and honorably discharged on account of age in November, 1941. Died April 3, 1943, in action at sea.

T. C. McLAUGHLIN, Second Lieutenant, U. S. Army Air Corps. Home address: Lexington, Cleveland County. Mrs. Margaret McLaughlin, Mother, Lexington. Born December 18, 1916. Enlisted November 19, 1940. Decoration: Order of the Purple Heart. Died November 11, 1943, Southwest Pacific.

JAMES T. McLEROY, First Sergeant, U. S. Army. Home address: Atoka, Atoka County. Mrs. Edna J. McLeroy, Mother, 503 East B. St., Atoka. Born November 4, 1919. Enlisted September 16, 1940. Decoration: Silver Star; Order of the Purple Heart. Died September 21, 1943, in action, North African area.

FRANK W. McLIN, Second Lieutenant, U. S. Army Air Corps. Home address: Tulsa, Tulsa County. Mrs. J. R. Koberling, Mother, 569 South Peoria Ave., Tulsa. Born June 18, 1922. Enlisted March, 1942. Served as Pilot. Died June 17, 1943, Laredo, Texas.

RONALD MEDLIN, Staff Sergeant, U. S. Army Air Corps. Home address: Hugo, Choctaw County. Mr. and Mrs. Claude Medlin, Parents, 1110 E. Jackson St., Hugo. Born April 15, 1920. Enlisted September 16, 1939. Died January 12, 1943, in airplane crash, Atlanta, Georgia.

EDWARD MELTON, Sergeant, U. S. Army. Home address: Moyers, Pushmataha County. W. D. Melton, Father, Moyers. Born June 8, 1919. Enlisted October 1, 1939. Decoration: Order of the Purple Heart. Died April 23, 1943, in North Africa.

JOHN CHARLES MITCHELL, Sergeant, U. S. Army. Home address: Tulsa, Tulsa County. Mrs. Martha F. Mitchell, Mother, 2116 South Marion Ave., Tulsa. Born March 29, 1923. Enlisted June 25, 1942. Decoration: Order of the Purple Heart. Died November 16, 1943, in North African area.

JOSEPH E. MIX, Technical Sergeant, U. S. Army Air Corps. Home address: Buffalo, Harper County. Mamie Crouch, Aunt, Buffalo. Born March 10, 1921. Enlisted November 5, 1941. Awarded Service Cross. Died August 1, 1943, Rumanian oil fields, Southeastern Europe.

LOREN MORRIS, Staff Sergeant, U. S. Army Air Corps. Home address: Tecumseh, Pottawatomie County. Mrs. Cora Morris, Mother, Tecumseh. Born September 19, 1910. Enlisted June 28, 1942. Served as machinist and gunner with air forces in China. Died October 26, 1943, Asiatic area.

CLIFFORD E. MOSS, Private, U. S. Army. Home address: Sallisaw, Sequoyah County. H. E. Moss, Father, Sallisaw. Born October 13, 1921. Enlisted January 25, 1943. Died October 23, 1943, Camp Campbell, Kentucky.

DALE M. MULLINS, Sergeant, U. S. Army Air Corps. Home address: Park Hill, Cherokee County. D. I. Mullins, Father, Park Hill. Born March 21, 1924. Enlisted November 25, 1942. Awarded Good Conduct Medal and medal for service in Cuba. Died November 26, 1943, Orlando, Florida.

ALFRED CLAIR MURPHY, JR., Aviation Cadet, U. S. Army Air Corps. Home address: Oklahoma City, Oklahoma County. Alfred Clair Murphy, Sr., 3700 Trellis Court, Oklahoma City. Born May 19, 1921. Enlisted 1940. Awarded wings posthumously. Died September 17, 1942, in airplane crash on last solo flight in basic training, Sumpter, South Carolina.

CHARLES ("BUCK") NELSON, III, Flight Instructor, U. S. Army, in Spartan School of Aeronautics, Tulsa. Home address: Tulsa, Tulsa County. Charles Nelson, Jr., Father, 1245 South Owasso, Tulsa 5. Born December 21, 1911. Enlisted January, 1942. Completed High School at St. Joseph's College, Muskogee; attended Georgetown University, Washington, D. C.; and Oklahoma University, Norman, 1932-33. At the age of fifteen enlisted in U. S. Air Corps Reserve. After leaving University of Oklahoma enlisted in U. S. Air Corps at Barkley Field, near Shreveport, Louisiana, to raise his priority for appointment to Randolph Field; at end of first year asked for and received honorable discharge. Selected by U. S. Army in 1942 as one of ten to take special refresher course; graduating and receiving every license conferred, was assigned to Spartan School of Aeronautics. Died August 28, 1942, airplane crash during routine flight, near Muskogee, Oklahoma.

GEORGE D. NICHOLSON, Private, U. S. Army. Home address: Schulters, Okmulgee County. Mrs. Cora E. Nicholson, Mother, Schulters. Born April 26, 1920. Enlisted December 27, 1942. Died November 5, 1943, in action in Italy.

ARLIE NORTH, Private, U. S. Army. Home address: Barnsdall, Osage County. F. M. Jones, Grandfather, Barnsdall. Born September 2, 1915. Enlisted September 16, 1940. Served as Gunner with 45th Division. Died September 10, 1943, in North African area.

BERNICE C. NORTHCUTT, Second Lieutenant, U. S. Marine Air Corps. Home address: Lexington, Cleveland County. Walter Northcutt, Father, Lexington. Born March 26, 1922. Enlisted September, 1942. Attended University of Oklahoma, Norman, 1939-42. Pre-medic student. In special dive-bomber training Florida Marine Air Corps Base. Died December 29, 1943, in airplane crash Deland, Florida.

PHILLIP VIRGIL PALMER, Private, U. S. Army. Home address: Morris, Okmulgee County. Mrs. Opal Irene Hughes, Sister, 3407 Avenue L, Galveston, Texas. Born June 27, 1918. Enlisted February 24, 1942. Decoration: Order of the Purple Heart awarded posthumously. Graduated Morris High School in May, 1937. Attended Murray State School of Agriculture, Tishomingo, and University of Oklahoma. Received wings as Paratrooper, Infantry Airborne Command, Fort Benning, Georgia. Sailed for overseas duty April, 1943. Died July 11, 1943, in action North Africa.

JOHN H. PARK, Staff Sergeant, U. S. Army Air Corps. Home address: Muskogee, Muskogee County. Harry E. Park, Father, 532 North 11th St., Muskogee. Born July 6, 1924. Enlisted July 15, 1942. Died September 8, 1943, in European area.

ATHEL A. PATE, Staff Sergeant, U. S. Army Air Corps. Home address: Broken Bow, McCurtain County. Mr. and Mrs. Gus Pate, Parents, Broken Bow, Oklahoma. Born March 8, 1907. Enlisted March 10, 1942. Received wings as bombardier Columbia, South Carolina. Died February 27, 1943, in airplane accident Latin-American area.

RAY BUSTER PAUL, Private, U. S. Army. Home address: Wirt, Carter County. Mrs. Laura Paul, Mother, Wirt. Born January 10, 1923. Enlisted January 5, 1943. Died November 20, 1943, in machine gun fire invasion of Makin Island, Gilbert Islands.

THOMAS EDMUND PETERS, Sergeant, U. S. Army. Home address: Bessie, Washita County. Mrs. Rosa Peters, Mother, Bessie. Born August 5, 1915. Enlisted January 16, 1942. Decoration: Order of the Purple Heart. Died November 9, 1942, in Morocco and buried at El Medio Cemetery.

EARL ELIC PETTY, Technician, Fifth Grade, U. S. Army. Home address: Blackwell, Kay County. Mr. and Mrs. Joseph M. Petty, Parents, 1216 West Lincoln, Blackwell. Born February 24, 1922. Enlisted September 16, 1940. Award for marksmanship. Died November 9, 1943, in action in Italy.

ROBERT C. PHILLIPS, Boatswain Mate, First Class, U. S. Navy. Home address: Chandler, Lincoln County. Mrs. B. D. Davenport, Sister, Rt. 3, Chandler. Born September 1, 1916. Enlisted 1938. Sailed for overseas duty and docked at Pearl Harbor December, 1941. Survived the sinking of three large ships. Died October 28, 1943, Balboa, Panama Canal Zone.

STANLEY PHILLIPS, Private, First Class, U. S. Army. Home address: Marietta, Love County. Rufus A. Henry, Uncle, Marietta. Born September 17, 1920. Enlisted winter of 1939. Decoration: Order of the Purple Heart. Died March 24, 1943, in North Africa.

MORSE DEAN PIGG, Private, U. S. Army Air Corps. Home address: Weatherford, Custer County. Mr. and Mrs. Joseph A. Pigg, Parents, Weatherford. Born July 20, 1922. Enlisted October 27, 1942. Attended Southwestern Institute of Technology, Weatherford, two years. Member of Church of Christ. Graduated Armament School, Buckley Field, Denver, Colorado. Sent to Army Gunnery School, Harlingen, Texas. Awarded his wings posthumously. Died April 29, 1943, in airplane crash last routine practice Harlingen, Texas.

ALVIA L. POLLARD, Staff Sergeant, U. S. Army. Home address: Haworth, McCurtain County. Mrs. Berline Pollard, Wife, Rt. 1, Idabel, Oklahoma. Born December 18, 1915. Enlisted September 16, 1940. Decoration: Order of the Purple Heart. First enlisted and served in the Army, 1936-39. Member of Baptist Church. Served with the 45th Division. Died July 11, 1943, in Italy.

LOUIS ("BUDDY") POOL, Corporal, U. S. Army. Home address: Loyal, Kingfisher County. Mrs. Gus Smith, Sister, R.F.D., Loyal. Born February 18, 1921. Enlisted December 26, 1941. Served in Field Artillery. Died August 19, 1943, in Sicily.

JOHN M. PORTER, Private, U. S. Army. Home address: Milfay, Creek County. Mrs. Ida Porter, Mother, Milfay. Born April 12, 1918. Enlisted December 11, 1939. Served with Medical Detachment overseas one year. Died October 16, 1943, in Italy.

FRANK POWER, Private, U. S. Marine Corps. Home address: Clinton, Custer County. Mrs. E. W. Venamon, Mother, Clinton. Born October 19, 1922. Enlisted June 15, 1941. Decorations: Order of the Purple Heart awarded posthumously; American Defense Service Medal; Asiatic-Pacific Campaign Medal. Editor and stereotyper

Clinton Morning Times. Served as anti-aircraft gunner on U. S. S. *Arizona*. Died December 7, 1941, Pearl Harbor, Territory of Hawaii.

ORVILLE M. PRATER, Second Lieutenant, U. S. Army Air Corps. Home address: Olustee, Jackson County. Mrs. C. W. Prater, Mother, 728 E. Walnut, Altus, Oklahoma. Born November 21, 1921. Enlisted June 20, 1942. Graduated (A.S. Degree) in Agronomy, Cameron State Agricultural College, Lawton, Oklahoma. Received wings and commission at Eagle Pass, Texas, April 27, 1943. Served as First Pilot on B-17 Flying Fortress. Died September 6, 1943, in airplane crash Rapid City, South Dakota.

DEARING R. PRITCHARD, Private, U. S. Army. Home address: Grove, Delaware County. Mr. and Mrs. Harue Pritchard, Parents, Grove. Born July 5, 1919. Enlisted September 19, 1941. Member First Baptist Church of Grove. Attended Grove High School, played football, and took part in school activities. Served in Quartermaster Corps. Taken prisoner at fall of Corregidor, Philippine Islands. Died July, 1943, in Japanese Prison Camp, Tokyo, Japan.

WILLARD D. QUEENER, Private, First Class, U. S. Army. Home address: Osage, Osage County. Mr. and Mrs. H. H. Queener, Parents, Osage. Born April 29, 1916. Enlisted April 3, 1941. Served in Medical Corps, making his first voyage in April, 1942. Died December 12, 1942, on shipboard Alaskan waters, North Pacific.

JOE BEN RAINES, Aviation Cadet, U. S. Army Air Corps. Home address: Tulsa, Tulsa County. Mrs. John Raines, Mother, 1224 South Columbia Place, Tulsa 4. Born August 5, 1921. Enlisted November 3, 1942. Remarks: "He lived a good clean life and was a faithful and loyal Christian and a good athlete." Died December 1, 1943, in airplane crash near Coffeyville, Kansas.

THOMAS JEFFERSON RAINEY, Second Lieutenant, U. S. Army Air Corps. Home address: Oklahoma City, Oklahoma. Mr. and Mrs. R. M. Rainey, Parents, 310 N.W. 19th St., Oklahoma City. Born July 4, 1921. Enlisted December 10, 1941. Member First Presbyterian Church and graduate of Classen High School, Oklahoma City. Junior at Yale University, New Haven, Connecticut. Received wings and commission at Napier Field, Dothan, Alabama, January 14, 1943. Served as Pilot on Fighter Plane (P-47). Died June 4, 1943, in airplane crash, Mitchell Field, New York City.

KENNETH H. RANDALL, Private, U. S. Army. Home address: Broken Bow, McCurtain County. Lee Randall, Father, Broken Bow. Born November 5, 1915. Enlisted April 16, 1941. Died August 2, 1943, in action in Sicily.

SAMUEL ALBERT RAY, First Lieutenant, U. S. Army Air Corps. Home address: Oklahoma City, Oklahoma County. D. B. Ray, Father, 2829 N. S. 21st St., Oklahoma City. Born December 13, 1918. En-

listed January 8, 1942. Died February 1, 1943, Army Air Base, England, and buried at Brook Haven, U. S. Cemetery, near London, England.

VIRGIL F. REED, Private, First Class, U. S. Army. Home address: Alva, Woods County. Mr. and Mrs. Alf Reed, Parents, Rt. 9, Alva. Born April 13, 1918. Enlisted January 5, 1940. Served with the 45th Division in the Battle of Sicily. Died September 15, 1943, in Italy.

DEWEY REISS, Second Lieutenant, U. S. Army Air Corps. Home address: Apache, Caddo County. Fred W. Reiss, Father, Rt. 2, Sapulpa. Born April 20, 1922. Enlisted September 16, 1942. Expert Pistol and Strafing. Graduated Craig Field, Alabama, July 28, 1943. Died November 5, 1943, in airplane crash off Chepillo Island, Republic of Panama.

CARL REYNOLDS, Staff Sergeant, U. S. Army Air Corps. Home address: Wayne, McClain County. Mrs. O. C. Minyen, Aunt, Wayne. Born February 5, 1920. Enlisted May 4, 1942. Decorations: Order of the Purple Heart; Air Medal. Died June 20, 1943, in North Africa.

DAVID T. ROBERSON, Ensign, U. S. Naval Air Corps. Home address: Burneyville, Love County. W. R. Roberson, Father, Burneyville. Born April 10, 1923. Enlisted July 7, 1942. Died December 25, 1943, in airplane crash Seattle, Washington.

JAMES G. ROBERTS, Captain, U. S. Army Air Corps. Home address: Bennington, Bryan County. Calvin C. Roberts, Brother, 407 Spruce St., Leavenworth, Kansas. Born January 11, 1920. Enlisted September 15, 1940. Served in combat operations Southwest Pacific. Died November 30, 1943, in airplane crash Tullahoma, Tennessee.

HENRY H. ROBERTSON, Corporal, U. S. Army Air Corps. Home address: Elk City, Beckham County. Mrs. Mattie Robertson, Mother, Elk City. Born October 3, 1921. Enlisted May 12, 1941. Died April 2, 1942, Paine Field, Everett, Washington.

LLOYD L. ROBERTSON, Private, First Class, U. S. Army. Home address: Oklahoma City, Oklahoma County. L. L. Robertson, Father, 719 S.E. 11th St., Oklahoma City. Born January 1, 1922. Enlisted 1939. Served with the 45th Division. Died July 14, 1943, in Sicily.

WILLIS M. ROSS, Sergeant, U. S. Army. Home address: Ringwood, Major County. Mrs. Esther Morris, Mother, Ringwood. Born May 18, 1919. Enlisted January 2, 1941. Served in 45th Division. Died October 15, 1943, in Italy.

M. TIP SCHIER, Major, Reserve Officer Safety Office, First Bomber Command, U. S. Army Air Corps. Home address: Oklahoma City, Oklahoma County. Mrs. Alice Schier, Mother, 917 $\frac{1}{4}$ North Okla-

homa, Oklahoma City. Born October 22, 1898. Enlisted 1943. Veteran airlines pilot; had served as pilot for the Safeway, Braniff, Delta & Cuban National airlines, and Continental Oil Company; had flown for over twenty-five years and "logged over 15,000 hours flying time without scratching any equipment." Died December 19, 1943, El Paso, Texas.

THOMAS A. SCHOONOVER, Corporal, U. S. Army. Home address: Binger, Caddo County. Mrs. Wilda Maye Whitworth, Mother, Binger. Born July 11, 1922. Enlisted January 5, 1940. Decoration: Order of the Purple Heart. Had record of three years good service and as a perfect marksman. Died May 29, 1943, Attu Island, Aleutian Islands.

CLEMAN F. SCOTT, Private, First Class, U. S. Army. Home address: Blackwell, Kay County. Mr. Roy Scott, Father, 912 W. McKinley, Blackwell. Born November 7, 1919. Enlisted September 16, 1941. Served in Field Artillery. Died October 3, 1943, in Italy.

LEWIS C. SCOTT, Staff Sergeant, U. S. Army. Home address: Calera, Bryan County. J. M. Scott, Father, Calera. Born July 30, 1914. Enlisted September 16, 1940. Member of Oklahoma National Guard. Served with 45th Division. Died November 4, 1943, at Salerno, Italy.

CECIL C. SHEEGOG, First Lieutenant, U. S. Army. Home address: Maysville, Garvin County. Mr. and Mrs. W. E. Sheegog, Parents, Maysville. Born January 24, 1911. Enlisted February 23, 1942. Served in Field Artillery and graduated Officers Training School at Fort Sill March, 1943. Died November 27, 1943, in training airplane crash near Lawton, Oklahoma.

FLOYD M. SHERRILL, Staff Sergeant, U. S. Army. Home address: Muskogee, Muskogee County. Mrs. Dora L. Sherrill, Sister, Rt. 5, Muskogee. Born August 2, 1920. Enlisted September 16, 1940. Decoration: Order of the Purple Heart. Graduated Central High School, Muskogee, 1940. Member Oklahoma National Guard, enlisted 1939. Served with 45th Division. Died October 10, 1943, in Italy.

HARRY WILSON SHORT, Sergeant, U. S. Army Air Corps. Home address: Barnsdall, Osage County. Jerome W. Short, Father, Rt. 1, Barnsdall. Born January 5, 1922. Enlisted October 9, 1940. Died October 28, 1942, in airplane crash March Field, California.

KENNETH SHORT, Private, U. S. Army. Home address: Grandfield, Tillman County. Mr. and Mrs. J. C. Short, Parents, Grandfield. Born October 7, 1909. Enlisted February 21, 1942. Died October 24, 1942, Walter Reed Hospital, Washington, D.C.

FRANK SITEK, Private, First Class, U. S. Army. Home address: Bartlesville, Washington County. Mrs. Anne L. Sitek, Wife, Rt. 3, Bartlesville. Born October 25, 1918. Enlisted February 5, 1942. Died October 6, 1942, of wounds received in battle, Territory of Hawaii.

FLOYD L. SKINNER, Private, First Class, U. S. Army. Home address: Oklahoma City, Oklahoma County. T. W. Skinner, Father, (Fireman, First Class, U. S. Naval Reserve, C.B.M.U. 542) Gulf Port, Mississippi. Born September 8, 1925. Enlisted December 7, 1942. Sailed April 27, 1943, and was on active duty in North Africa. Died July 25, 1943, in Sicily.

BILL H. SMITH, Private, U. S. Army. Home address: Chickasha, Grady County. Mr. and Mrs. J. S. Smith, Parents, 614 Michigan Avenue, Chickasha. Born February 14, 1921. Enlisted September 16, 1940. Served in Field Artillery 45th Division. Died October 22, 1943, in Italy.

ELWIN E. SMITH, Corporal, U. S. Marine Corps. Home address: Cherokee, Alfalfa County. Mr. and Mrs. Eads E. Smith, Parents, Rt. 2, Yuba City, California. Born September 18, 1919. Enlisted July 29, 1940. Decorations: Order of the Purple Heart; American Defense Service Medal; Asiatic-Pacific Campaign Medal. Stationed on the U. S. S. *Lexington* and was member of the crew of Anti-Aircraft Battery that readied the only remaining serviceable gun for further defense of the ship in its last battle. Died May 8, 1942, on active duty in Battle of the Coral Sea.

HARRISON SMITH, JR., First Lieutenant, U. S. Marine Air Corps. Home address: Oklahoma City, Oklahoma County. Mr. and Mrs. Harrison Smith, Parents, 440 N. W. 15th St., Oklahoma City. Born August 21, 1918. Enlisted February 10, 1942. Attended Culver Military Academy, Culver, Indiana; Menlo Junior College, Palo Alto, California; and graduated University of Oklahoma, Norman, 1941. Member Sigma Alpha Epsilon Fraternity. First enlisted Naval Air Reserve March, 1942, and received commission as ensign May, 1943. Transferred to Marine Air Corps, trained at Cherry Point, North Carolina, and promoted to First Lieutenant July, 1943. Sailed for overseas duty September, 1943. Died December 13, 1943, in action off Tafuna Airport, Town of Manpasoga, Island of Tutuila, American Samoa.

MELVIN EARL SMITH, Machinist's Mate, Second Class, U. S. Naval Reserve. Home address: Tulsa, Tulsa County. Mrs. Virginia Sue Smith, Wife, 809 A. W. 21st Place, Tulsa. Born September 17, 1917. Enlisted September 28, 1942. Overseas since February, 1943. Died November 1, 1943, in explosion Southwest Pacific.

PERRY L. SPEAKER, JR., Ensign, U. S. Naval Air Corps. Home address: Shawnee, Pottawatomie County. Mr. and Mrs. Perry L. Speaker, Parents, 923 North Beard, Shawnee. Born December 1, 1921. Enlisted May 25, 1942. Died November 23, 1943, in French Morocco, North Africa.

EVERETTE E. SPEARS, Private, First Class, U. S. Army. Home address: Hominy, Osage County. Mrs. Everett Spears, Wife, Hominy. Born July 8, 1920. Enlisted September 16, 1920. Decoration: Order of the Purple Heart. Served in Field Artillery. Died November 9, 1943, in Italy.

EASTMAN SPENCER, Sergeant, U. S. Army. Home address: Cogar, Caddo County. Billy Spencer, Father, Rt. 2, Seminole, Oklahoma. Born October 31, 1919. Enlisted January 31, 1941. Member Catholic Church. Seminole-Caddo Indian descent. Graduated High School, Riverside Indian Boarding School, Anadarko, Oklahoma, 1940. Later exhibited livestock at American Indian Exposition and Caddo County Fair, winning first prizes. In school, outstanding in football, basket ball, and boxing, making the finals in the Golden Glove tournaments three different times. Served in Field Artillery, 45th Division, at Fort Sill, Oklahoma, and in Louisiana. Died September 20, 1942, while stationed in Panama Canal Zone and buried with full military honors.

W. C. SPRADLING, First Lieutenant, U. S. Marine Air Corps. Home address: Hollis, Harmon County. W. C. Spradling, Father, Grandfield, Oklahoma. Born October 8, 1918. Enlisted November 10, 1941. Decoration: Air Medal awarded posthumously. Upon his graduation and receiving commission as second lieutenant in the Marine Corps in 1942, assigned to a scout-bombing group. Died May 6, 1943, in South Pacific.

HAMPTON STAPLETON, Private, U. S. Army. Home address: Tishomingo, Johnston County. Ed Stapleton, Father, Tishomingo. Born August 9, 1916. Enlisted June 15, 1940. Served in Field Artillery. Remarks: "Fastest gunner in his section." Died October 4, 1942, Tishomingo, Oklahoma.

DAVID E. STEAD, Aviation Cadet, U. S. Army Air Corps. Home address: Dewey, Washington County. Mrs. H. B. Stead, Mother, Dewey. Born November 29, 1922. Enlisted October, 1941. Member class of Flying Sergeants. Received wings posthumously. Died February 23, 1943, in airplane crash Marianna, Florida.

RUEL LYNES STEPHENSON, Yeoman, First Class, U. S. Navy. Home address: Oklahoma City, Oklahoma County. R. L. Stephenson, Father, Comanche, Oklahoma. Born April 1, 1916. Enlisted April, 1942. Finished High School and attended Hills Business University, Oklahoma City. Sailing July 29, 1942, covered North Pacific and was stationed four months on Attu Island, Aleutian Islands. Died November 28, 1943, on first furlough home, U. S. Naval Hospital, Norman, Oklahoma.

ESTLE A. STEWARD, Private, U. S. Army Air Corps. Home address: Drummond, Garfield County. Everett Jenkins, Brother, 725 W. Frantz, Enid (Rt. 3). Born December 16, 1909. Enlisted November 18, 1940. Decoration: Order of the Purple Heart. Died January 27, 1943, in New Guinea.

FRANK STROUD, Private, First Class, U. S. Army. Home address: Edmond, Oklahoma County. Mrs. Mary E. Stroud, Mother, 519 East Edwards St., Edmond. Born November 24, 1919. Enlisted September 23, 1940. Decoration: Order of the Purple Heart. Served with 45th Division. Died September 23, 1943, in North African area.

JACK R. SWEENEY, Private, U. S. Army. Home address: Yale, Payne County. Mrs. Violet Sweeny, Wife, 506 South B St., Yale. Born April 2, 1919. Enlisted October 24, 1940. Decoration: Order of the Purple Heart awarded posthumously. Citation of Merit. Died November 21, 1942, in action, Southwest Pacific.

CHARLES ROBERT TAYLOR, Private, First Class, U. S. Marine Corps. Home address: Carnegie, Caddo County. William F. Taylor, Father, (2nd C. M.M., U.S. Naval Reserve), Carnegie. Born November 16, 1918. Enlisted May 8, 1940. Decoration: Order of the Purple Heart awarded posthumously. Member of Oklahoma National Guard. Served on U. S. S. *Oklahoma*. Died December 7, 1941, at Pearl Harbor, Territory of Hawaii.

LEE E. TAYLOR, Private, U. S. Army. Home address: Lindsay, Garvin County. Mrs. Bertha C. Lee, Mother, Rt. 4, Lindsay. Born May 8, 1922. Enlisted October 15, 1942. Died November 18, 1943, Camp White, Oregon.

TIMOTHY TALLCHIEF, Private, U. S. Army. Home address: Fairfax, Osage County. Mrs. Rose Tallechief, Mother, 1415 Main Street, Fairfax. Born February 9, 1921. Enlisted September 22, 1942. Decoration: Order of the Purple Heart. Osage Indian. Died September 22, 1943.

ERNEST W. TERRY, Second Lieutenant, U. S. Army Air Corps. Home address: Clinton, Custer County. Mrs. Gladys S. Terry, Mother, 614 South Santa Fe, Norman, Oklahoma. Born October 27, 1921. Enlisted September, 1940. Decoration: Order of the Purple Heart. Transport Pilot in transportation of paratroopers during the invasion of Sicily; upon completing this mission, his plane shot down on return trip to base. Died July 10, 1943, in Sicily.

GLEN E. THOMAS, Second Lieutenant, U. S. Army Air Corps. Home address: Texhoma, Texas County. G. W. Thomas, Father, Rosemond, California. Born October 14, 1915. Enlisted June 16, 1941. Principal of Rosamond Elementary School before enlistment. Died June 19, 1943, combat zone, North Africa.

CLYDE THOMASON, Sergeant, U. S. Army. Home address: Guthrie, Logan County. K. E. Thomason, Brother, Rt. 1, Guthrie. Born June 11, 1918. Enlisted April 27, 1941. Decoration: Order of the Purple Heart. Awarded Medal for Good Marksmanship. Member Baptist Church. Died May 29, 1943, at Attu Island, Aleutian Islands.

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ALBERT LEE TILTON, Second Lieutenant, U. S. Army Air Corps. Home address: Nardin, Kay County. Mrs. Mabel I. Tilton, Mother, Nardin. Born March 22, 1922. Enlisted August 4, 1941. Awarded medal for Aerial Gunnery. His crew chosen the model crew and made flight leaders at Pocatello, Idaho. Died October 29, 1943, at Cucamonga Peak, northeast Ontario, California.

WAYNE EDWARD TURK, Second Lieutenant, Field Artillery, U. S. Army. Home address: Enid, Garfield County. Mr. and Mrs. J. E. Turk, Parents, Enid. Born February 3, 1915. Enlisted February 18, 1942. Member Central Christian Church. During attendance public school and high school, Enid, took part in Boy Scouts and school activities and sports, winning life certificate for Life Guard in swimming. Attended Oklahoma Military Academy, Claremore, 1932-33. Student in Business Administration, University of Oklahoma, Norman, 1935-34. Member Phi Delta Theta Fraternity. Member Reserve Officers Training Corps. Successful business employee, 1934-42, including position in First National Bank at Portland, Oregon. Died September 18, 1942, in line of duty and buried in an American cemetery in Australia with full military honors.

JUSTIN VEITH, Ensign, U. S. Naval Air Corps Reserve. Home address: Okemah, Okfuskee County. T. Veith, Father, Okemah. Born September 16, 1919. Enlisted August 26, 1941. Attended University of Oklahoma. Dive Bomber Pilot, scouting squadron, assigned for carrier service. Died February 13, 1943, in airplane collision near New Bedford, Massachusetts.

WILLIAM VEITENHEIMER, Private, U. S. Army. Home address: Konawa, Seminole County. Mrs. Grace Veitenheimer, Mother, 136 South McKinley, Shawnee. Born December 11, 1919. Enlisted September 15, 1940. Rifle expert. Served with the 45th Division by the side of his brother for three years. Died September 15, 1943, in North Africa.

GLEN M. VERNON, Sergeant, U. S. Army. Home address: Jefferson, Grant County. Mr. and Mrs. Albert L. Vernon, Parents, Jefferson. Born August 16, 1916. Enlisted January 2, 1941. Served with 45th Division. Died November 13, 1943, in Italy.

PAUL C. WADDLE, Technical Sergeant, U. S. Army. Home address: Lawton, Comanche County. Mr. and Mrs. Jay Waddle, Parents, 408 Ferris, Lawton. Born November 23, 1919. Enlisted September, 1940. Decoration: Order of the Purple Heart. Served with the 45th Division. Died November 6, 1943, in action in Italy.

ROBERT F. WADLIN, First Lieutenant, U. S. Army Air Corps. Home address: Tulsa, Tulsa County. Mrs. John A. Wadlin, Mother, 1140 East 26th St., Tulsa. Born May 16, 1921. Enlisted December 17, 1941. Decorations: Air Medal (for raid over Wake Island December 24, 1942); two Oak Leaf Clusters; Order of the Purple Heart. Attended University of Oklahoma 1940-41. Served as Bombardier. Died April 19, 1943, in action in South Pacific.

OLEN E. WARD, Second Lieutenant, U. S. Army Air Corps. Home address: Wayne, McClain County. Mrs. Olen E. Ward, Wife, 8033 Studebaker, Van Dyke, Michigan. Born November 14, 1920. Enlisted May 11, 1942. Member of Oklahoma National Guard enlisted September 26, 1938; served with the 45th Division from September 16, 1940, regular Army, until joining the Air Corps. Died November 16, 1943, Meridian, Mississippi.

RAYMOND W. WASHAM, Captain, Field Artillery, U. S. Army. Home address: Oklahoma City, Oklahoma County. Mrs. Edna Washam, Wife, 719 N.E. 14th St., Oklahoma City. Born May 23, 1909. Enlisted September 16, 1940. Member Oklahoma National Guard, enlisted February, 1927. Served with 45th Division in all engagements in Sicily and Italy. Died November 6, 1943, in Italy.

DOYLE L. WATSON, Sergeant, U. S. Army. Home address: Texhoma, Texas County. Mrs. Essie Watson, Mother, Gruver, Texas. Born February 23, 1917. Enlisted July 23, 1942. Died July 29, 1943, Victorville, California.

FRANKLIN L. WEEKS, Corporal, U. S. Army. Home address: Miami, Ottawa County. Mrs. O. W. Weeks, Mother, 206 I Northwest, Miami. Born April 29, 1920. Enlisted February, 1940. Decoration: Order of the Purple Heart. Served as Gunner with 3rd Division through African campaign. Died August 7, 1943, in Sicily.

WILLIAM ROBERT WEISS, Lieutenant (Junior Grade), U. S. Naval Air Corps Reserve. Home address: Binger, Caddo County. Peter Weiss, Jr., Father, Rt. 2, Edmond. Born November 8, 1920. Enlisted June 12, 1941. Served in the Solomon Islands area. Remarks: "One of the finest and best liked men in his squadron." Died June 8, 1943, in airplane crash during night take-off and buried in National Cemetery, New Caledonia.

JAMES J. WEST, Sergeant, U. S. Army. Home address: Arnett, Ellis County. David E. West, Father, Rt. 1, Arnett. Born April 19, 1913. Enlisted December 23, 1940. Decoration: Order of the Purple Heart. Graduated Arnett High School, 1936; attended Business College, Woodward, Oklahoma. Embarked for overseas duty June 8, 1943. Served with 45th Division in the Sicilian campaign and the Battle of Salerno. Died October 14, 1943, in action leading a motor squad up a mountain near Faicchio, Italy. First death from Ellis County in 45th Division, buried in American Cemetery near Telesse, Italy.

JACK E. WHITEHEAD, Technical Sergeant, U. S. Army Air Corps. Home address: Lawton, Comanche County. Mrs. May E. Whitehead, Mother, 312 Gore, Lawton. Born July 13, 1921. Enlisted August 7, 1940. Decoration: Order of the Purple Heart. Served as Radio Operator-Gunner on B-26 Marauder Bomber, stationed in England. Died September 9, 1943, in European area.

ROBERT W. WIERMAN, Major, U. S. Army Air Corps. Home address: Caddo, Bryan County. Mrs. Frances Wierman, Wife, Caddo. Born October 14, 1915. Enlisted November, 1940. Commanding Officer, Tactical Reconnaissance Squadron. Died September 29, 1943, in airplane crash, Aiken, South Carolina.

CHARLES A. WILLIAMS, Technician, Fifth Grade, U. S. Army. Home address: Marlow, Stephens County. Mr. and Mrs. Charles M. Williams, Parents, Rt. 3, Marlow. Born December 6, 1911. Enlisted February 10, 1941. Decoration: Order of the Purple Heart. Served with the 45th Division. Died November 21, 1943, in Italy.

ROBERT A. WILLIAMS, Private, First Class, U. S. Army. Home address: Oklahoma City, Oklahoma County. Mrs. Lola Williams, Wife, Oklahoma City. Born September 14, 1915. Enlisted June 2, 1942. Decoration: Order of the Purple Heart. Died October 15, 1943, in Italy.

NUNNERY WILSON, Second Lieutenant, U. S. Army Air Corps. Home address: Washington, McClain County. Mrs. Nunnery Wilson, Wife, Rt. 2, Norman, Oklahoma. Born March 12, 1920. Enlisted September, 1941. Decorations: Air Medal; Order of the Purple Heart awarded posthumously. Received wings and commission March Field, Riverside, California. Served as Navigator. Commended for services in the Aleutian Islands. Died January 18, 1942, on duty bombing mission Aleutian Islands.

JOHN F. WINE, Staff Sergeant, U. S. Army Air Corps. Home address: Washington County (via Rt. 2, Caney, Kansas). Mr. Robert W. Wine, Father, Caney, Kansas. Born January 23, 1922. Enlisted August 16, 1942. Decoration: Order of the Purple Heart. Served as Gunner on Liberator. Died October 26, 1943, over Moa near Timor Island, The Netherlands Indies.

OVAL H. WING, Staff Sergeant, Field Artillery, U. S. Army. Home address: Lindsay, Garvin County. Mrs. Rita Wing, Wife, Lindsay. Born July 17, 1917. Enlisted October 21, 1940. Overseas duty since February, 1943, in Africa, Sicily, and Italy. Died November 20, 1943, in Italy.

TED G. ("BUD") WITHERSPOON, Second Lieutenant, U. S. Army Air Corps. Home address: Granite, Greer County. Mrs. S. J. Witherspoon, Mother, c/o Mrs. Haskell Hackett, Granite. Born March 28, 1920. Enlisted December 29, 1941. Served as Bombardier.

Radio Instructor Scott Field, Illinois, to January, 1943, when he entered Santa Ana Flying School. Died November 9, 1943, at McDill Field, Tampa, Florida.

GEORGE REXFORD WOODMORE, Ensign, U. S. Navy. Home address: Frederick, Tillman County. Mr. and Mrs. John Woodmore, Foster Parents, 404 South 14th St., Frederick. Born December 27, 1917. Enlisted May 16, 1942. Decorations: European-African-Middle Eastern Campaign Medal; Order of the Purple Heart. Graduate High School, 1935, Manitou, Oklahoma, receiving Certificate of Honor for Superior Scholarship for two years. Graduated Murray State School of Agriculture, 1937, Tishomingo, and Oklahoma A. & M. College, B. S. Degree 1939 and M. S. Degree 1943, Stillwater. Member of Baptist Church. Teacher High School at Bixby and Oklahoma City. Appointed Midshipman, U. S. Naval Reserve, August 27, 1942; appointed Ensign November 14, 1942. Detached from Amphibious Force and reported for Gunfire Liaison duty Northwest African waters May 24, 1943. Died September 10, 1943, in action against enemy gunfire Paestum, Italy.

WESLEY L. WRIGHT, Private, First Class, U. S. Army. Home address: Konawa, Seminole County. Mrs. Love Anna Wright, Mother, Alvin, Texas. Born February 25, 1913. Enlisted September 16, 1940. High rating in marksmanship for rifle, auto rifle, bayonet, machine gun, and pistol. Attended High School, member football team, Bowlegs, Oklahoma. Member Oklahoma National Guard, enlisted May 2, 1940. Died September 11, 1943, in action North African area.

GEORGE WOODROW WYLIE, Captain, U. S. Army. Home address: Wayne, McClain County. George W. Wylie, Father, 507 South B St., Arkansas City, Kansas. Born September 11, 1917. Enlisted March 10, 1940. Taken prisoner by the enemy at the fall of Bataan, Philippine Islands. Died December 23, 1942, in Japanese prison camp, Osaka, Japan.

HERBERT E. WYNN, Fireman, First Class, U. S. Navy. Home address: Fairland, Ottawa County. John Roy Wynn, Father, 108 F, South East St., Miami, Oklahoma. Born February 1, 1922. Enlisted March 1, 1941. Graduated Fairland High School. Served during the enemy attack on Pearl Harbor December 7, 1941. Died September 25, 1942, results of an accident in testing out the engines of a new battleship at Norfolk, Virginia.



MR. AND MRS. G. E. LEMON AT THE TIME OF THEIR MARRIAGE IN 1903.

REMINISCENCES OF PIONEER DAYS IN THE CHEROKEE STRIP

*By G. E. Lemon **

I left Kentucky on my twenty-first birthday, February 27, 1893, for Phillipsburgh, Kansas in company with my brother, Jack, John Wood and Al Travis. It was the first train ride in my life. Was at Dick (A. M.) Gilbert's store at Iron Hill the day before starting and told him I was leaving on my birthday. He said I wasn't treating Kentucky right. Kentucky had raised me and now I was going to spend my usefulness elsewhere.

We arrived at Phillipsburg March 1, and finding no work there we walked 24 miles cross country to Long Island on Prairie Dog creek in northwest corner of Phillips county. From there we drifted west 12 miles to Almena in Norton county where we all found work on farms. I worked for old Mr. Coulson for one-third of the crop—75 acres of corn. He furnished everything including board.

Will Coulson, the youngest son, was still at home, but working other land. Will was married in June and he and his wife decided to go to the opening of the Strip. John Wood and I decided to go with them.

The four of us loaded a covered wagon with things needed for the trip including cooking utensils, bedding, also a sod plow and a 10 gallon keg for water for we expected to need them in our new home. We guessed right, only the keg was about one-tenth large enough.

We traveled across the State 200 miles south and 90 miles east to Caldwell, Kansas. The roads were lined with covered wagons all the way, all headed the same direction. The further we traveled, the thicker they became. John and I sat in the back seat and practiced shooting rabbits in the hedges. John had a 38. revolver and I used Coulson's. John was the better shot when we started out, but soon I could take them away from him, often killing them with-

* The Recollections of Pioneer Days in the Cherokee Strip were written by my brother, G. E. Lemon in 1933 as a matter of record for the family and with no thought of publication. But it seemed to me the more historical parts might be well worth preserving in some form.

The brother Jack, he speaks of, is J. E. Lemon, who pioneered in Grant County along with the rest of the family, taught school terms at Nash, Renfrow and Pond Creek and later served in the Legislature from Grand County about the time of statehood. He died in 1933 and his necrology written by the Honored Campbell Russell was published in the *Chronicles*.

The writer of these reminiscences now lives near Booker, Texas, where he pioneered a second time.—Daisy Lemon Coldiron, Perry, Oklahoma.

out stopping the wagon. Killed one just 75 steps away. This one was sitting still and I had the wagon stopped, but got him the first shot.

We arrived at Caldwell about the fifth of September, camped there several days trying to get to register. We finally decided to go west to Cameron where it was reported the crowds were not so dense and the booths were keeping nearer up with the work. We registered there September 14, and the next morning John Wood and I started to walk back to Caldwell, 27 miles. John had decided to go in on the train, and I went along as he was to lend me some money since my funds were getting low. We walked every step of the 27 miles and reached Caldwell after banking hours. John loaned me \$10.00 he had with him as he would have time to draw the funds he would need from the bank next morning before the Opening.

John went to a hotel to spend the night. I paid 25 cents for a cot under a tent. There were perhaps a hundred cots under the same tent, arranged in rows with barely room for passage ways between. Just at daybreak next morning, I started back to Bluff City, 10 or 12 miles west where I was to meet the Coulsons with the wagon. Reached there about 10:30 o'clock. Found him camped on east side of trail and back of the crowd as pre-arranged.

We fed and harnessed the horses, filled our 10 gallon keg with water and were ready, but still back of the crowd when the shot was fired. We waited a half minute and followed up the rear as our only hope was to find something that might be overlooked in the rush.

Many along the line stood ready with stake in hand, and just stooped down and stuck them in the ground when the signal was given, a dozen or more to the claim, and all claiming to be first. One man directly east of the trail had his house loaded on a wagon and merely drove across the line and was hooking onto his plow when we went by. I heard later that he got in his bluff and the others pulled up and left it with him; though his settlement would have been no better than theirs had they followed up their stake setting with other improvements in reasonable time.

We drove at a lively rate down the Bluff City trail to Pond Creek Station in the sand just north of the Salt Fork between where Jefferson and Pond Creek (Grant County) now stand. Were there when the trains from the south passed through. But did not know then that John Wood had gone in on the train from Caldwell, staked a claim adjoining Pond Creek on the south, found four others on the same claim, including a woman and a negro, and had told the woman she could have his interests. John had boarded the north bound train for Caldwell and was on this train.

John stayed that night in a hotel in Caldwell and headed back to Kentucky on the train next morning. He told me afterward that the clerk of the hotel came to his room after he retired and asked admittance, stating some papers had been misplaced and might be in his room.

He accordingly rummaged in the dresser drawers awhile and went out, but returned later with the same excuse. This time on leaving he asked John to leave the door open as he might have to come back. John told him to take all the papers he wanted with him, that he would not be admitted again. Next morning he learned most of the guests had been robbed. The proprietor claimed that the clerk was a transient employed for the rush and paid off at midnight.

Leaving the Station, we drove back northeast on the Chisholm Trail a mile or two, then east looking for a claim that had, perchance, been skipped. Near night we found a corner stone which, by reading the marks, we found to be at the southwest corner of Section 16. This being a school section, we camped on it knowing we would not be trespassing on anyone's claim. I took the spade and dug down three or four feet in the bottom of a little stream for water, but gave it up as dry. We used the water in our 10 gallon keg as sparingly as possible and gave the rest to our horses.

Next morning, Sunday, September 17, we started back towards the station and in going around a bend of the creek we came to where some folk had dug to water in the bottom of Pond Creek. They were carrying it up to the Chisholm Trail along the bank, and selling it at a nickel a cupful. We bought a drink apiece but could not get water for our horses at any price.

We were out of change by this time and went to the Station to try to get \$5.00 changed but failed. We then drove to Pond Creek, the officially designated county seat. To get there we had to ford the Salt Fork but were told the water would kill our horses, so we did not let them taste it. We found Pond Creek a town of tents. There was considerable business going on but we could not get \$5.00 changed in the town, so we left as dry as we came in, though they were selling water at 5 cents a tin cupful.

We were told that we could find a hole of water in Wild Horse Creek about 10 miles southeast. Our informant said to drive southeast to the top of the Divide when we would see a lone tree, drive to it and find the water. We did accordingly and found the water but it was so salty we were afraid to drink it or give it to the horses. The river had been up and deposited the water there, perhaps a month or two before, and, in the meantime evaporation had rendered it even more salty than the river water. We fed our teams and ate dinner without water and then started up the creek looking for water.

About four o'clock we came to where somebody had dug to water in the bottom of the creek just below the Rock Island Railroad. No one was around so we got water for ourselves and team and keg. Mrs. Coulson told me afterward, she thought I never would get back with the water. I was probably gone from the wagon two minutes but it seemed like years to her.

We then drove northwest and just at dusk we camped in a little valley where we could see no stakes close. But directly after we had made camp, Lincoln Smith came to us from south of us to inform us that we were on his claim. However, he believed the one east of him was vacant. He said he was the first to stake in that part, then a man staked west of him and another east of him. They had found the corner stone north of us and in looking south the other two had decided that Smith's stake was east of the line so the man east had pulled his stake and moved on. Smith believed he was on the west place in which case the west man would be without land and the east place would be vacant.

Coulson owned the team and wagon and, of course, would get the first claim. So I took his handkerchief while he was still talking to Smith and, running about 30 rods east, tied it to a tall weed. At daybreak we moved camp over and took down our old mould board sod plow from the side of the wagon where we had hauled it all the way from Norton County, Kansas and began to plow sod. Had just got started good when some folk (Will Case and his brother-in-law, Jackson) came through on the line south of us locating corner stones. They had a rag tied to a buggy spoke and were counting the revolutions to get the distance. When they stopped their team they were in five feet of the corner, which showed that Smith was on the west place. Then we know that Coulson had a farm—the southwest of 30—25—7, eight miles southwest of Pond Creek on a tributary to the Wild Horse.

I camped with him and kept looking, hoping to find a place that had been deserted, and on October 7, found one a mile west and a little south, the N. E. of 35—25—8. I made settlement on this but on account of the crowded condition at the Land Office could not get in to file. Coulson succeeded in filing on his place and about the middle of October he and his wife left for Norton County where they made ready to return in January. Jack shucked my corn up there, and sold part of it and shipped the balance down to me. He and Coulson chartered a car. Jack put in corn and Coulson a team and wagon, a cow and household goods. They arrived at old Pond Creek Station about the middle of January. I had built a shack 8 by 10 with shed roof and Jack and I soon built a larger one 14 by 18 adjoining it thus making a "lean to" of the original shack. We had to have more room for Mother, Sister and two younger brothers, Lee and Bob, who were coming

out from Kentucky. They arrived March 16, 1894. Jack bought a cow the day they arrived and a team of ponies a little while before.

I had trouble trying to get to file on my claim, always out of luck. Would often stand in line for a day only to have the land office close when I was nearing the door. We finally succeeded in getting numbered and the officials agreed to recognize our numbers. So we did not have to stand in line any more but when my number finally went through, December 16, 1893, I lacked \$1.00 of having the necessary \$14.00 to file. Jack had been sending a little money as I needed it but the best I could do, it had gotten away. I was expecting more at this time but it had not arrived and the next day a man I had thought my friend filed on my place.

Under the Homestead Entry Act opening the Strip, settlers had three months from date of settlement in which to complete their filing. Therefore, if I had made settlement on the 16th of September my filing period would have expired on December 16, but I had settled on October 7, so had till January 7 to file. I therefore filed a contest.

This contest did not come up for trial. In the fall of '94 after my Mother and Jack had bought relinquishments on claims 4 miles southwest of where the town of Nash now stands and found another adjoining Mother's claim on the west, which I could have by making settlement, I sold out to the man who had the filing on my place and moved my improvements to the new claim.¹

I was to get two crops off the fifty acres I had plowed, move my improvements off, and get \$20.00 to be paid March 1, 1895. The place I was moving to was a rough claim that had had a Soldier's Declaratory statement filed on it which had expired without being completed. I made settlement about December 1, which would give till the same time in March to file.

Soon after this, I left in company with Will Coulson and Richard Depew to go to Claremore to hunt work, but we barely got work enough to live and returned in March in worse shape than when we left. In the meantime, Mother had collected the \$20.00 owing to me for my former claim and sent it to me at Claremore only to arrive after I had left for home. Now I must have my mail forwarded back from Claremore. I did not have a penny to get a postal card, but Mother had a two cent stamp which she gave me

¹ In 1903, Gus E. Lemon returned to his old Kentucky home to marry Miss Birdie Horning, daughter of Mr. and Mrs. Elias Horning of the Iron Hill Community. Twenty years they lived on his claim southeast of Nash in Grant County and then pioneered again removing to a wheat farm twenty-five miles south of Beaver, Oklahoma, in the Texas Panhandle where they still reside. His sister, Daisy Lemon Coldiron, of Perry, is an outstanding State poet. Her book *Songs of Oklahoma* was published by The Kaleidograph Press (Dallas, Texas, 1935).

and I walked over to Coldwater, 5 miles and bought a card but when I offered the stamp in exchange, Mr. Pierce, the Postmaster, told me he was not allowed to exchange. So I told him my trouble and he loaned me a penny with which to buy the card.

So I wrote and in due time received the letter but the money was in the form of a money order on Pond Creek, Coldwater not being a money order post office at the time. So I got on my Mother's little old mule, the only saddle horse we had and rode bare back to Dick Depew's, 11 miles, and borrowed a saddle, then to Pond Creek, 9 miles, cashed my money order, then to Enid, 23 miles and filed on my place, then home 27 miles, stopping at Depew's to leave the saddle, 70 miles in one day on a little mule and 22 of it bareback.

On reaching home about nine o'clock that night I found Mother worried to death. A neighbor had been in and left a card of a lawyer in Enid and said the lawyer had filed on my claim and wanted me to come in and see him when I came to town. When I told her I had been successful she could not believe it till I jerked out my filing receipt and handed it to Jack who was present, to pass judgment on.

The fact was the neighbor knew that my 90 days had elapsed and, wishing to hold the claim for his brother who was soon to arrive from Nebraska, had connived with the lawyer to bluff me out till his brother could get there.

This filing went on on the 19th of March, 1895 and on Thursday, April 11, I started out looking for work. Walked by way of Pond Creek to Will Easterly's 18 miles southeast of Pond Creek, covering 36 miles in one day but caught a ride in a wagon 10 miles leaving 26 miles walk. Stayed that night with Easterly for whom I had worked in harvest the summer before and who would have liked to hire me at this time but could not see his way clear to do so.

Leaving there next morning, I walked east down the divide between the Salt Fork and Red Rock Creek. Stopped often to inquire for work but everybody shook their heads and, with a sickening grin said, "No work." I decided to go via Ponca City and east into the Osage Nation hoping to find work on a cattle ranch. Reached the Salt Fork opposite the mouth of the Chikaskia River just after dark and could not tell the width or depth of the stream, so had to stay on the south side but having no bedding and the night being frosty, walked up and down the road most of the night, walking two or three miles back and forth. After midnight I pulled some tall, dead grass and made a bed and slept a little.

At daybreak I effected a crossing on the Salt Fork only to find the Chikaskia more difficult to cross. I walked up stream three or four miles and finally found a foot log by which I could

cross. The bottom land on east side of the river had been burned off for several miles and as I walked east I picked up an old hand saw that had been lost for years. The handle had nearly rotted off it, but I thought I might be able to sell it at a second hand store for a nickel and get me some crackers. It would not be the first time for me to make a meal off a nickle's worth of crackers.

When about 3 or 4 miles west of Ponca City I stopped at a place on the north side of the road for water, a covered wagon had stopped there for water also. I asked the man on the claim if one could get work in these parts and got the same old sickening reply. (Had met one man the day before from the Indian Territory and asked him how far east I would have to go to find work, he said I might go east to the rising sun and I would not find it.) The man in the wagon overhearing my inquiry for work asked what wages I wanted. This was the first word of hope I had heard since leaving home. I told him I was not setting a price. If I could get work I would let the other fellow set the price. He said his name was Hall. He lived on a claim in the Strip southwest of Arkansas City. He was going with a man named Gamble to help drive Gamble's cattle to his lease in Pawnee county and was to stay a couple of weeks to help fence for the cattle. Said he needed to be at home, but as he was owing Gamble he would not expect to be able to give me his place unless I would work for nearly nothing. I told him again that I would work for whatever the other fellow said. He said, "Get in the wagon. Gamble is on ahead with the cattle."

When he found by questioning me that I had had nothing to eat since the morning before, he would have to get into the grub box. I wanted to wait till noon—it was then about 10 o'clock, but he insisted and I climbed back into the wagon and opened the grub box. Found some bacon, burned black on both sides and some pancakes—both cold. Have never tasted anything before nor since that was so delicious.

At noon I got dinner while Gamble and Hall had a talk to themselves. After dinner Hall got on his horse and rode toward home. Still nothing had been said between Gamble and me about my working for him, but the next morning at breakfast, Easter Sunday. (April 14, 1895) Gamble asked me what I wanted for work. I told him the same as I had told Hall. He said he would give me \$4.00 for one half a month, to drive the team down to his ranch and help fence it.

I hired to him at this price. After the one half month was up he gave me \$11.00 a month to work on the ranch till August 1, when I went with him to his home in Cowley County, 7 miles southwest of Arkansas City and cut and shocked corn fodder one month

for which he paid me \$13.00. He also sold to me 20 bushels of seed wheat and loaned me his team and wagon to take it home and sow it.

I had written Bob to plow 20 acres on Jack's place for the wheat sowing. This he did getting a horse from our neighbor, T. W. Lash, and using Mother's team, a horse and a mule and a walking plow. He plowed it the deepest I ever saw. Clods were turned over so big and hard it could not be made ready for wheat. So we sowed it on Mother's place where they had planted corn that had grown about knee high, which, when about burned up from drought, Bob had cut it by hand. We hauled and stacked the corn for fodder but a wind and rain blew it away and rotted it. The wheat burned up the next spring. Bob secured a mowing machine, cut, hauled and stacked it, but it too, blew down and rotted.

I had bought a young saddle mare (Pet) from Mr. Gamble for \$30.00 and worked out the price, had her with me as well as Gamble's team of mules. When I returned to the Gamble home near Arkansas City, his wife told me he had gone to the ranch with two wagon loads and left word for me to follow by horseback, so I spent the night there and started at eight o'clock next morning to ride 100 miles to his ranch in southeast Pawnee county. Rode 85 miles by eight o'clock that night and stopped with friends of Gamble's 15 miles west of the ranch, riding on to the ranch in the morning. This 85 miles was the longest day's ride I ever made though I have ridden 75 and 80 a number of times.

Soon after I reached the ranch, Mr. Gamble with his other hired man left me in charge and went back to his home to move household goods and his wife and two small children to the ranch. Soon after they returned with the family and goods. Mr. Gamble told me he was going to drive the cattle back to his father's place near his old home, and feed them on the corn we had shucked in the fall, leaving me in charge at the ranch.

I asked him why he did not send me with the cattle, but he said he just wanted to be with the cattle. Why he thought the 200 head of cattle more important than his wife and babies, a little girl of 2 years and a baby two months, 10 head of horses and mules (extra good ones), eight milk cows and 100 hogs, I could not see. But this is what he did. Left me to buy and haul corn, go 10 miles to mill to get it ground, feed the stock, chop and haul wood, build a barn, chop and split rails, go 15 miles to Pawnee or 3 miles to Lawson post office and store in Payne county, and take his wife and babies occasionally to her mother's 20 miles away near Ingles in Payne county, driving a big team of mules to a surrey.

However, this was one of the best spent winters of my life. Mr. Gamble took no periodical. His library consisted of two or three histories, a Home Medical book and a Bible. At first I read Bancroft's *Footprints of Time*, but Mrs. Gamble suggested that we read the Bible. So we began at the first, reading chapter about. We had read more than half the Old Testament, not skipping a word, when Gamble returned in the spring. We wanted to go ahead, the three reading on through together, but he balked so we gave it up.

It was now about time for me to go back to my claim as the law allowed only six months' absence at any one time without forfeiture of rights. Accordingly I left Gamble's one morning in March to ride home on my little mare—about 140 miles—with 15 cents in my pocket, having sent home the little I could save out of my \$10.00 a month I drew for winter work. Had gone but a short distance when snow began falling. By the time I reached the Black Bear creek on Oto Reservation at noon, the snow was falling about as fast as I ever saw, but melting almost as it fell.

There was no settlement in the Reservation and I was without horse feed, though Mrs. Gamble had put me up a lunch. It so happened that some Indians were camped on the north side of a creek in the timber. I went to the camp and by signs made the man understand I wanted horse feed. He held up both hands with fingers extended. I shook my head and held up one hand. He pointed at the corn piled in the tent and held up 8 fingers. I shook my head and held up 10 fingers. He nodded his head and I gave him a nickel and took my 10 ears of corn and fed my pony.

The creek was dry so I fed down in the bottom, then walked up and down the creek bed to keep warm while I ate my lunch and waited for my horse to eat. I then saddled up and started. Snow ceased falling and the sun came out just before night.

I reached settlement in Noble county about three miles north of Red Rock just at sundown and, at dusk rode across a small stream. Finding some green grass along the edges, I picketed the mare out and, gathering dry wood, made a fire and lay down by it. A bachelor living near by saw the fire and thinking some boys were fishing and might let the fire get out, came down to see about it. When he saw my horse had nothing to eat but very short grass and learned that I had ridden all day and had another day of it ahead, he told me to come up to the shack where he had some corn piled under the bed. I went with him. He told me to take plenty for night and morning. When I offered to pay him (I still had my dime) he refused to take anything saying that all he asked was that I pass it on; if I ever had an opportunity to help anyone out do so. I assured him I would gladly do so and have never forgotten the promise.

Resuming my journey early next morning, I rode to Will Easterly's by late noon. Will was away from home but his wife gladly set me some dinner after I had fed my horse at the barn. After dinner I saddled up and rode home, about 30 miles by sundown still possessing two-thirds of the money I had started with.

I had many dear and excellent friends in my pioneer days in Oklahoma, including both Will Coulson, with whom I came to the Strip, and Will Gamble. But the two persons that linger in my mind with most admiration and respect are Mrs. Will Coulson and Mrs. Will Gamble. Two of the noblest and truest women I ever knew. Will Gamble said he was not much of a letter writer but his wife offered to answer my letters, so we corresponded for some time after I came home.

One other person whom I am proud to say wielded a great influence over me was Reverend A. Odell, a Cumberland Presbyterian minister, whom I first met at Caldwell, Kansas while in camp before the opening of the Strip. When we arrived there we found that the next camp to ours was occupied by a preacher and his son, Bert, just my age—21 years. Bert Odell was the most enthusiastic and ambitious one in the crowd. His father, though hopeful and cheerful, was anxious too, seeming to fear that if Bert should fail the disappointment might be too great, kept telling him that they couldn't all get land and he was as likely to miss as anyone. But Bert was not to be held down.

A "blowhard" came along one day and began telling us about his horse. Said he was a wild horse captured on the plains and trained. Could outrun and out-wind any horse on the line. In fact he could ride him across the Strip in four hours. So Bert made a song on it. The refrain, as I remember was:

"I could ride across the Strip,
In just four hours at a clip,
If Daddy'd only buy me a wild horse,
A wild horse."

The father seemed to take an interest in me from the start but when we broke camp and left for Cameron to register, we did not expect to see them again.

You may imagine our surprise when we were driving across the prairie from Coulson's place to Pond Creek one day about the last of September, to drive right up to Brother Odell's camp four miles southwest of Pond Creek. He was camped on Bert's claim while Bert was gone back to their home in Republic County, Kansas, to raise funds for filing and to make some improvements on the claim; also, to move his mother down later.

Brother Odell had used his homestead right in Republic County, Kansas, in an early day, so he was helping Bert to get a place that

he might live with him and help improve it. Their experience as he told us was this: Bert went in on the train at the time of the opening of the Strip and when about three miles south of Pond Creek, jumped off. Now to avoid staking on same claim with others who were continually jumping off the train and staking, and those on horseback who rode down the Chisholm Trail and even beat the train, (which was allowed to make only 10 miles per hour) he ran more than a mile west where he had his choice of the surrounding country. The horsemen who came across the country were compelled to hunt a crossing on the Salt Fork and had not yet reached there.

When he had set his stake and recovered his breath he beat it back to the Chisholm Trail where it neared the railroad tracks, for there he was to meet his father, who, as pre-arranged, came down the Trail at a lively rate with a U. S. flag hoisted above his covered spring wagon. Brother Odell said when he was driving down the trail about two miles south of Pond Creek, he heard Bert give the Comanche war whoop and knew he had a home.

Coulson was soon to leave for Norton county, so Brother Odell invited me to camp with him and I gladly accepted. We camped together most of the time for over two months. He was dependent on Bert for support, and I, on Jack in Norton county. Neither of them found money plentiful and we had to economize to the limit. One true story Brother Odell used to tell on me was that one day when beans were getting low, he said to me he didn't know what we were to do for bean soup. "Ah," said I, "I'll tell you, just put in more water."

On May 20, 1894, Coulson and a brother-in-law of Dick Depew and I started to Kansas to hunt harvest work. Will furnished the wagon and team. I begged a sack of flour and side of salt pork from Mother out of the provisions she had laid in with the little cash she had brought with her from Kentucky. Between us we were able to muster up a frying pan, some tin cups and knives and forks. I had \$2.65, Will had less than a dollar and the other fellow had one cent his sister, Mrs. Depew, had given him to enable him to write her a card when he found work. When we returned on June 8, nineteen days later he, like the unprofitable servant in St. Matthew 25, still had his penny. He said since he could not help with the provisions he would do the rustling for work. He proved an excellent hand at that but work was not to be had.

We drove clear to the Solomon river in Northern Kansas and back without finding a bit of work. We were a bit early as we went up but willing to camp and wait if we could get a promise of work, but there were local men to take every job and then some.

At one place in northern Kansas, we stopped near where a man was cultivating corn. I went with—well, call him John, as I have

forgotten his name—to hit this man for work. After we had received the usual “No,” John asked if we could find a place to camp (it was then nearly night). “Yes,” said the fellow, “right up there by that cotton wood grove is a splendid place to camp. You will find a well there where you can get water and plenty of grass for your team and you can get dead limbs for fuel if you have anything to cook.” (Some campers carried their grub ready cooked.) John looked down at the ground and said as we turned to go, “That’s the hell of it, if we just had anything to cook.”

Returning home on June 8th we found a freight train piled up in Pond Creek. A wrecking crew was busy trying to clear the track. A transient who had paused with them was coming down towards us so we stopped the wagon and asked him what had happened. He said, “One of the workmen says the switch flew open.” We knew there had never been a switch there and guessed the rest. (Will tell more about this wreck elsewhere.)

On reaching home June 8th, I learned that Mr. Thrush on the school quarter east of us had been up to tell Jack that Will Easterly who lived then four miles northwest of us had written him from his old home in Harper county, near Freeport, Kansas, saying that he could furnish Jack some harvest work. Jack having taken a job with Orville Green to help harvest and thresh in the same neighborhood in Harper county, I procured the job. Early next morning I took two quilts to be used for bedding and mounted Mother’s little old mule bareback and rode 48 miles to Easterly’s place before sundown. I found them all ready to go next morning with plenty of help and to spare. Will said as he had promised the place to Thrush and I had come in Thrush’s place I should have it. But Will, having a partner who had a friend selected for the place, thought the friend should have it since I had come only as a substitute and had never worked with a header.

Will had his way in the matter, but his partner took a dislike to me from the start. To make it easier for me, next morning Will put me in a barge with a boy from Arkansas who had worked for him for some time and was a good hand. This boy said we would drive and load turn about. He drove the first round and showed me how to drive to the wheel mark and also how to load the barge.

But the very first drive I made to the barge was a bad one, ramming the spout with the corner of the barge. This caused the dissatisfied partner, who was ill tempered as well as displeased, to rail out with an oath and tell me if I could not beat that I’d better quit; that he could not afford to have the machine torn up with a green hand when there were plenty experienced men for the job.

I was scared to death that I was going to have to quit, but the Arkansas boy helped me to get straightened out and said, “Don’t



LEE LEMON'S THRESHING OUTFIT NEAR NASH, OKLAHOMA, 1897. LEE LEMON
WITH HAND ON STEERING WHEEL OF ENGINE.

worry. We are working for Will, not him." He also told me not to take any more cussing off of him and that if I couldn't handle him alone, he'd help me. This did not sound very brave to me as I was fully as large as the header driver and the boy was decidedly bigger than I.

I said nothing, however, and only determined to hold my job if I could. A day or so after this my partner made an awkward drive, stopping the corner of barge some two feet in front of the elevator spout so a little wheat would spill before they could get lined up. The header driver cursed and told him to drive around and come under **right**.

Instead, he dropped the lines, ran to the rear of barge and before I knew what was taking place, jerked my fork from me and jumped to the ground. I landed with him, however, and snatching the fork from him, threw it back into the barge and told him if he was going to fight not to take my fork to do it with. I then climbed back into the barge and he followed and the machine began to move again. We had no more trouble and when harvest was over, Will told some of my neighbors that I was the best hand he had.

Harvest lasted 7 days. I got \$1.00 a day which was the first money I had earned since the Opening. I rode down to old Mr. Green's where Jack was working with threshing machine for Orville. Ira Green was leaving for home and Jack would like to go along, so I took his place at the machine. Had worked about two hours when the machine broke down and Orville told us he would have to send to factory for repairs, and would probably be delayed a week or longer.

I learned from the men that they were getting 15 cents per bushel each and were having to pay 15 cents a meal for board when the machine was idle; and that a 500 bushel average or 75 cents a day was hardly to be hoped for. I looked up and saw Will Easterly with a four horse load of implements headed for home. I ran out to the road and told him I would like to go along. I then got my mule and tied him to the end of the wagon, threw my bedding in and climbed to the seat beside him. We stopped on Bluff Creek for dinner and while the team rested, gathered wild plums for his wife to preserve. We camped at night in north part of our (Grant) county and arrived home late next day.

Will sold his place here, 4 miles northwest of us, in the fall to Sherman Miller and moved to a new location 18 miles southeast of Pond Creek near where Hunter now stands, where I stopped over night with him the next spring on my way out to hunt work as told elsewhere.

In the spring of 1895 when I hired to Will Gamble to drive cattle west of Ponca City, we stopped to camp the first night,

April 13, on the east side of Chikaskia river just opposite the Tonkawa Indian Agency. We had just stopped when some Indians passed us headed for the Agency.

We thought nothing of it, but a few minutes later a white man rode down, crossed the river and asked me whose cattle these were. I told him Gamble was down watering the team. He started down and met Gamble coming back. The stranger stuck his hand out and said "Hello, Mr. Gamble," as though he was an old friend. Neither had ever heard of the other before. He told Gamble that he was the Indian Agent and they had seen us and asked him to make us give them an "oxie" for camping on their ground. He said the Indians would not bother us but would torment the life out of him if he failed to secure the beef for them.

He also told us that two miles east was the Ponca Reservation and their Agency was far enough away that we would not be bothered till we would get away in the morning. We therefore drove back 2 miles east after the cattle had watered and camped. The next morning (Easter Sunday) we drove back through their town pretty early. The Indians stood on both sides watching us with long faces, but said nothing.

We detoured around the Oto Reservation because we had heard it was infested with Texas fever. Our precaution did not prevent our losing eleven head (two year old steers) the next summer, however.

On Monday evening April 15, we camped on north side of Black Bear Creek just north of Perry. Will rode to town for provisions and left me to watch the cattle grazing in the creek bottom. The weather was balmy but soon after he left there came up a "norther". The cattle became so restless I could not leave them to go to the wagon for my coat. Was most frozen when Will came back and brought me my coat and helped round in the cattle.

A Pawnee paper telling of this storm said a citizen driving out in the afternoon saw a man skinning an ox. He stopped and asked the trouble, learned the ox had died of sunstroke. Returning in the evening, he saw the same man skinning an ox, again asked the trouble and was told this one had frozen to death. Another wise guy said that frogs froze up with their heads sticking out of the ice not having time to draw them in.

When we reached the west edge of Pawnee county, Gamble decided not to go direct to his lease in Southeast Pawnee county but left me with the cattle while he rode to his brother-in-law's (Billy Snyder's) in Payne County, near Ingalls.

When he returned a week later his brother-in-law was with him and they brought over a hundred head of Snyder's cattle. Billy

returned home and came back in a day or two. I was greatly surprised when he rode up and handed me a used shirt and pair of overalls and said that I was welcome. He had noticed I had no clothes but what I had on, and without a word to me had gone in to G. V. Small's store in Stillwater and said, "G. V., haven't you got some old clothes you would give a poor devil?" G. V. gave him the shirt and the overalls. I could now wash my suit without embarrassing the cattle.

They soon left me to watch the herd on Snyder's place some 20 miles northwest of Gamble's lease on the lagoon, and each went on to his home. At this time my one half month was a little more than up. I asked Will for \$5.00 to send home. I then wrote the first message home since leaving, enclosing the \$5.00, and asked Will to furnish the stamp and mail it. I soon got an answer from Mother in which she stated Fred had sent her \$5.00 from Kentucky and Cousin Annie Lemon, the same. They are also, she said, taking "aid."

The settlers round about had met in Old New Home sod school house and selected a committee, composed of Tom Boyd, Preacher Bowerman and T. B. Nash to go to Denver, Kansas City, and Chicago to solicit food and clothing. They had been fairly successful. A committee distributed it as nearly according to need as possible. Some injustices were done, of course, despite the carefulness of the committee but the "aid" proved a life saver.

The settlers managed to raise some watermelons and turnips and some very poor kafir fodder. A few people had some small patches of castor beans. These proving to be the best dry weather plant known, for a few years most everybody raised castor beans. The price stayed around a dollar a bushel, but they had to be shelled by hand and when we later began growing broom corn and wheat, we found we could not afford to grow castor beans.

When Will Gamble and Billy Snyder left me to herd their cattle on Snyder's lease, they told me his lease was the south one-half of the section. The north one-half seemed to be vacant and I could let the cattle graze on it until some one stopped me. One day when the cattle were grazing a man came to me from north of the section line and said that was his claim and he wanted me to keep the cattle off.

I knew where the half mile corner was on the south side of on the northwest section which was his claim. One day when the cattle were grazing on his claim he came out and began rounding section but was not sure about the locations. I thought the cattle were on the northeast quarter, so I kept them off that but let them run to the northwest. However, I was mistaken. The cattle were them up. I went to him and asked what he meant.

He said the cattle were on his grass and he was driving them over to corral them on his brother-in-law's place across the road to the north and hold them for damages. I told him how I had made the mistake and would certainly not let them on him again. Nothing would satisfy him but damages. I asked what he wanted and he said \$1.50. I told him I had no money and that Gamble was in Kansas and would not be back for two or three weeks.

He went rounding up the cattle. I told him it would never do to attempt to hold them in a small corral so long and asked if he would take the saddle as security till Gamble came back. He said he would, so I left Will's saddle worth about \$40.00 and drove the cattle back bareback.

The man had three horses ranging out on the prairie and they often grazed around my camp. When they came that night, I caught them and tied them to the wagon. When he came down early next morning, I told him I wanted \$1.50 for taking them up. He said if I was going to charge full price on the horses he would have full price on the cattle. (The law allowed 50 cents a head for taking up horses and 25 cents for cattle). I told him that he had already made his charge on cattle. He insisted he could change it. I then told him that I had pawned the saddle to him for \$1.50 and would hold the horses for the saddle. He went back feeling pretty sore.

His brother-in-law soon came down and he seemed to be a gentleman. He said one of the horses was his and he needed it. I told him to take it, and I would hold the other two for \$1.00 and take my chances on the 50 cents. He said his brother-in-law had told him if he could do no better he might let the saddle go for the horses, so if I would go with him I could have the saddle. I took my pony and he the three horses and I got the saddle. The man had seen us coming and had left the place.

Besides the cattle I had the pony and the team of young mules that we had driven to the wagon in moving down to this country. I tied a mule to each end of a picket rope. When I needed the team, I would get between the mules and while they pulled away from one another I would get hold of rope and tie it to the wagon. One day when I went between them they ran around and got together, leaving me in the rope. I threw the rope down and tried to step over it but they were too quick for me. The rope caught me around the ankles and away they ran. I hit the ground only about every 10 to 15 feet.

The only hope I had was that they would cross a branch nearly a half mile away where there was timber. If the mules should run on either side of a tree, they would have to stop. This was a slim hope for though they were running toward the timber, they were likely to turn at any time.

Gamble had left me his Collie dog "Caesar", the best dog I ever saw. He kept barking at the mules and I kept scolding him lest he keep them running longer than they otherwise would. But he finally caused them to separate and pull against one another on the rope again. This threw me high off the ground and, when I came down, I found that the rope was twisted tight around my ankles. My knife had been lost in the race. But I finally got the rope worked off of my feet just as the mules got together and started to run again.

I held on to the rope about 10 feet and then let go. The mules ran nearly to the branch and then circled and came back to the wagon before stopping. I walked back over the trail we had come (my body had made a mark everywhere I had hit the ground) and found my knife and match safe which was all I carried with me. I have often wondered how long it would have been before I had been found if I had been unable to free myself.

Will and Billy came back the latter part of May and we moved the cattle to Gamble's lease on the lagoon. We drove east to a place about 4 miles south of Pawnee where we camped for the night. Will and Billy went to town and came back about 10 o'clock. I was asleep but Will woke me to say that I would have to do the waking, as he and Snyder had been drinking and would likely sleep sound.

We always rounded the cattle in at night when we were on the move and watched them till they lay down. They would lie still till about midnight and then they would get up and must be watched again till they lay down. This time they would be safe till morning.

We had a corral on Will Gamble's lease, hence the cattle did not require watching. Gamble had done the waking when we had moved them before. I told him I would do my best to do the waking. I slept under the wagon right by the cattle. He and Billy slept in the wagon. About one o'clock Gamble called me and said he could see only part of the cattle. I got up and found about 40 head out of 250.

Will and I saddled our horses and rode back to Snyder's lease. There was no road but it was nearly straight west and by taking a star as guide we were able to find it. We failed to find the cattle. When we returned to camp just after daybreak, we found Snyder had taken their trail south. Will followed while I prepared breakfast. The two men soon came back with the cattle, having found them about a mile south in a small corn field. The corn had been about waist high and was mowed to the ground. We passed by there on our way to Gamble's lease. I never saw a more completely destroyed crop. The house was near by but it was Sun-

day morning and the people there had not arisen. We drove by as quickly as possible as we did not wish to disturb their morning nap. We never heard from them afterwards.

We put in about ten days fencing one half section, then Will left me in charge and went back to his home in Cowley County (Kansas). Billy soon moved his cattle away and soon after that our cattle began to take sick and die. I talked with neighbors but found no one could tell me anything so I rode down to Snyder's 20 miles south. He got G. V. Small, (who was a livestock man as well as merchant in Stillwater) and came up.

They pronounced it Texas fever but could tell me nothing to do for it. Fifteen two-year old steers died. Nothing else took sick. Will came down August 1, and we hauled his hogs, two wagon loads, back to Kansas where we put up a hundred acres of corn fodder. I went home September 1 to sow wheat as I have told before.

POND CREEK HISTORY

Here is some Pond Creek history. My account will differ somewhat from that of Mr. George Rainey's in his book, *The Cherokee Strip*, but I am depending on my recollections.

Before the Opening there was a station and water tank on the Rock Island railroad just north of the Salt Fork, called Pond Creek station for the creek nearby which was originally called Round Pond Creek. Hoke Smith, Secretary of the Interior serving under President Cleveland, announced the county seats of L county and O county (later called Grant and Garfield) were to be located at the two stations, Pond Creek in L and Enid in O. No sooner was the announcement made than the railroad company induced some Cherokee Indians to take their allotments at these stations and bought them out in the same deal. The Indians not even seeing or caring for the land but only for the money the Rock Island was willing to pay for a chance to speculate in town sites.

When Hoke Smith learned of the deal, he ordered that no county seat should be located within three miles of an Indian allotment. So both county seats were moved three miles south of the stations, yet still on the railroad. It was thought that the Company would move their stations to them or build more and discontinue the old ones. Thus it was that the two county seats bore the names of the stations to the north.

The Rock Island did not intend to have their plans thwarted by the government. The railroad officials sold lots on their Indian allotments to settlers with the understanding that railroad would not recognize the county seat towns and would force the county seats to move to the stations. All four towns petitioned for post

offices—two in county O under the name of Enid and two in county L under the name of Pond Creek.

Enid was soon given the post office and later the station to the north was granted one under the name of North Enid. In Pond Creek the appointment was a little slow coming and folks in the county seat concluded that it might be the contest for the name that was holding it up. Hence they called a meeting to name the town.

An old man whose name I have forgotten, arose in that meeting and make a good talk in which he stated that Round Pond Creek valley was wide and favorably known and that the name "Round Pond" was practically as good as "Pond Creek" and would eliminate the trouble over the name. His suggestion was agreed upon and papers were drawn up using the name "Round Pond" to send to Washington. The next morning before the papers were mailed the appointment came giving them the post office under the name of *Pond Creek*. The papers were destroyed and thus "Round Pond" was no more.

The people north of the river heard of the meeting and for a long time insisted on calling the south town Round Pond, thus causing confusion outside of the state. Even Mr. Rainey in his book, *The Cherokee Strip*, page 304, speaks of "Round Pond" as the site named for the county seat and on page 374 says, " * * * The railroad company sought . . . to make Round Pond, a little more than three miles to the north, the real town and there built a depot." We have already seen that the depot was there before the Opening and never was called Round Pond. While the folks on the north side were calling the county seat "Round Pond" those of the county seat called the north town "Sandy Hook."

When Enid and Pond Creek were given post offices the railroad was ordered to leave the mail at these towns. They erected cranes and proceeded to change the mail bags without so much as slowing down, often tearing the pouches and scattering the mail on right-of-way. Before the crane was erected at Pond Creek there was an interval during which our postmaster would go to the Station and get the mail, bring it to the office and distribute it. The would-be-postmaster at the station would come to Pond Creek with his list of names and get the mail for his town and take it back and distribute it. This continued after the crane was built except that the mail was left in Pond Creek instead of Pond Creek Station.

I was in the Post Office in Pond Creek when the postmaster from the station came in with his list for the last time. He announced that he had his appointment and would receive mail at the station thereafter, asking our postmaster to forward all mail on the list to his office. Our Postmaster (Mr. Cummings, as I re-

member it) asked what name, to which he replied, "Jefferson". Mr. Cummings asked if it was "Thomas" or one of the boys, to which the postmaster from the station made no reply but took his mail and went. The understanding in Pond Creek was that the people there refused to re-name the town and that the name Jefferson was sent from Washington. If the postmaster was from a town by that name in Texas and had therefore chosen the name, I never heard of it till I read it in Mr. Rainey's book (page 448). Anyway it bore that name at least two years as I remember, before it was moved to its present location.

A bill was soon introduced and passed the lower house of Congress requiring railroads in Oklahoma Territory to erect depots and side tracks at county seat towns. The United States Senate, composed largely of railroad lawyers, passed it with an amendment requiring that L and O counties should first vote on where their county seats were to be permanently located and then the railroad should build depots. The House refused to concur and it went to conference.

About this time the settlers began to take a hand. A small shack was loaded on a wagon to be moved across the track but conveniently stalled on the track. A man with a signal ran down the track some distance to flag the south bound freight which was known to be coming. The engineer pulled the throttle wide and scattered lumber helter-skelter. The *Pond Creek Voice* reporting the incident said that the wagon tongue lodged in the Milky Way and the king bolt hit the man in the moon.

No sooner had the train passed on than the spikes began to fly and ties and rails were piled high to be seen afar by the engineer. A man ran down the track to the south with flag in hand. The tantalizing freight that had demoralized the wagon and shack met this north bound freight at Kremlin and told the crew to look out for Pond Creek for they were "on their ear" up there. Despite this warning and the frantic waving of the flag the train rushed on. When they saw the track piled up, the engineer pulled the throttle wide open and jumped.

This was the first train that stopped in Pond Creek. It was the train I saw on returning from my trip through Kansas hunting harvest work as already told.

Soon after this a company of Dagos that could not speak English according to the *Pond Creek Voice* came down and arrested about 80 of Pond Creek's best citizens and took them to Kingfisher for trial. But Judge Mackey went along and plead their right to trial in the county in which the act was committed, which claim was sustained and they all returned on the next train, waived the right to preliminary trial and gave bond to await the action of grand jury.

One of the business men said to me, "We are all right now so long as we keep the sheriff on this side [of the river] as he summons the jury." The grand jury was unable to dig up any evidence to link any of the men with the act, and they were freed.

The railroad now concluded that Pond Creek was a good place to halt, so the engineers would get off and walk through the town ahead of their engine looking for dynamite or other obstructions. Guards were often marched off and bridges burned or dynamited before their eyes.

Pond Creek was always careful not to wreck a passenger and the freights were always signaled. But some folks in Enid must have become more desperate. They sawed the trestle, south part of Enid, cutting the post at an angle and leaving just enough to hold the bridge but not a train. A special freight happened to be ahead of the passenger and hit the bridge. The speed of the engine carried it over but the rest of the train went to destruction below.

It was claimed that the perpetrators knew the freight was ahead of the passenger but wanted to leave the impression that they cared naught for the loss of lives and therefore had chosen a special instead of a regular freight. At any rate, it was not signaled and it was little short of a miracle that no lives were lost.

This had the desired effect. The railroad would rather have it said the government had forced them to terms than that the people had, so they withdrew their opposition in the Senate. The bill was returned from the Conference Committee just as the House had passed it and was passed by the Senate. (See Rainey's History of the Strip, pages 384-5).

I do not remember that any cattle were on the train that was wrecked in Pond Creek but a switch flew open in Kremlin the winter before, long before any violence was thought of by the settlers. At this time, a cattle train was wrecked killing and mangling many animals and scattering the rest. The railroad allowed the settlers to dress the dead and wounded cattle, and I helped eat some of the meat.

One reason I remember this so well is that I was in Enid that day and was wishing to go to Pond Creek. I climbed on this train at the tank north of Enid, stood on the bumpers between two cars loaded with Texas longhorns, and held to the ladder above, intending to "beat" my way to Pond Creek. But a brakeman came along just as the train began to move and routed me. This is all that prevented my being the dish instead of the guest at the balogna feast near Kremlin.

After the afore-mentioned bill became a law, the railroad threatened to build just enough depot and siding to satisfy the law and

put them at as inconvenient a place as possible if the towns did not pay the bill. Enid was asked \$10,000 for a \$10,000 depot and Pond Creek \$2,500 for a \$2,500 depot. Pond Creek raised the money. Enid gave them the "horse laugh" and got their depot and siding where they wanted it. The railroad built the \$2,500 depot at Pond Creek as agreed, but adorned it with the name "Round Pond." So for some two years they maintained a depot in Pond Creek called "Round Pond" and one in Jefferson called "Pond Creek," thus causing much confusion and bother to the folks in both towns and railroad officials as well, merely to spite Hoke Smith for knocking them out of their pet scheme.

Finally Jefferson tired of the ever-shifting sand moved the town two miles north and induced the railroad to move the station and name it for the town. The railroad then changed the name of station in Pond Creek to correspond to that of the town, thus ending the long, foolish and bitter fight over a name. I find no fault with Rainey's account of the county seat fight that followed, but that in naming the county in November 1894, the Democrats chose the name "Banner" the same as in County "M" but, like the Republican selection in "K" and "M" counties, each was defeated. The Republicans in each of the aforementioned counties had chosen the name "Flynn." In County "M," the Populist ticket won with the name "Woods." I worked for the name "Banner" because I thought it was a name of which we could all be proud.

THE BLIZZARD

One day in January 1894 after Jack had arrived from Kansas, we had an awful blizzard. Jack had bought an old pony for \$15.00. We had no barn and were afraid the pony might freeze. I told Jack that Pete Erwin living a mile south had a barn not in use. Pete's claim was three miles northeast of me, but he was living on a friend's place who had built and then gone to his home in Texas for the winter. One of the Doozing boys had the place adjoining mine on the south and had plowed a fireguard all around it.

It was but a quarter mile south of my shack to corner of his place, so we decided to try it. We led the pony and found our way to the furrow, then followed it a half mile which took to within a quarter mile of Pete's house. Then by using the wind as a guide, we were able to find the house. But Pete was gone and both house and barn were locked with padlocks. I happened to have a padlock just like his and had learned, after losing my key, that I could unlock it by whittling a piece of wood down square to a size I could just force into keyhole, then turning it.

So I made a wooden key and unlocking the barn put our pony in, went to the house, made another key and we went in and made

a fire. Night came and no Pete, so we went to bed. The next morning was clear but awfully cold. Still a sharp breeze from northwest so we decided to have something to eat before trying to go back. I went to the well, got a bucket of water and started breakfast. Pretty soon the door opened and in popped Pete. He said, "Well, I stayed all night with you and you stayed all night with me!"

He had been to his claim and returning home, got as far as my place and decided not to try it any farther. He had slept in our bed while we had slept in his. He had come home without his breakfast, however.

About the second thing Pete said and with alarm was, "Say, you've got water in the bucket I've been using to poison prairie dogs." It was a wooden syrup pail just like most of us bachelors were using for water. Am sure that Pete's timely arrival was all that saved our lives. In a few minutes we would have been drinking coffee made of a deadly poison. I have not heard of Pete Erwin for many years but often think of him. He was one of my best friends.

NOTES AND DOCUMENTS

HISTORY OF OKLAHOMA EMBLEMS

The following history of Oklahoma emblems by Dee Paradis Jackson is from a pamphlet *Oklahoma Emblems and Historic Places* published by the Oklahoma Library Commission, Mrs. J. R. Dale, Secretary, in 1937, and now out of print:

ORIGIN OF THE NAME "OKLAHOMA"

The name of Oklahoma was derived from the two Choctaw words, *okla* meaning "people", and *humma* or *homma*, meaning "red". The name was proposed in 1866 by the Rev. Alen Wright, Chief of the Choctaws. The occasion was as follows:

At the close of the Civil War, the authorities at Washington compelled each of the Five Civilized tribes to cede back to the government, part of its land, and representatives of these tribes were summoned to Washington to complete treaties.

When the draft of the Choctaw-Chickasaw treaty was being written, the Commissioners of Indian Affairs asked the tribal delegates: "What name would you call your territory?". Allen Wright, one of the Choctaw delegates, replied: "Oklahoma". The name was adopted.

Sources: Charles N. Gould, *Oklahoma Place Names*. 1933, p. 21.

Muriel H. Wright, *The Story of Oklahoma*. 1929, p. 165.

OKLAHOMA STATE MOTTO

"Labor Omnia Vincit"

This is a Latin quotation meaning "Labor Conquers all Things." It was made a part of the Territorial Seal in 1893, and reincorporated in the State Seal by the State Constitution.

The election adopting the Constitution for the proposed State of Oklahoma was held September 17, 1907, by proclamation of the Territorial Governor, Frank Frantz; the new state was formally admitted into the Union November 16, 1907, by proclamation of President Theodore Roosevelt.

Sources: *Oklahoma Constitution*, Article VI. Section 35.

Clara R. Farr, *Oklahoma Emblems*. 1932, p. 34.

OKLAHOMA STATE COLORS

Green—White

The Ohoyohoma Circle, composed of the wives of the members of the Fifth Legislature, recommended the adoption of the colors Green and White. They were adopted by a Concurrent Resolution of the House and Senate in 1915.

Sources: *Oklahoma Session Laws*. 1915. p. 595.

Clara R. Farr, *Oklahoma Emblems*. 1932. p. 34.



SEAL OF THE STATE

Section 35. Constitution of the State of Oklahoma—

In the center shall be a five-pointed star, with one ray directed upward. The center of the star shall contain the central device of the seal of the Territory of Oklahoma, including the words, "Labor Omnia Vincit". The upper left hand ray shall contain the symbol of the ancient seal of the Cherokee Nation, namely: A seven-pointed star partially surrounded by a wreath of oak leaves. The ray directed upward shall contain the symbol of the ancient seal of the Chickasaw Nation, namely: An Indian warrior standing upright with bow and shield. The lower lefthand ray shall contain the symbol of the ancient seal of the Creek Nation, namely a sheaf of wheat and a plow. The upper right hand ray shall contain the symbol of the ancient seal of the Choctaw Nation, namely: A tomahawk, bow, and three crossed arrows. The right hand ray shall contain the symbol of the ancient seal of the Seminole Nation, namely: A village with houses and a factory beside a lake upon which an Indian is paddling a canoe. Surrounding the central star and grouped between its rays, shall be forty-five small stars, divided into five clusters of nine stars each, representing the forty-five states of the Union, to which the forty-sixth is now added. In a circular band surrounding the whole device shall be inscribed: "GREAT SEAL OF THE STATE OF OKLAHOMA, 1907."

MANY SEALS COMBINED IN THE MAKING OF THE GREAT SEAL

To make an adequate description of the Great Seal of Oklahoma, which is only 2 3/16 inches in diameter, it is necessary to cover a period of thirty-seven years of Oklahoma's interesting history and to describe three great seals—that of the Territory of Oklahoma, that designed for the State of Sequoyah, and our own artistic seal.

The delegates to the convention, which was called to frame a Constitution for a state to be formed of Indian Territory, convened at Muskogee, July 1905. This was called the Sequoyah Convention and the new state was to be named Sequoyah honoring the Indian who gave to his brothers the Cherokee alphabet.

Dr. A. Grant Evans, former president of Oklahoma University and then president of Henry Kendall College, was asked to suggest a design for the proposed state. "Dr. Evans designed and had carefully drawn a five-pointed star. In the angles of the star were placed the tribal seals of the Five Civilized tribes.¹ Above the star, and between the two upper points, was a half length figure of Sequoyah holding a tablet upon which appears the words "We are brothers" in the Cherokee text. In the other spaces between the points of the star were placed forty-five small stars, emblematic of the constellation to which a forty-sixth was to be added."

The Seal of the Territory of Oklahoma is described in the record of the Second Session of the Territorial Legislative Assembly which convened at Guthrie, January 1893, as follows: Under the motto "Labor Omnia Vincit" shall be Columbia as the central figure representing Justice and Statehood. On her right is the American pioneer farmer; on her left is the aboriginal American Indian. These two representatives of the white and red races are shaking hands beneath the scales of Justice, symbolising equal justice between the white and red races of Oklahoma, and the Federal Government. Beneath the trio group is the cornucopia of plenty and the olive branch of peace, and behind is the sun of progress and civilization—farmer plowing, rural home, railroad train, compress, mills, elevator, manufactures, churches, schools, capitol and city. The two scenes are symbolic of the peaceful conquests of the Anglo-Saxon and the decadence of the red race. Under all shall be the words, "Grand Seal Territory of Oklahoma."

When the Constitution of the State of Oklahoma was being drafted, Dr. Evans, Gabe Parker, a Choctaw Indian, and J. J. Quarles, citizen of Osage county, were appointed to present a new seal to the state. The rearrangement was as described above. The actual drafting of the Seal was by Japp E. Peddicord, a reporter for the Daily Oklahoman.

The significance of the ray of the star pointing upward, while none point downward, is that this union shall result only in good, and never in evil.

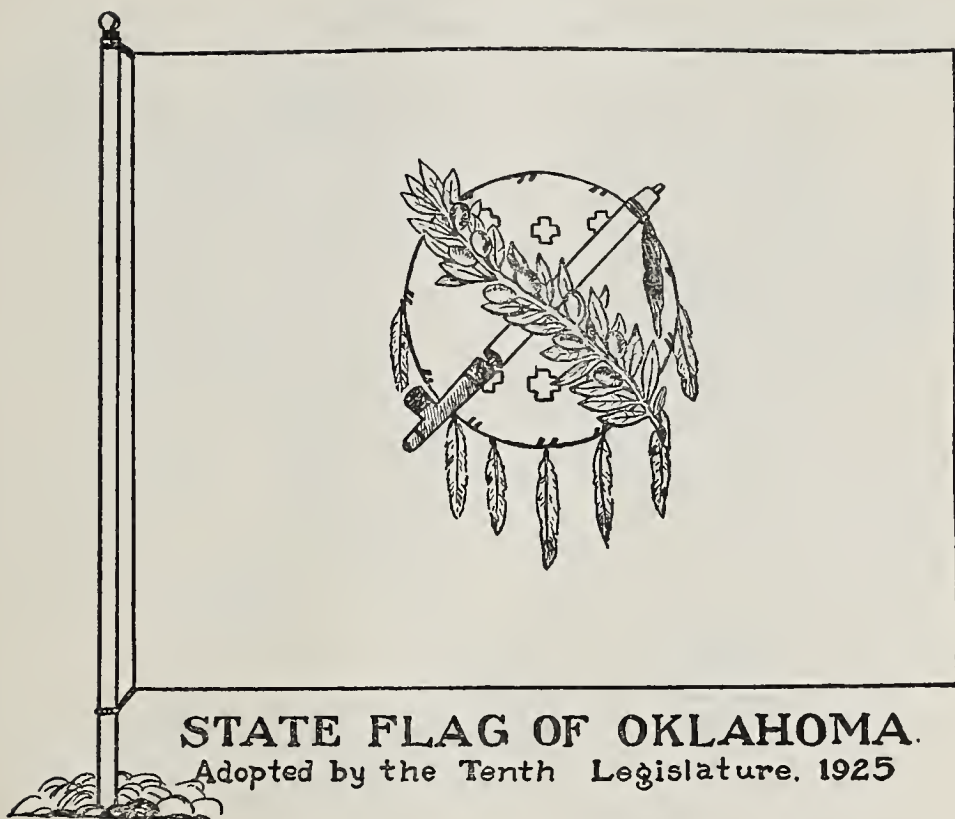
The original pencil sketch for this state seal is on file with the State Historical Society.

Sources: *Constitution of Oklahoma*. Article VI. Sec. 35.

Thoburn and Holcomb. *History of Oklahoma*. 1908. p. 266.

Farr, *Oklahoma Emblems*. 1932. pp. 16-19.

¹ Description, history, and interpretation of each of the seals of the Five Civilized Tribes is found in "Official Seals of the Five Civilized Tribes" by Muriel H. Wright in *The Chronicles*, XVIII (December, 1940), No. 4, pp. 357-370.



DEVICE: In the center field, the circular shield of an Osage warrior, made of heavy buffalo rawhide, fringed with pendant eagle feathers; superimposed across the face of the shield, the red man's calumet, or pipe of peace, and the white man's olive branch.²

COLORS: Field, sky blue; shield, buckskin or light tan; feathers, white shading into brown tips; small crosses, white; calumet, stem light buff, with pipe brown and pendant tassel, dark red; olive branch, olive brown.³

SYMBOLISM: The blue field signifies loyalty and devotion; the shield implies defensive or protective warfare, when justifiable; the small crosses on the shield are the Indian's graphic sign for stars and may indicate lofty ideals or a purpose for high endeavor; the shield thus surmounted by, but always subservient to, the calumet and olive branch, betoken a predominant love of peace by a united people.

² The Eighteenth Legislature adopted a resolution providing that the word "Oklahoma" in white letters be placed underneath the shield or design of the official State flag of the State of Oklahoma.—*Session Laws of Oklahoma* 1941, p. 90.

³ The cover design of *The Chronicles* shows the State flag in colors as near to the original description as possible with a metal cut and printer's ink. Every effort was made especially to secure the correct shade of blue for the field of the State flag on the cover, by members of the Committee of the Board of Directors (namely, Dr. Emma Estill-Harbour, Mrs. Frank Korn, and Mrs. Jessie R. Moore) and the editors.

HISTORY: The Tenth Legislature specified that the State Flag of Oklahoma should have the following design:

"A sky blue field with a circular rawhide shield of American Indian Warrior, decorated with six painted crosses on the face thereof, the lower half of the shield to be fringed with seven pendant eagle feathers and superimposed upon the face of the shield a calumet or peace pipe, crossed at right angles by an olive branch."

This design had been selected by the Oklahoma Society of Daughters of the American Revolution from many submitted to them for consideration. The Committee in charge, appointed by Mrs. Andrew R. Hickam, then state Regent, chose Mrs. George Fluke Jr.'s sketch, described above.

Mrs. Fluke had consulted with Dr. Joseph B. Thoburn, formerly research director, Oklahoma Historical Society, about a suitable flag, the need for one having been pointed out by him to Mrs. Hickam.

In the museum of the Oklahoma Historical Society was a framed silk flag which had been carried as the standard of a Choctaw regiment in the Confederate military service during the Civil War. In the center of its blue field was a white circle containing the tribal emblem of the Choctaw Nation—a red bow, two red arrows and a red tomahawk, all crossing centers.

Mr. Thoburn suggested the use of blue for the field of this new flag, and also, since this was a red man's state, that it would be appropriate to use the red man's shield, usually circular in outline.

Near the Choctaw regiment's flag hung an Osage Indian shield. It had been made of the thick, tough hide of an old buffalo bull and fringed with the pendant feathers of the war eagle.

He further suggested that crossed on this shield might be placed the peace emblem of the two races: the Indian calumet or peace pipe, and the white man's olive branch.

Mrs. Fluke's finished design met with enthusiasm everywhere. The flag adopted in 1925 superseded the banner adopted in 1911, "Consisting of a red field with a five pointed star of white, edged with blue, in the center thereof, with figures 46, in blue, in the center of the star." This flag had lacked individuality. Very few citizens of Oklahoma knew that a state flag had ever been adopted.

Sources: *Oklahoma Session Laws*. 1925 p. 340, State Flag.

Oklahoma Session Laws. 1911 p. 394.

Joseph B. Thoburn, "State Flag of Oklahoma." *Oklahoma Teacher*, January, 1926. p. 9.



STATE FLOWER OF OKLAHOMA

"Land of the mistletoe, smiling in splendor,
Out from the borderland, mystic and old,
Sweet are the memories, precious and tender,
Linked with thy summers of azure and gold."

—George Riley Hall.

The Territory of Oklahoma adopted the Mistletoe as the State flower by act of the Legislature in 1893. Oklahoma was the first state to officially adopt a state flower.

After statehood the Legislature passed an act "That the Mistletoe is hereby designated and adopted as the Floral Emblem of the State of Oklahoma. That this act be immediately in force upon its passage and approval."

STATE TREE OF OKLAHOMA

The Redbud became the official tree of the State of Oklahoma by Senate Joint Resolution No. 5, Sixteenth Legislature. Approved by the Governor the 30th day of March, 1937.

Sources: *Oklahoma Statutes*. 1893. Sec. 5990.

Oklahoma Compiled Laws 1909. Sec. 8424.

Clara R. Farr, *Oklahoma Emblems* 1932. p. 38.

B. E. Little, *Mistletoe*. c1927. p. 15.

RUTHERFORD COUNTY HISTORICAL SOCIETY ORGANIZED
IN TENNESSEE

Word has come that Mr. James W. Moffitt, formerly Secretary of the Oklahoma Historical Society, continues constructive plans in the field of local history and has been active in organizing the Rutherford County Historical Society in his home State of Tennessee. He is chairman of a committee promoting the erection of a monument to General Rutherford, for whom the County was named. Plans for this monument are being sponsored by the Tennessee Historical Commission. Mr. Moffitt is a member of the faculty in the History Department of Tennessee College for Women, Murfreesboro. He is listed in *Directory of American Scholars* as a member of the Society of American Archivists, Association of State and Local History (councilor), Southern Historical Association, Southern Baptist Historical Society (executive committee), and the Mississippi Valley Historical Association. Mr. Moffitt's friends and acquaintances throughout the State will be interested in learning that he has in preparation a History of Baptist Missions among the Five Civilized Tribes for his thesis in this study for the Ph. D. degree from the University of Oklahoma.

OLD FORT HOLMES AND OTHER HISTORIC SITES MARKED

The Holdenville Garden Club reviewing its beautification and civic activities in its Report for 1943-44 states that the Club has erected a stone marker on the Holdenville Lake shore by the side of State Highway 68, five miles south of the City, pointing out the site of Old Fort Holmes near Bilby, Oklahoma, and other places in the vicinity, noted in State history, located a few miles away. Contributions to this important project were made by other Holdenville clubs and organizations including Business and Professional Women, Shubert, Rotary, American Association of University Women, Chamber of Commerce, Kiwanis, the Legion Auxiliary, besides interested citizens—Mrs. Wyatt Holmes, Mrs. N. B. Bilby, and Mrs. Frank L. Warren. The marker is a large marble slab in the shape of a hide representing the Indian's means of recording history and bears in the upper left hand corner the personal symbol of the designer, Mrs. Tony Lyons, and in the lower right hand corner, a replica of the design of the Oklahoma State Flag. This unusual marker set upon a concrete foundation and steadied by heavy log supports bears the following Legend:

GARDEN CLUB 1943

1-M. S.E. to Site of Ft. Holmes, Est. 1834, to keep order among Nomadic Indian Tribes, 1836-56. This Region co-owned by Creeks & Seminoles, became Creek Indian Nation 1856.

2½-M. S.W. to Site of Edward Trading Post, Est. 1835, Home of Jesse Chisholm 1850, Wagon Train Supply Base, Indian Camp. Cellar Jail held Spanish Captives ransomed at Ft. Gibson.

3-M. N.E. to Site of Oak Ridge Presbyterian Mission, Est. 1848-57, by Rev. John Lilly & John Bemo, Seminole Interpreter & Instructor.

—B.P.W.

Schubert

Rotary

A.A.U.W.

C. of C.

Kiwanis

Legion

BOOK REVIEWS

The Indian in American Life. By the Reverend G. E. E. Lindquist. (New York: Friendship Press, Inc., 1944. Pp. xi, 180. Map, Chronology of Protestant Missions among North American Indians, Selected Reading List and Index. Cloth \$1.00. Paper 60c.)

The public has been somewhat confused in recent years by an appearance of disharmony between representative missionary workers and spokesmen for the Indian Office, or, in more general terms, between old and new attitudes toward the first Americans. Should we try to keep the Indian forever an "Indian," set apart from all other members of the great American family, not by his physical traits alone but by primitive religious ideas, strange customs and an inalienable reservation home?

In reality there is no such question. The past order is gone beyond recall, and a majority of so-called Indians are today of mixed descent, many of them unrecognizable as such. In the fields of education, health and welfare the churches pioneered from the beginning. More than fifty years ago, the path of progress in civilization and citizenship was officially marked out by our government. Today, notwithstanding totally inadequate schooling and many unwise policies, most of their young people are desirous of early assimilation and reasonably well prepared for it. The proof is plain in their willingness and demonstrated competence to share fully in the current war effort, both in the armed services and machine industry. Will these fifty thousand well-trained youth slip back after the war to relative apathy and dependence, in remote corners of our country? They will not, unless opportunities fail for better and broader living in typical American communities!

For a concise statement of the main factors in their contemporary position, with a forward-looking slant and an explanation of cultural backgrounds, let me recommend Mr. Lindquist's *The Indian in American Life*. The well-informed missionary author was aided by Mrs. Flora Warren Seymour, a former member of the Board of Indian Commissioners, John H. Holst, late supervisor of Indian schools, and Erna Gunther, anthropologist, in covering such vital topics as Indian-white relations, educational trends, Christian leadership, legal handicaps, and the outlook for the immediate future. Index, selected reading list, a map and a chronology of Protestant missions add to its availability for easy reference.

We can no longer rationalize our special treatment of these people by alleging racial incapacity. Obviously, the time has come

to do away with needless segregation and discrimination, while stressing those things which we hold in common as loyal and responsible Americans.

—Elaine Goodale Eastman.

(Author of *Pratt: The Red Man's Moses*. Norman: The University of Oklahoma Press, 1935.)

Northhampton, Massachusetts

Indian Treaties Printed by Benjamin Franklin 1736-1762. With Historical and Bibliographical Notes by Julian P. Boyd and Introduction by Carl Van Doren. (Philadelphia: The Historical Society of Pennsylvania, 1938. Folio size. Pp. lxxxviii, 339. Lewis Evans' map of the Walking Purchase (1738) in colors, endpaper map of the Iroquois Confederacy (1736-1762) by Margaret Van Doren, bibliographical notes and collections, Glossary of Trade Terms, Index. \$15.00; slip case \$1.50 additional.)

Published by The Historical Society of Pennsylvania, this volume brings together between the covers of one book for the first time thirteen Indian treaties, each of which was printed by Benjamin Franklin—or he and his associate, David Hall—in the period from 1736 to 1762. Carl Van Doren in his illuminating introduction refers to the original Franklin publications as “stately folios which for both matter and manner are after two hundred years the most original and engaging documents of their century in America.” More than a government document in prescribed content “here was a form new to literature, in a world that was dangerously alive.”

Lovers of early Americana in the Southwest and especially in Oklahoma are familiar with the place that Indian treaties have had in the history of this region. Here also live a large percentage of the descendants of the first Americans, many Indian nations and tribes from all parts of the United States, including bands of the once powerful Iroquois—Mohawk, Oneida, Onondaga, Cayuga, Seneca—and the Shawnee, Miami, and Wyandot, that settled in the Indian Territory in the early 1830's. The valuable compilation of Indian treaties by Charles Kappler, well known to historians and research students throughout the country, is consulted as an original source in interpreting the basic laws in many cases involving land titles in Oklahoma. Occasionally, also, one finds printed separately as an article or as an illustrative part of some text a journal kept during negotiations with Indian delegations, or an official report or personal correspondence that have bearing on such negotiations. The publication of Franklin's Indian Treaties, however, is different.

In his Acknowledgement, Julian P. Boyd, Editor, The Historical Society of Pennsylvania, says that the expression of a measure of appreciation in the production of the volume is like that of the Iroquois Harvest Festival or Thanksgiving for the harvest, “inclu-

sive in its sweep" of gratitude for the fertile grain, the soil, the sunshine and the rain that brought food and comfort to all mankind. Symbolizing these, Doctor Boyd says in part:

"Mr. Carl Van Doren provided the fertile suggestion—as well as the illuminating and scholarly introduction—for this volume. Mr. E. E. Brownell furnished the equivalents of the nourishing soil and warm sunshine, elements so necessary to the growth of what otherwise might have remained only an ardent hope. Mr. Brownell's sympathetic interest in the suggestion made by Mr. Van Doren was quickened for a very justifiable reason: George Brownell, a Boston schoolmaster who taught Benjamin Franklin writing and arithmetic for several months, who lived for some time in Philadelphia, and who no doubt looked with a proud and kindly eye on the rising fortunes of his former pupil, was Mr. Brownell's collateral ancestor. To Mr. Van Doren, therefore, for the suggestion and to Mr. Brownell for the support that made possible its realization, I wish to express my gratitude.

"Many others have also helped to bring the grain to fruition: librarians of the institutions listed in the bibliography, as well as scores of others whose institutions unhappily did not possess Franklin treatises; the officers of the Library Company of Philadelphia, the American Philosophical Society, and the University of Pennsylvania, who generously permitted us to make use of their copies of treatises for reproduction in this volume; the staff of The Historical Society of Pennsylvania, who have all labored anonymously but faithfully to make this work worthy of the imprint of the Society and without whose industry and assistance it could not have been produced at all—to all these I wish to express by appreciation."

With Doctor Boyd's scholarly review of "Indian Affairs in Pennsylvania, 1736-1762," the volume presents a history of the proprietary Indian policy under which large tracts of lands as far west as Ohio were purchased from the Indians at different times by the proprietaries of the provinces of Massachusetts, Connecticut, New York, Pennsylvania, Maryland, and Virginia. It was James Logan, in charge of Indian affairs in Pennsylvania from 1701 to 1732 who established this early American policy of treating with the Indians, following as he stated William Penn's "Constant Rule never to suffer any Lands to be settled by any of his People, until they were first duly purchased [from] the Indians."

One suggestion that might be made which is not a fault in the preparation of this remarkable volume but rather a lack common to nearly every book on American Indians: It would have been helpful to have a list of the names of the tribes mentioned in the treaties set off separately for each one from the original text, to which the reader might turn quickly for reference. Such lists could have appeared either in footnotes or have been given a special place in the volume like the Glossary of Trade Terms on pages 323 to 324. Owing to the use of the term "Indian" as applying to all native tribes by the general public, it is often confusing to one who is not thoroughly acquainted with their place in records to differentiate and name the individual tribes connected with a specific event in history.

The unpublished journals of Conrad Weiser during the Albany Treaty of 1745, of Benjamin Chew during the Easton Treaty of 1758, and of James Pemberton during the Lancaster Treaty of 1762 are presented for the first time as sources of contemporary events in history, and are valuable additions to the volume.

It was Conrad Weiser, the Pennsylvania interpreter, who directed the meetings with the Indians for many years, so that the Pennsylvania treaties "were diplomatic dramas in a form prescribed by Iroquois ritual" and are now rightfully a real part of American classics in literature. In the first Franklin treaty printed in 1737, it was through the advice of the Interpreter that the Indians "were first spoke to in their own way, with three small Strings of *Wampum* in Hand," a necessary part of the Indian record, the white beads in Iroquois ritual and ceremonial indicating peace, health, welfare, and prosperity. In behalf of the Indian delegations present, their speaker replied in like manner to the Pennsylvania representatives in the Council which included "The Honourable Thomas Penn, Esq; Proprietary" (son of William Penn) and "James Logan, Esq; President."

Despite the tradition generally held with regard to them, the Indians were not perpetual enemies in endless wars against those who had come to live in America from other lands, Mr. Van Doren points out. The Iroquois Confederation, in all about fifteen thousand persons, ruling a wide country where lived many tribes "from the St. Lawrence to the James, from the Hudson nearly to the Mississippi, . . . labored skillfully and wisely to the keep the peace."

Throughout the original texts of these Pennsylvania treaties is frequent mention of the Fire, the Road, and the Chain: The Indians came in friendship to the Fire lighted in Philadelphia, the Fire that would "ever continue bright and burning to the End of the World." There was the Road which they might travel between the Great City and their own country, the Road which they—the Iroquois—desired might "be kept clear and open, free from all Stops or Incumbrances." Again they spoke of the Chain, the Chain of friendship which they desired be kept "free from all Rust and Spots . . . not only between this Government and us, but between all the English Governments and all the Indians."

Even now when all nations are looking toward World Peace after a Global War, this volume of Franklin's Indian Treaties, with its enlightening and intensely interesting additions of text and its beautiful foremat, is an inspiration.

—Muriel H. Wright

NECROLOGIES

HENRY CARLYLE POTTERF

1859-1944

Henry Carlyle Potterf was born at Eaton, Ohio, on June 1, 1859, his parents being William H. Potterf and Susanna (Shidler) Potterf. His parents moved from Ohio to Johnson County, Missouri, when he was but an infant, and his father served for some years as a soldier with the Confederacy. His early education was obtained in the schools of Missouri, and he attended the State Normal School at Warrensburg, Missouri. After spending some years as a teacher he attended the Law Department of Washington University at St. Louis and was graduated in Law from that school in 1888. He was admitted to the Bar at St. Louis in 1888 and practiced his profession at Harrisonville, Missouri, for two years.

On July 28, 1890, (Ardmore's birthday) he arrived in Ardmore and established his office for the practice of law. He continued in the practice at Ardmore from that time until advanced age and the ravages of arthritis caused him to retire. He retired in 1942 after continuously practicing in Ardmore for fifty-two years. He died at his home on July 4, 1944, at the age of eighty-five years.

Under the administration of Governor Lee Cruce he was a member of the Text Book Commission. This was one Text Book Commission about which there was no scandal. He was then a member of the State Board of Education when it had jurisdiction of all of the state schools including the University. He was later and for many years a member of the State Bar Commission, having jurisdiction over the admission of applicants to the Bar. Upon the reorganization of the Bar under the statute of 1929 he became a member of the Board of Governors of the State Bar, serving for three years in that capacity. He was a Grand Chancellor of the Knights of Pythias for the State of Oklahoma.

He was united in marriage with Miss Elise Garard Wagonlaender, on December 26, 1893, at Sedalia, Missouri, and the gracious and talented Mrs. Potterf promptly became and for many years, until her untimely death, remained one of the most respected and admired ladies of the City of Ardmore. Though he survived her by twenty-five years, he never remarried. Of the union there were born three children. The first died in early infancy. The other two surviving him are Mrs. Elise Potterf Chapman, wife of a leading business man and a State Senator, and William Henry Potterf, a successful oil operator. Also surviving are two grandsons of school age, Fred A. Chapman, Jr., and William Carlyle Chapman.

He was not by nature strong physically but by his customary careful attention to all problems, built up his health, and aided by an even temper and unexcitable disposition, conserved his strength and outlived his own estimate of his expectancy by many years, and when the end came was the last of his generation of his family, and very close to the last of those who with him in their prime built the City of Ardmore. His bright and analytical mind was almost the last function to fail him. He was entertaining and pleasing in his conversation until almost the last.

During the fifty-two years of his life as a practicing lawyer in Ardmore Judge Potterf, as he was usually called, was a recognized leader of the Oklahoma Bar. He preferred the quiet of his office to the turmoil and contest of the court room but was capable in court when the occasion



HENRY CARLYLE POTTER



CHARLES CALVIN FISHER

required him to appear. He was painstaking and exact in his work, and his advice to friends and clients was thoroughly sound. His advice was widely sought not only on matters of law but also in business transactions and in other fields. His many friends and clients profited much from their talks with him. More often than otherwise he did not expect or require payment for the time thus consumed and, although his advice was greatly appreciated and highly regarded, his friends and others undoubtedly imposed on his good nature and consumed much of his time in the office without compensating him in a material way. He had the highest respect of all persons, both lawyers and laymen.

He was widely known over the state and always known for his absolute integrity. His name was a symbol for integrity and so regarded not only by other members of the bar but by persons of all professions and classes. He was a leader not only in the law but also in business. For more than thirty years he was an inactive officer and a director of and attorney for one of the leading banks of Ardmore. He was a director and an officer of a wholesale grocery house. He organized the original telephone company serving Ardmore. And he was a leader in his church, the First Presbyterian Church of Ardmore.

NOW, THEREFORE, BE IT RESOLVED by the Bar Association of Carter County, Oklahoma, that in the death of Henry Carlyle Potterf the Carter County Bar Association and the Bar of Oklahoma have lost one of their most estimable members; that the City of Ardmore, the County of Carter, and the State of Oklahoma have lost an outstanding and leading citizen, a staunch supporter of all that is correct and right; and that his family have lost a loving father whose life has been for them a shining example. It is our firm belief that the State of Oklahoma is greatly better by reason of Henry Carlyle Potterf having lived for more than fifty-four years within its confines.

BE IT RESOLVED that a copy of this resolution be spread upon the minutes of the District Court of Carter County; that copies thereof be furnished to the Clerk of the United States District Court for the Eastern District of Oklahoma, the State Historical Society, the Daily Ardmoreite, and to the members of his family.

Earl Q. Gray
John M. Poindexter
H. A. Ledbetter
J. B. Moore

W. W. Potter
Committee of the Carter
County Bar Association.

Ardmore, Oklahoma.

CHARLES CALVIN FISHER 1867-1944

Charles Calvin Fisher, son of Sanford H. Fisher and his wife, Mary J. (Dixon) Fisher, was born near Lenox, Adams County, Iowa, on December 16, 1867, and died at Hinton, Caddo County, Oklahoma, on June 15, 1944.

He was educated in the schools of Iowa and followed the vocation of a farmer. He was married to Carrie B. Uglow on September 3, 1890 near Clearfield, Iowa.

With his family he moved to Oklahoma Territory in 1892 and secured a homestead claim in Blaine County, where he was elected and served as County Commissioner. In 1902 he removed from Blaine County to Caddo

County and later settled on a farm a few miles east of Hinton, in said County, and in 1918, with his family, moved to the town of Hinton where he and his wife maintained their residence until his death.

In 1906 he was elected as a Democrat from District No. 39 to the Constitutional Convention. In the Convention he served on the following Committees:—

Private Corporations
Mines and Mining, Oil and Gas
Impeachment and Removal from Office
State and School Lands
Public Printing.

In 1907 he was elected as a Member of the First Legislature of the State of Oklahoma from Caddo County. After the close of his term in the legislature he was appointed as School Land Inspector and Appraiser by the Commissioners of the Land Office and served in that capacity as needed until 1924 when he was appointed an Inspector for the Federal Land Bank and continued in that capacity as his services were needed until 1934.

In 1919 he became a member of the Methodist Church at Hinton under the pastorate of Rev. C. V. Beall. Eight children were born to him and his wife, two sons: Teddy and Arthur, who died several years ago, and four other sons: Major Tom Fisher, with the United States Army, now stationed in Italy, Lee Fisher of Geary, Oklahoma, Bud Fisher of Cherokee, Oklahoma, and Paul Fisher of Portland, Oregon, and two daughters: Mrs. Bill Parsons of Oklahoma City, and Mrs. Bernard Gerdes of Wellston, Oklahoma. He is also survived by five grandchildren: Bennie and Bobbie Gerdes of Wellston, Wanda Lee Parsons of Oklahoma City, Paula Jane and Charles Fisher of Portland, Oregon, and two brothers: Bill Fisher and Roy Fisher and three sisters: Mrs. Yarion, Mrs. Jarvis and Mrs. Johnson, all of the said brothers and sisters now residing in Iowa.

He was a devoted and loving husband and father and fine citizen and faithful friend.

R. L. Williams.

Durant, Oklahoma.

GEORGE McFARLIN TUCKER

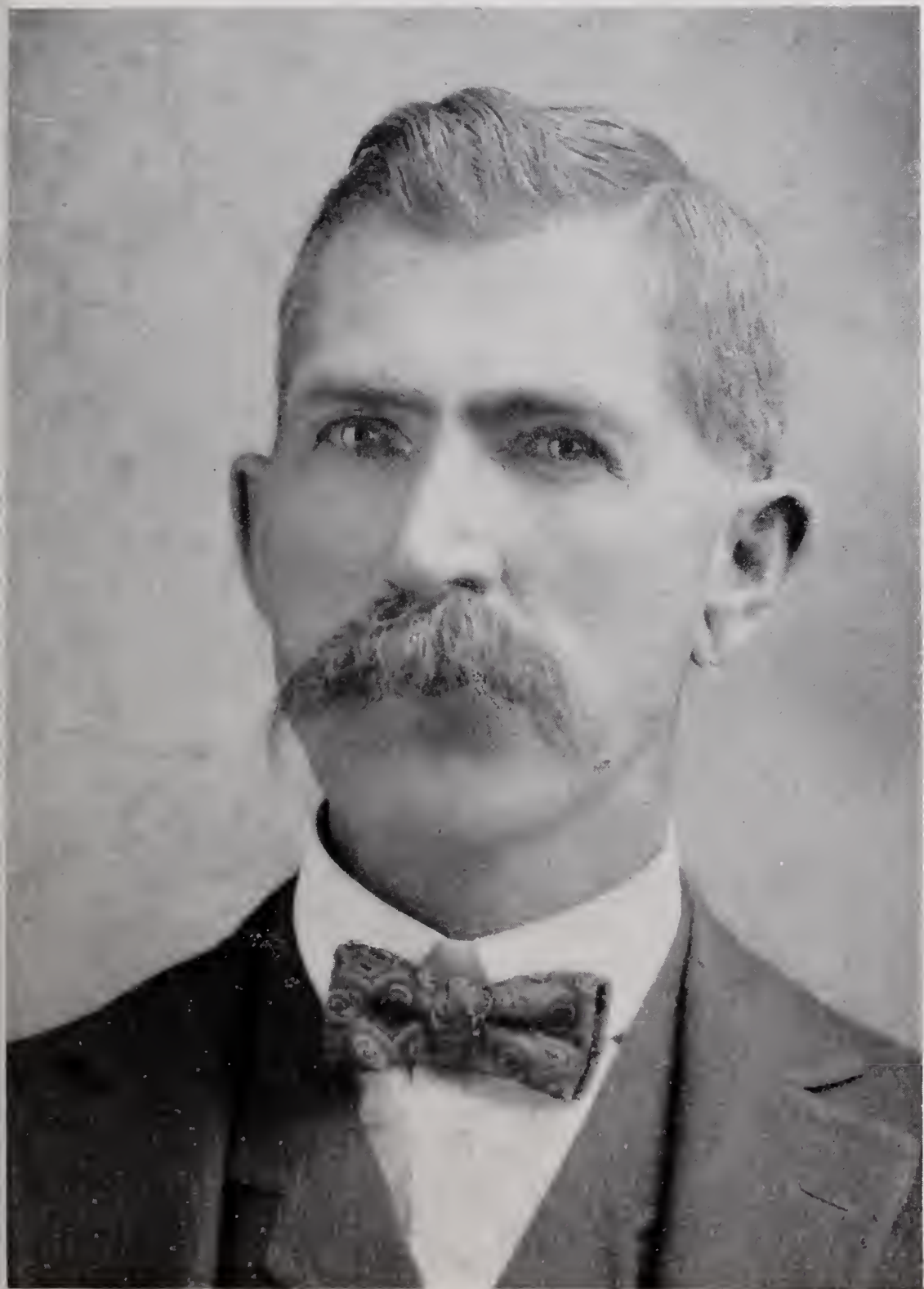
1855-1936

George McFarlin Tucker, son of William Harvey Tucker and his wife, Mary Strickland Tucker, who came from Davidson County, Tennessee and settled in Marshall County, Mississippi, was born at Holly Springs in Marshall County on October 19, 1855, and died at Duncan, in Stephens County, Oklahoma, on September 1, 1936. Interment was in Odd Fellows Cemetery at Walters, Oklahoma.

In 1875 the family moved from Marshall County, Mississippi to Arkansas and in 1880 he went to Erath County, Texas, and taught school in Erath and Comanche Counties, Texas, for the next seventeen years.

In 1885 he was married to Miss Mary Sudie McCleskey of Stephenville, Texas, who died July 12, 1927 at the family home in Walters, Oklahoma, with interment in the Odd Fellows Cemetery. To this union came the following children, all of whom were living at the time of his death, to-wit:—

Alton, who died Dec. 15, 1942, interment at Duncan, Oklahoma;
Carroll, now a resident of Duncan, Oklahoma;
Hugh H., now a resident of Oklahoma City, Oklahoma;
Corum B., now a resident of Oklahoma City, Oklahoma;



GEORGE McFARLIN TUCKER



JAMES RILEY COPELAND

Gaylon, who died Mar. 30, 1943, Los Angeles, California, interment Roosevelt Memorial Park;

Arthur, now a resident of Tuttle, Oklahoma;

Rev. Fred Tucker, Pastor Purcell Methodist Church, Purcell, Oklahoma.

On December 1, 1901, he removed from Texas to the Territory of Oklahoma and settled eight miles west of the town of Comanche, then located in Chickasaw Nation, Indian Territory, the place of his residence being in Comanche County, Oklahoma Territory, where he farmed and raised livestock and assisted in the building of the town of Corum and developing the community. An ordained minister of the Methodist Church, though not engaged as an itinerant ministry, he took the lead in organizing the Corum Methodist Church.

He believed in and supported the traditions of the democratic party. Beginning with 1902 he was for twelve years Justice of the Peace of the township in which Corum was located, to-wit:—McPherson Township.

After the death of his wife he moved to Duncan, making his home with his sons, Alton and Carroll.

At the election of delegates to the Constitutional Convention to frame a Constitution for the proposed State of Oklahoma to embrace Indian Territory and Oklahoma Territory he was elected as a delegate from District Fifty-five and served on the following committees:—

1. Geological Survey
2. Banks and Banking, Loan, Trust & Guaranty Company
3. County and Township Organization
4. Judiciary and Judicial Department
5. Suffrage
6. Contests.

On February 13, 1907 he served as Chairman when the Convention was as in Committee of the Whole,¹ and on March 4, 1907 the invocation at the morning session was delivered by delegate G. M. Tucker.² He was practically always present at the deliberations of that body and faithful and diligent in the discharge of his duties.

He was a good, faithful and worthy citizen, and husband and father, and as such his memory is preserved.

R. L. Williams.

Durant, Oklahoma.

JAMES RILEY COPELAND

1860-1942

James Riley Copeland, son of Alexander Copeland and his wife, Catherine Copeland, was born in Cherokee Nation, in what is now Delaware County, near Maysville, on December 10, 1860 and died June 2, 1942, at his home near Grove, Oklahoma, and was interred at Hickory Grove Cemetery near Grove, in Delaware County.³ He was born in what is now Delaware County in the Cherokee Nation and lived in it all of his life.

¹Journal of the Constitutional Convention of Oklahoma, pp. 223-224.

²Journal of the Constitutional Convention of Oklahoma, p. 255.

³*The Grove Sun*, Thursday, June 4, 1942.

His father, born at Tahlequah, was the son of Austin Copeland who was born in the Cherokee Country in Alabama and came West in 1835. His grandfather was a white man and his wife, Betty Wilson, a one-half Cherokee Indian.

He was educated in the common schools of Cherokee Nation and Male Seminary of the Cherokee Nation 1878-1879. His vocation was that of a farmer.

Under the Cherokee Government, having been in 1892 elected to the Cherokee Council, he was on the Committee that treated with the Commission that negotiated the agreement as to the sale of the Cherokee Outlet. As a Member of the Oklahoma Constitutional Convention, elected as a Democrat from the Sixty-Second District he served on the following committees:—

Immigration

Public Roads and Highways

Impeachment and Removal from Office

Convention Accounts and Expenses

Public Debt and Public Works

Coal, Oil and Gas.

His father was a Confederate soldier, under General Stand Waite, and was mustered out of service at Fayette, Arkansas in 1865.

He was married in 1882 to Cordila Harlanhad who died, with no children born to this union. In 1910, after her death, he married Belle V. Worthington by whom he had five children, four daughters, to-wit:—

1. Mrs. Irma Graves, 5414 NW 6th St., Miami 38, Florida,
2. Mrs. Quatsie Brim, 312 North Ora St., Pryor, Oklahoma,
3. Mrs. Rilene Richards, 312 North St., Pryor, Oklahoma,
4. Edna Mae Copeland, 1210 South Cheyenne, Apt. 310, Tulsa, Oklahoma,

and one son, to-wit:—

5. Riley Preston Copeland, 312 North Ora St., Pryor, Oklahoma.

In the early part of 1886 he was a member of the Indian Police under the Interior Department and in 1892 was elected to the Cherokee Council. Under the Administration of Chief Buffington he was a Revenue Collector.

During the administration of Governor Wm. H. Murray he was connected with the Highway Department as Maintenance Superintendent in several counties in Northeastern Oklahoma and from 1915 to 1919 was connected with the Game Department.

He is survived by his widow who lives with Mrs. Quatsie Brim, 312 North Ora Street, Pryor, Oklahoma, and his five children above named, five grandchildren, and two brothers, R. B. Copeland, Muskogee, Oklahoma and George Copeland, 410 Washington Street, Sand Springs, Oklahoma.

He was a loyal member of the Cherokee Tribe and a fine citizen of the State of Oklahoma and had seen public service not only under the Cherokee Nation but also under the State.

R. L. Williams.

Durant, Oklahoma.

MINUTES OF THE MEETING OF THE BOARD
OF DIRECTORS OF THE OKLAHOMA
HISTORICAL SOCIETY

October 23, 1944.

The called meeting of the Board of Directors of the Oklahoma Historical Society convened in the Historical Society Building, Oklahoma City, Oklahoma, at 10 A.M., October 23, 1944, with Judge Robert L. Williams, President, presiding.

The Chief Clerk called the roll which showed the following members present: Judge Robert L. Williams, Judge Thomas H. Doyle, Dr. Emma Estill Harbour, Gen. Charles F. Barrett, Hon. George L. Bowman, Judge Harry Campbell, Mr. Thomas G. Cook, Dr. E. E. Dale, Hon. Thomas J. Harrison, Judge Robert A. Hefner, Mrs. Frank Korn, Mrs. Blanche Lucas, Hon. J. B. Milam, Hon. R. M. Mountcastle, Mr. H. L. Muldrow, Judge Baxter Taylor, and Mrs. John R. Williams,

The President called to the attention of the Board the matter of a vacancy in the secretaryship of the Society and asked that nominations be placed before the Board.

Mr. H. L. Muldrow nominated Dr. Charles Evans as Secretary of the Oklahoma Historical Society in accordance with Dr. Evans' statement to him that, while he realized his advanced years, he would accept the secretaryship with the understanding that should the Board find a suitable young man he would resign. The motion was seconded by Mrs. Anna B. Korn.

Judge Thomas H. Doyle made the motion that the rules be suspended and the secretary of the meeting instructed to cast a unanimous vote by the members present for Dr. Charles Evans as Secretary of the Oklahoma Historical Society. The motion was seconded and the vote so cast and Dr. Evans was elected under the conditions as expressed by Mr. Muldrow.

The President called to the attention of the Board the vacancy in the position of Cataloguer in the Library.

Mrs. Anna B. Korn made the motion that Mrs. Edith Mitchell be transferred from the Newspaper department back to Cataloguer in the Library and that Mrs. Louise Cook be transferred to the Newspaper department, same to be effective November 1, 1944. The motion was seconded by Dr. Harbour and carried by unanimous vote.

The President read the report of the Committee appointed at a former meeting to investigate the question whether or not one Jean Pierre Chouteau established a trading post on the Grand River near the present Salina in 1796, Dr. Grant Foreman being chairman of said committee.

Judge Robert A. Hefner made the motion that the report of Dr. Foreman and the Committee, and the letters attached, be made a part of the minutes of this meeting. The motion was seconded and carried by unanimous vote.

The following is the report of Dr. Foreman and the committee: To the Board of Directors, Oklahoma Historical Society:

At a regular meeting and on resolution of the board, the undersigned committee was appointed to investigate the question whether or not one Jean Pierre Chouteau established a trading post on the Grand River near the present Salina in 1796, and whether a subsequent settlement at this place had its beginning that year and is, therefore, the oldest settlement in Oklahoma.

The fact of the location and development of the oldest white settlement in any state is always a matter of deep interest, and the proper determination of this fact is therefore a subject of considerable importance to all persons interested in the history of the state, and inasmuch as this society is dedicated to the discovery and perpetuation of the history of Oklahoma and of the valid claims to the facts of history, it seems fitting that every effort be made to ascertain the facts connected with the Chouteau settlement, that they may be made available to all who are interested in Oklahoma history.

In a recent issue of *The Daily Oklahoman*, a feature story was devoted to this subject and the writer states as a fact that said "Jean Pierre Chouteau" had established a trading post at this point in 1796, and further, that the Oklahoma Historical Society have erected a monument inscribed with a statement of this fact.

In the beginning it might be observed that such a monument has been erected at Salina with the statement that the Chouteau brothers had established a post at this point in 1796. However, there is no evidence that the Oklahoma Historical Society was interested in any way in placing this monument or endorsing the statement inscribed on it, so it may be stated that the Historical Society is entirely unprejudiced concerning the date of the establishment of a trading post at this point, and the Society can approach the subject without any bias one way or the other.

It may be noticed also that there were two Chouteau brothers, Auguste and Pierre or Peter, who were engaged in the fur trade with the Osage Indians at an early day. From an examination of a letter from the Secretary of War to Chouteau of July 17, 1807, it appears that a commission was issued at that time to Peter Chouteau appointing him agent for the Indians west of the Mississippi River. Subsequently, in 1808, by order of the secretary of war, the jurisdiction of the said Peter Chouteau was restricted to the Osage Indians alone and from that time he continued as Osage agent.

On May 18, 1794, Auguste Chouteau wrote to Baron Carondelet, Spanish governor at New Orleans, that the Osage Indians were raiding in the white settlements along the Mississippi River, and proposed that if the governor would authorize him and his brother to build a fort in the Osage country they would endeavor to curb the warlike activities of the Osage in consideration of the grant of a monopoly on the Osage trade until the end of the year 1800. Carondelet accepted the proposal and the contract was carried into effect the same year by the construction of a fortified establishment in the Osage country, on the south bank of Osage River in the present Vernon County, Missouri. Pierre Chouteau was made commandant of this fort, and the Chouteaus enjoyed a monopoly of the Osage trade until 1802 when it was taken away from them and given to Manuel Lisa and other traders. But Pierre Chouteau, having acquired considerable influence with the Osages, in 1802, circumvented his rivals by inducing a considerable number of the tribe to remove to the Three Forks, the junction of the Verdigris, Grand and Arkansas Rivers. In this neighborhood they made a settlement on the Verdigris River near the site of the present Claremore, Oklahoma. The principal man in this settlement was Clermont, whose name was corrupted by the French and English into

Claremore; hence the name of the town nearby. These facts are derived from the reading of "The Expeditions of Zebulun Montgomery Pike," (Archives of the Indies, Papers from the Island of Cuba.); "The Spanish Regime in Missouri," by Louis Houck; Chouteau Manuscripts, numbers 14, 20 and 21, in the St. Louis Mercantile Library; "History of Missouri," by Louis Houck.

On August 7, 1786, Congress enacted an ordinance for the regulations of Indian affairs, by which it was ordained that no person might trade with the Indians except under a license issued by the government. Until 1804 Oklahoma was part of Louisiana Territory and traders were subject to the regulations of Spanish or French governors, pursuant to which authority the Chouteaus were licensed by Governor Carondelet to establish their trading post in southwest Missouri and trade with the Indians. Efforts of this committee to find a trader's license issued to either of the Chouteaus after the Louisiana Purchase have revealed no such license or record of a license in existence at that time.

Because of his familiarity with the Indians, the President in 1804 appointed Pierre Chouteau, the person sometimes spoken of as "Jean Pierre Chouteau," "agent of Indian Affairs for upper Louisiana," but four years later his jurisdiction was limited to the Osage Indians when William Clark was assigned to the General Superintendency of all other Indians in the territory. The law of the United States forbade any Indian agent from trading with the Indians. Peter Chouteau continued as Osage Indian agent for many years after 1808, and therefore, he could not have conducted a trading post during those years at Salina or any other place among the Indians.

In the journal of his expeditions Zebulun Montgomery Pike, who passed that way on August 17, 1806 (on page 384), tells of his visit to the site of the Chouteaus' fort in Vernon County, Missouri, and gives an account of Peter Chouteau taking the Osage Indians down to the Verdigris River.

Lieutenant Wilkinson separated from Pike and descended the Arkansas River; after he approached the mouth of the Verdigris and Grand, on November 30, 1806, he went overland to Clermont's town, of which he wrote a description that appears in the Pike report. He relates that this band, at the request of Pierre Chouteau, came to the Verdigris River in order that Chouteau might enjoy their exclusive trade. The reference is to the movement there in 1802 previously given by Pike. If Chouteau had been at the present Salina at that time there is no doubt that Wilkinson would have told of seeing him. But from what has been said it appears that Chouteau could not have been engaged in trade at that time for the reason that as Indian agent he was forbidden by law to trade with the Indians.

Soue's edition of Pike's Journal has a reproduction of a map made by Pike, which shows the site of Chouteau's fort on the south side of the Osage River a short distance north of the several Osage villages. It also shows the Verdigris River and the Osage village south of the present Claremore. It also shows Grand River, on which there is no designation of any settlement or trading post, which is, of course, significant of the fact that there was no trading post in 1806 when Pike described the country and made his map.

In 1808 a commission was issued by the President to "Peter Chouteau" to negotiate a treaty with the Osage Indians which he did at what became known as Fort Osage on November 10, 1808. The commission and treaty are to be found in *American State Papers*, vol. 1, pages 763-66.

It appears then from all available official and other historical records that the only contact of Pierre Chouteau with the Indian Territory was

his inducing a band of Osage Indians to move down on the Verdigris River in 1802. If he had remained here after that time his detachment from the country was effectuated by the commissions in 1804 and 1808 as Indian Agent for the Indians in Missouri.

Though Pierre was unknown in the Indian Territory after that time, the name of Chouteau survived through his son, Col. A. P. Chouteau, who is identified with Indian Territory history in a much more prominent manner than his father ever was and in ways that exerted greater influence than his father ever did on the Indian Territory. The name of A. P. Chouteau is preserved in the history of Indian Territory through an endless series of official records and communications and the writings of contemporary visitors, official and otherwise, such as Washington Irving, Gov. Montfort Stokes, Indian Commissioner Henry L. Ellsworth and many others whose writings are familiar to any one having any knowledge of Oklahoma history.

Prior to 1835 A. P. Chouteau had two trading posts in the Indian Territory, one of which was located at the present Salina. It is well established that A. P. Chouteau received a license to conduct a trading business at Salina in 1815 which was issued in the name of Chouteau & Revoir. Revoir continued the business here until his death in 1821 when A. P. Chouteau removed from Fort Osage to Salina where he continued the business of the trading post. Afterward in 1823 Chouteau acquired the buildings of the trading establishment near the mouth of the Verdigris River where he continued in business for many years. Afterward, in 1835, he set up a trading post near the present Lexington, Oklahoma, which was conducted for him by his brother and others until Chouteau's death in 1838.

During these years he rendered valuable service to the government in negotiations with the Indians and thus became of great importance in Indian affairs throughout the southwest and his death was a matter of general regret among the Indians and whites. The name of Chouteau is thus from A. P. Chouteau identified with Oklahoma history.

(signed) Grant Foreman

The following letters are attached to the above report:

WASHINGTON UNIVERSITY
Saint Louis
1 September 1941

Dear Mr. Foreman:

I have just returned from a five weeks research trip during which my correspondence has been neglected. Shortly after I left home, your letter and the copy of your report were forwarded to me.

I agree entirely with the opinion in your letter and in your report. Auguste and Pierre Chouteau enjoyed the Osage monopoly from 1794 to 1802—they controlled the trade from Fort Carondelet and had no need of a post in the Salina region. As good business men they would not have wasted money on an unnecessary establishment. Apart from the commonsense point of view, there is *no evidence* that a post was built at Salina in 1796. None of the persons upholding that date have put evidence in print or said where such evidence could be consulted. Although they may very well have traveled through that region, there is no evidence that Chouteaus established a post there in the eighteenth century.

The responsibility for this error, I believe, must be laid to Holcombe's history of Vernon County which declares that Pierre Chouteau in 1795 (or 1796—I do not have the reference by me), having lost the Osage monopoly, induced part of the tribe to move to the Arkansas watershed—a statement quite contrary to known fact.

I agree with you also in saying that Pierre Chouteau had little interest in the present Oklahoma region. It is Auguste Pierre Chouteau, not his father, who is important in Oklahoma history.

My life of A. P., Mr. Lottinville tells me, is promised for March, 1942. I hope he is right.

I was very sorry to miss you this summer. I left Saint Louis immediately after summer session was over, but when I reached Oklahoma City I found that you had gone to Mexico just before I left home. I had looked forward to seeing you very much, for I have been for years a great admirer of your work. I hope that when you are next in Saint Louis you will let me know. My home telephone is CABany 6122—I don't want to miss you again as I once did when you passed through town.

Sincerely,

(signed) John Francis McDermott
John Francis McDermott

Have you written to A. P. Nasatir, San Diego Teachers College, about this Chouteau question? He has been doing an elaborate work on the Osage and if anything turned up in Spanish documents he should know it.

Muskogee, Oklahoma,
October 6, 1944.

Dr. Emma Estill Harbour,
Edmond, Oklahoma.

Dear Doctor Harbour:

I am enclosing herewith a manuscript which I trust will be self-explanatory. It is a copy, the original of which I have sent to Doctor Dale. I cannot explain why I have allowed the matter to drag so long; but since I received from the board of directors of the Historical Society and ran across this report, I felt I ought to do something with it. I was particularly and forcibly reminded that I should from reading in the paper yesterday that the Governor had designated a day in the near future to memorialize the fact that one "Jean Pierre" Chouteau had established the first settlement in Oklahoma in 1796. This, as you know, is based on a resolution adopted by the legislature, obviously without knowing anything of the facts, and without making any effort to secure the facts from the Oklahoma Historical Society, which it should have done before acting.

In sending the original to Doctor Dale, I asked him—if he approved and signed it—if he would be good enough to send it to you for your consideration; and if you do approve it, will you kindly present it to the board at the next meeting, if that meets with your approval?

I have not been very well lately, but I trust this will find you enjoying the best of health.

Very sincerely yours,

(signed) G. F.

GRANT FOREMAN

1419 West Okmulgee Avenue
Muskogee, Oklahoma.

GF—B—Enclosure

(M.P.B.)

Department of History
The University of Oklahoma
Norman, Oklahoma
October 9, 1944

Mrs. Emma Estill Harbour
Central State Teachers' College
Department of History
Edmond, Oklahoma
Dear Mrs. Harbour:

I am enclosing herewith a statement made by Grant Foreman and accompanying it with Mr. Foreman's letter to me. If you approve Mr. Foreman's statement of the case, will you kindly so indicate and return the document to him at 1419 West Okmulgee Avenue, Muskogee, Oklahoma.

How is your health by this time? I am hoping that you are fine and that we shall see you at the next directors' meeting.

With every good wish, I am

Very sincerely yours,
(signed) Dale

E. E. Dale

Research Professor of History

EED:jn
Enc.

The motion was made that the condition of the ceiling in the Director's room of the Historical Building be called to the attention of the Board of Affairs. The motion was seconded and carried unanimously.

The following gifts were presented to the Historical Society: (1) Muster-In Roll Troop M, 1st Regiment, U. S. Cavalry Volunteers (1898), presented by M. G. Wicker; (2) A Record of the *Minutes and Proceedings* of the Reunion held at the old county seat town of Grand, Day County, Oklahoma Territory, May 4, 1931, presented by Mr. O. E. Null; (3) copies of the past meetings of the Western Oklahoma Indian Baptist Association, presented by Dean Marc Jack Smith, Bacone College; (4) *Book of Genesis* in Cherokee language—Sequoyah text (Park Hill: Mission Press, Edwin Archer, Printer, 1856, . . .), presented by Dr. John Paine Torrey of Bartlesville, and his brother and sister, Daniel T. Torrey and Emily R. Torrey of Providence, Rhode Island; (5) original manuscript of Cherokee Resolution passed by Cherokee National Council in 1865 and signed by Lewis Downing, presented by John Harrah of Venice, California; (6) collections of historical photographs—Oklahoma—, presented by the Ponca City Chamber of Commerce (H. L. Schull, Secretary-Manager), Loretta Diggs, of Ponca City, Mrs. Sam H. Robertson of Marietta, and Tom Harris of Haworth; (7) Creek Indian, dance shells, presented by Judge Frank L. Warren of Holdenville; (8) a framed picture of the late Charles F. Colcord, presented by his family.

Mrs. John R. Williams made the motion that these gifts be accepted by the Society and the donors thanked. The motion was seconded and carried unanimously.

Upon motion, duly seconded, the photographic picture of the late Judge Samuel W. Hayes is to be framed and placed on the walls of the Board room. The motion passed by unanimous vote.

The reports of Muriel H. Wright, Editorial and Research Assistant; Annie R. Cubage, Museum Collector; Hazel E. Beaty, Librarian; Edith Mitchell, Curator of the newspaper department, and Rella Looney, Clerk-Archivist, were received. The motion was made that these reports be received and filed. The motion was seconded and carried unanimously.

Dr. Charles Evans, the new incoming Secretary, appeared before the Board and was introduced to the members present. He was advised that he had the privilege of naming his secretary since there would be a vacancy in that position November 1, 1944.

The following list of applicants for membership was presented:

LIFE: F. W. Bird, Poteau; Chapman J. Milling, Columbia, South Carolina; Mrs. N. Bert Smith, Oklahoma City; Mrs. Kib Warren, Shawnee.

Annual: John J. Allen, Enid; Mrs. Ted Allen, Falconer New York; Lloyd J. Anderson, Tulsa; Mrs. Joy S. Baker, Peru, Nebraska; James H. Berry, Oklahoma City; H. L. Buchanan, Pawnee; A. C. Bray, Oklahoma City; Catherine (Minx) Brown, Oklahoma City; Walter S. Campbell (Stanley Vestal), Norman; J. Dewey Clemens, Ardmore; Al Cottle, Tulsa; Miss

Ella M. Covell, Tahlequah; Mrs. Ben F. Davis, Oklahoma City; Mrs. James H. Denison, Oklahoma City; Frank A. Derr, Guthrie; H. T. Douglas, Shawnee; J. P. Dulin, Paoli; Dean Duncan, Oklahoma City; W. W. Fargo, Stuart; W. F. Finney, Oklahoma City; Sara W. Garrison, Oklahoma City; Dixie Gilmer, Tulsa; Jess Gooding, Grant; Mrs. S. A. Hammack, Clinton; Jim Hatcher, Chickasha; C. H. Hendricks, Antlers; Mrs. Ollie L. Holcomb, Oklahoma City; Mrs. Mamie V. Hunt, Los Angeles, California; Shay Hunt, Shawnee; Mrs. Virginia Johnson, Hugo; Raymond H. Kemp, Norman; Charles Lindsay, Minco; Mrs. Susie Lee McCrummen, Pauls Valley; Rev. C. F. Mitchell, Weatherford; Dr. Robert L. Mitchell, Muskogee and Blue-jacket; I. D. Moseley, Tulsa; Frank R. Pauly, Tulsa; Acton Porter, Oklahoma City; Mrs. Viola Palmer Priddy, Tahlequah; Hal F. Rambo, Tulsa; Mrs. Juliette Riggs, Tulsa; Ross Rizley, Washington, D. C.; W. F. Rogers, Jr., Atoka; Charles Thomas Rolfe, Oak Ridge, Louisiana; Mrs. Agnes V. Saulsbury, Wilburton; George B. Savage, Brownwood, Texas; Dr. Fred D. Sparks, Ponca City; J. C. Stanhop, Paoli; Dr. R. V. Steele, London, England; Ron Stephens, Chickasha; Francis Stilley, Oklahoma City; Mrs. Cliff Strider, Guthrie; Ruby M. Tomlinson, Gallup, New Mexico; Thomas B. Trent, San Diego, California; Clara L. Waggoner, Tahlequah; Dr. Charles E. White, Muskogee; Dr. Foyd A. Wright, Norman; Mr. and Mrs. Newell E. Wright, Durant.

Mrs. John R. Williams made the motion that each be elected and received as members of the Society in the class as indicated in the list. The motion was seconded and unanimously carried.

The motion was made that the regular quarterly meeting of the Board of Directors for October 26, 1944, which is the Thursday immediately following the fourth Wednesday, be dispensed with in lieu of this meeting of October 23, 1944. The motion was seconded by Mrs. Korn and carried by unanimous vote.

A motion was made that the Board express its gratitude for the attendance of the honorable J. B. Milam, Chief of the Cherokee Nation, who has been unable to attend the Board meetings on account of illness. The motion was seconded and all voted Aye.

Judge Baxter Taylor made the motion that the family of the late Judge Samuel W. Hayes be asked to have a fitting portrait painted of Judge Hayes for the art gallery of the Oklahoma Historical Society museum. The motion was seconded by Mrs. Korn and carried unanimously.

Dr. E. E. Dale made the motion that the matter of binding reprints, or separates, be submitted to the publication committee in order to assure that said reprints, or separates, would be bound in first class material. The motion was seconded and carried unanimously.

Mr. H. L. Muldrow offered to give to the Historical Society for the Confederate Memorial Hall, an old Colt Revolver which was carried by Major Robert Muldrow who served with Generals Wirt Adams and Bedford Forrest, C. S. A., during the War between the States.

The motion was made that this be accepted and placed in the Confederate Memorial Hall. Motion was seconded and carried unanimously.

On motion, duly carried, the meeting stood adjourned subject to call of the President.

Robert L. Williams, President
presiding.

Mabel F. Hammerly, Chief Clerk,
acting in lieu of a Secretary.

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THE OKLAHOMA HISTORICAL SOCIETY

The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 26, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures, and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

The Chronicles of Oklahoma, published quarterly by the Society in spring, summer, autumn, and winter, is distributed free to its members. Each issue contains scholarly articles as well as those of popular interest, together with book reviews, historical notes, etc. Such contributions will be considered for publication by the editors and the Publication Committee.

Membership in the Oklahoma Historical Society is open to everyone interested. The quarterly is designed for college and university professors, for those engaged in research in Oklahoma and Indian history, for high school history teachers, for others interested in the State's history, and for librarians. The annual dues are \$1.00 and include a subscription to *The Chronicles of Oklahoma*. A free sample copy will be sent upon request. Life membership may be secured upon the payment of \$25.00. All dues and correspondence relating thereto should be sent direct to the Secretary, Oklahoma Historical Society, Historical Society Building, Oklahoma City, Oklahoma.



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