

☆ THE CHRONICLES

OKLAHOMA TERRITORY, 1890-1907

By LeRoy H. Fischer, Guest Editor

The area of present-day central and western Oklahoma that would soon become Oklahoma Territory had its beginnings with the opening of the Unassigned Lands for settlement on April 22, 1889, as a result of a proclamation issued by President Benjamin Harrison. Until this time an abundance of desirable homestead land was available in the American West. But now, with only about 2,000,000 acres to be opened in the Unassigned Lands, there would likely be many more settlers than claims. Federal government planners, in order to equalize opportunity, decided on a novel procedure, a land run. This occurred on April 22, 1889, on a clear and bright day. By evening, nearly every town lot and homestead claim was occupied in the area opened to settlement. Principal townsites included Guthrie, Kingfisher, Norman, Oklahoma City and Stillwater.

In the rush to open the Unassigned Lands, Congress failed to create a territorial government, and for slightly over a year the settlers provided their own makeshift law and order. In each town citizens organized a local government generally made up of an elected mayor and town marshal. Boards of local people were established to arbitrate disputed land claims and subscription schools were organized and supported. Efforts were made to organize a territorial government during the summer of 1889 by conventions at Guthrie and Oklahoma City, but ended in sending petitions to Congress to do so. Then, on May 2, 1890, Congress passed the Oklahoma Territory Organic Act, which provided for the organization of Oklahoma Territory; from it the present state government of Oklahoma evolved.

Under authority of the Organic Act, President Harrison appointed a governor and a supreme court of three judges, who served also as district judges. The legislature, consisting of the House of Representatives, with twenty-six members, and the Council, containing thirteen members, together with a delegate to Congress, were to be elected by the voters. The laws of Nebraska were to apply to the new territory until the legislature drew up a code. County and township governments were also to be organized, and until the voters elected their local officials, the governor was to fill the posts by appointment. The growth of Oklahoma Territory was also taken into consideration, for the Organic Act provided that all reservations in western Indian Territory, when opened to settlement, were

THE CHRONICLES OF OKLAHOMA

automatically a part of Oklahoma Territory. In addition, No Man's Land, the present Oklahoma Panhandle, was attached to Oklahoma Territory. Overall, the Organic Act provided the future state of Oklahoma with its first counties: Payne, Logan, Kingfisher, Oklahoma, Canadian and Cleveland, which were organized from the Unassigned Lands. Another county, Beaver, was organized in the Panhandle, and was eventually divided into Beaver, Texas and Cimarron counties. Guthrie was designated as the territorial capital by the Organic Act.

President Harrison appointed George W. Steele of Indiana to the office of governor; the post of territorial secretary was filled by Robert Martin of El Reno. Horace Speed of Guthrie was named United States district attorney, and Warren S. Lurty of West Virginia became United States marshal. The first justices of the Supreme Court were Abraham J. Seay of Missouri, Edward B. Green of Illinois and John B. Clark of Wisconsin.

Oklahoma Territory voters at the first election, on August 5, 1890, selected members of the legislature. Fourteen Republicans, eight Democrats and four members of the People's Party Alliance ticket were elected to the House of Representatives; the Council consisted of six Republicans, five Democrats and two members of the People's Party Alliance. Oklahoma Territory's second election, held on November 4, 1890, named a Republican, David A. Harvey, as the first territorial delegate to Congress.

The first legislature of Oklahoma Territory met in Guthrie on August 29, 1890. Although much work needed to be done to activate the government established in the Organic Act, much of the time was used in quarreling over the future location of the capital, for a number of aggressive Oklahoma Territory towns wanted it. The largest was Guthrie, with a population of 5,884; followed by Oklahoma City, 5,086; Kingfisher, 1,234; Norman, 764; Stillwater, 625; and El Reno, 519. The leading contenders for the capital were Kingfisher, Guthrie and Oklahoma City. The first bill passed located the capital at Oklahoma City, the second at Kingfisher, but both were vetoed by Governor Steele, who explained that selecting a permanent location at the time would be premature due to anticipated additions to the land area of Oklahoma Territory. Meanwhile, Norman, Stillwater and Edmond profited from the quarrel by shrewdly applying their support in the legislature, which secured for Stillwater the Territorial Agricultural and Mechanical College, for Edmond the Territorial Normal School and for Norman the Territorial University.

The same act of Congress that provided for the settlement of the Unassigned Lands in 1889 also contained a clause authorizing President Harrison to appoint a commission to negotiate with the tribes of western Indian Territory to open their surplus lands for settlement. The membership of

the commission—usually known as the Jerome Commission—consisted of David H. Jerome, the chairman and former governor of Michigan, Warren G. Sayre of Indiana and Alfred M. Wilson of Arkansas. Over a period of about five years the Jerome Commission completed arrangements with almost all of the tribes holding land in western Indian Territory. The procedure was to obtain an agreement with the leaders of each tribe for the assignment of an individual allotment to be privately owned by each man, woman and child on the official tribal roll. The remaining land was then purchased by the United States government for homesteading.

Two years after the opening of the Unassigned Lands, the Sac and Fox, Potawatomi, Shawnee and Iowa surplus lands, about 900,000 acres, were opened to homesteaders in a run that occurred on September 22, 1891. Lincoln and Pottawatomie counties were created and Payne, Logan, and Cleveland counties were enlarged with these lands. The following spring, on April 19, 1892, the Cheyenne-Arapaho surplus lands, consisting of 3,500,000 acres, were opened to settlers. From these lands, six new counties were added: C County became Blaine, D County became Dewey, E County became Day, F County became Roger Mills, G County became Custer and H County became Washita. In addition, Canadian and Kingfisher counties were enlarged, but Day County was later abolished by the Constitutional Convention.

The largest of the surplus land runs took place on September 16, 1893, when nearly 6,000,000 acres of land in the Cherokee Outlet became available to settlement. In the earlier land runs, sections sixteen and thirty-six were set aside for the support of public schools in each township. In the Cherokee Outlet in addition, section thirteen was reserved for the maintenance of higher education institutions and section thirty-three was set aside for the support of public buildings. The counties established initially in the Cherokee Outlet were Kay, Pawnee, Noble, Grant, Garfield, Woods and Woodward; other counties in the Cherokee Outlet were created later by the Constitutional Convention.

In 1895, the surplus Kickapoo lands were opened to homeseekers, but so little land was available that the Kickapoos received allotments of only eighty acres each. About one-half of the claims filed on the former Kickapoo reservation were by Sooners, thus creating a major problem, and one that had grown to an alarming degree since the first land run in 1889. A Sooner was a settler who illegally entered the area to be opened ahead of schedule, selected a choice claim, hid out, and then appeared at the time of the run. Thus, the United States government worked toward a reliable system before opening additional surplus Indian lands for settlement.

Meanwhile, Oklahoma Territory grew by court action. Confusion over



the Texas-Indian Territory boundary resulted from early surveys when the North Fork of the Red River was considered the major branch of that stream. Soon Greer County, Texas, was organized in the disputed area between the two rivers. Finally, in 1896, the United States Supreme Court directed that Greer County be made a part of Oklahoma Territory; this added 1,400,000 acres, which in 1906 the Constitutional Convention divided into Greer, Harmon, Jackson and a portion of Beckham counties.

When the Kiowa, Comanche, Apache, Wichita and Caddo surplus lands, consisting of more than 2,000,000 acres, were opened for settlement in August, 1901, a lottery was used instead of the customary run. By this means "Soonerism" was avoided and no confusion resulted when the 15,000 claims available attracted 165,000 registrants. The new counties of Caddo, Kiowa and Comanche were created and one-half section of land in each township was set aside to provide income for public purposes in addition to sections sixteen, thirty-six, thirteen and thirty-three in each township to be used for other special purposes.

Other surplus lands, small in acreage, were made available to settlement in 1904 and attached to Oklahoma Territory when the Ponca, Otoe, Missouri and Kaw reservations were dissolved by Congress. The Big Pasture Reserve, made up of land in both Comanche and Tillman counties, was finally sold at auction by sealed bids in 1906. That same year the Osage Nation was dissolved by Congress, with each tribal member receiving over 500 acres of land. Thus, all reservations west of Indian Territory—the home of the Five Civilized Tribes—became a part of Oklahoma Territory by the eve of Oklahoma statehood.

Only the energy, determination and ambition of the homeseekers changed central and western Oklahoma from a wilderness to a thriving agricultural area between the first settlement in 1889 and statehood in 1907. The settlers were generally poor and survival was the basic problem. While adjusting to the prairie-plains environment, they traded butter and eggs for coffee, sugar and salt, and often a cow or horse for a year's supply of flour. Buffalo bones were gathered on the prairie and sold to fertilizer companies, cedar posts were cut and sold to ranchers, and many fathers and sons followed the wheat harvest northward to Kansas to earn enough to continue living in Oklahoma Territory.

The early homesteader dwellings of Oklahoma Territory were built from



Oklahoma Territory on the eve of statehood, 1907

THE CHRONICLES OF OKLAHOMA

the resources of the land. Temporary shelters immediately after each run were tents or canvas covered wagon boxes. Then, if trees were available on the claim, a log cabin would be constructed. But most of central and western Oklahoma was grassland, so settlers constructed dugouts, half-dugouts, sod houses or sod fronts in banks or low hills. The sod house was the most frequently used type of dwelling.

In addition to the grains and beef produced for food, much reliance was placed on game such as wild turkeys, quails and prairie chickens. The wild sand plum proved popular because it made excellent pies and jellies. When the family filled its canning jars, the remaining plums were cooked, spread on flour sacks, dried in sheets, rolled up and put away for winter use.

Politically, the Republican Party dominated Oklahoma Territory. This was in part because the governor was appointed by Republican presidents, with one exception. Thus, all governors were Republican except William C. Renfro, a Democrat, who served from 1893 to 1897, when President Grover Cleveland, also a Democrat, was in office. The pattern of Republican domination prevailed in elective offices as well. All territorial delegates sent to Congress were Republican except James T. Callahan, a Populist, elected in 1896 through a fusion of Populist and Democratic voting. Republicans largely controlled the territorial legislature as well. Only from 1897 to 1899, when the Populist-Democratic majority dominated both houses, from 1901 to 1903 when the Democrats controlled the Council, and from 1903 to 1905, when the Democrats dominated the House of Representatives, were the Republican out of supreme political control in the territorial legislature. The voters of Oklahoma Territory supported the Republican Party because of its liberal land legislation, such as the Homestead Act of 1862, which was largely responsible for the settlement of the territory. Other reasons were that many homesteaders were Union Army veterans and therefore Republicans, that the Democratic Party had the image of opposing territorial expansion nationwide and finally that the Democrats generally resisted Union veteran benefits, such as when President Cleveland, a Democrat, cancelled the pensions of most Union veterans during the economic Panic of 1893.

The politics of Oklahoma Territory were shaped largely by rapid settlement, primitive conditions of living and working, the poverty always a part of any frontier, the economic Panic of 1893, the political party in the White House, the Homestead Act of 1862 and Union Army veterans. The turmoil of politics in Oklahoma Territory was a significant part of the administration of each of the territorial governors.