

A HISTORY OF THE CHEROKEE OUTLET

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## DEDICATION

Tradition, duty and affection compel me to acknowledge my indebtedness to my wife and family who have sustained me through the several years required to reach this point in the academic world. Their patience and uncomplaining sacrifices through difficult times have been the primary sources of inspiration and determination to go on when it would have been easier to quit.

The several hundred students who have passed through my classes at Phillips University, Enid, Oklahoma, in the past ten years must also be mentioned as an unfailing source of enthusiasm. The fact that several of them have gone on to achieve their graduate degrees in history has been a compelling force to finish my own.

But the greatest accolades must be reserved for a true patron-saint, Mrs. Grace Bergman of San Rafael, California. In the summer of 1954, she appeared at my door with a generous offer which resulted in my belated matriculation at a nearby university, and which has been a dominant force in my life from that date. The following pages are dedicated to her generosity and many kindnesses which have been

singularly responsible for what follows. It is admittedly poor recompense, yet it is modestly offered with the hope that its merits, however slight, can be vicariously attributed to her. I willingly accept full responsibility for its shortcomings.

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## CHAPTER I

### INTRODUCTION

Perhaps it will never be known positively when and where the first white man gazed upon the lands that would one day be the Cherokee Outlet. However, the Osage Indians were the first people ever to claim this land north of the South Canadian River, including all of Northern Oklahoma and parts of Kansas, Missouri, and Arkansas.<sup>1</sup> That Coronado was the first white man to cross the area<sup>2</sup> seems fairly certain,<sup>3</sup> but it would be years after this encounter before other Europeans would pass over the country again. Periodically after 1803 explorers sent by the United States government passed through the area recording their impres-

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<sup>1</sup>George Rainey, The Cherokee Strip. (Guthrie: Co-operative Publishing Co., 1933), pp. 2-3.

<sup>2</sup>Bernard DeVoto, The Course of Empire. (Cambridge: Riverside Press, 1952), p. 37.

<sup>3</sup>Herbert Eugene Bolton, (ed.), Spanish Exploration in the Southwest, 1542-1706. (New York: Charles Scribners Sons, 1916), p. 256.

sions of it.<sup>4</sup> The first white settlement in what is now the Cherokee Outlet was made by a French commercial company sometime between September 15, 1720, and the middle of the eighteenth century.<sup>5</sup> This French outpost, named Ferdinandina, was located near the city of Newkirk on Deer Creek.<sup>6</sup> It is not known why this name was assigned to the outpost though various theories have been advanced by several scholars.<sup>7</sup> Nor is it known when or why the three villages of this trading post finally disappeared.<sup>8</sup>

The real history of the Cherokee Outlet properly should begin in 1803, when President Thomas Jefferson purchased the Louisiana Territory from Napoleon in one of the most spectacular real estate deals of all history. While the Outlet

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<sup>4</sup>For a good account of these numerous expeditions of exploration, see Rainey, Cherokee Strip, pp. 18-27, 344-349, and DeVoto, The Course of Empire, passim.

<sup>5</sup>Leslie A. McRill, "Ferdinandina: First White Settlement in Oklahoma," Chronicles of Oklahoma, XXXXI (No. 2, Summer, 1963), p. 135.

<sup>6</sup>Ibid., pp. 142-143.

<sup>7</sup>Ibid., pp. 156-159.

<sup>8</sup>Ibid., pp. 154-155. The first permanent American settlement established in the Outlet was Fort Supply, established in November of 1868 by order of General Phillip Sheridan; this post gained fame when General George A. Custer passed through it en route to his massacre of the Cheyenne Arapaho at the Washita that same year. When Fort Supply was no longer needed for military purposes, it was abandoned and the state of Oklahoma assumed ownership. Presently it serves as a state hospital for the mentally ill. See Rainey, The Cherokee Strip, pp. 67-73.

was included within that purchase, it was not known until the conclusion of the Adams-Onis Treaty of 1819 what the specific boundaries of that purchase were. By the terms of that treaty, a portion of the boundary was set at the south bank of the Red River to the 100th meridian, then due north to the Arkansas River, thus forming the southern and western boundaries of Oklahoma--and thus the western limit of the Cherokee Outlet. This was the first boundary line of the Cherokee Outlet to be drawn.

Many of the early explorers reported that lands in this general area were a part of the "Great American Desert," and consequently unfit for the white man's use. Their recommendation, therefore, was that the land be utilized as Indian country. For many years, cartographers rather recklessly encircled a large land area in the very heart of the continent and labeled it a great desert with boundaries that varied according to the particular map one happened to be looking at at the time. To the majority of the American people, this was a forbidden land, an American Sahara, to be avoided at all hazards. No practical use was made of this territory until Andrew Jackson assumed the presidency. The pressures of white settlement in the Eastern portion of the nation, and the "Old Hero's" hatred of the Indians combined to force the Eastern Indians to remove to the West.



By an act of Congress, May 28, 1830, the President was authorized to begin placing Eastern Indians in lands west of the Mississippi River;<sup>9</sup> specific boundaries were not drawn. This was a large, amorphous land area on which Indians could be settled. Then in 1834, Congress created a permanent Indian Territory to be occupied by the Five Civilized Tribes of the Southeastern United States;<sup>10</sup> this was an area embracing a large portion of Kansas and all of present day Oklahoma except the Panhandle.<sup>11</sup>

Among the more than one hundred treaties of removal negotiated with the Eastern Indians by the Jackson administration were those with the Five Civilized Tribes, who agreed to accept reservations in this Indian Territory, but principal to this study was the agreement with the Cherokees. Earlier clashes in the Southeast between the Cherokees and whites had caused many of the Indians to be receptive to the idea of removal to western lands free from the evil influence of Georgia frontiersmen. Church missionaries and

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<sup>9</sup>Berlin B. Chapman, "How the Cherokees Acquired the Outlet," Chronicles of Oklahoma, XV (No. 1, March, 1937), p. 35.

<sup>10</sup>Solon J. Buck, The Settlement of Oklahoma. (Wisconsin Academy of Science, XV, Part 2. [n.d.]), p. 2.

<sup>11</sup>Rainey, The Cherokee Strip, pp. 43-44.

teachers further cultivated this attitude.<sup>12</sup> Two men, Major Ridge and Elias Boudinot, went to Washington without tribal authorization for the purpose of negotiating a removal treaty. At the same time, the state of Georgia was renewing its efforts to crowd out the tribe.<sup>13</sup> Boudinot and Ridge worked openly, honestly, and tirelessly for what they believed to be a patriotic duty: to act as the enlightened minority in leading their stubborn, illiterate brothers to the desirable western lands.<sup>14</sup> Boudinot was a "full blood in whose heart the flame of fierce nationalism burned," and "loyalty drove him to what his people called disloyalty."<sup>15</sup> The principal chief of the Cherokees, John Ross, was bypassed by followers of Boudinot and Ridge, and after unremitting pressure by President Jackson, a removal treaty was exacted.<sup>16</sup> In the Treaty of New Echota, concluded in 1835, the Cherokees agreed to join their western kinsmen who previously had removed to the Arkansas Territory by the treaty

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<sup>12</sup>Marion L. Starkey, The Cherokee Nation. (New York: Alfred A. Knopf, 1946), pp. 250-253.

<sup>13</sup>Ibid., pp. 347-350.

<sup>14</sup>Ibid., pp. 254-255.

<sup>15</sup>Ralph Henry Gabriel, Elias Boudinot, Cherokee, and His America. (Norman: University of Oklahoma Press, 1941), p. 154.

<sup>16</sup>Starkey, The Cherokee Nation, p. 255.

of 1817, and in 1828 had agreed to move again to a new home in the northeastern corner of the new Indian Territory.<sup>17</sup>

The Osages previously had been removed from these lands by a treaty of 1825,<sup>18</sup> and the Treaty of New Echota granted the Eastern Cherokees the same terms as the treaty of 1828 had granted to the Western Cherokees. In addition to their home in northeastern Indian Territory, they were to be given the "perpetual" and "unmolested" use of an Outlet to the West as far as the sovereignty of the United States extended, but if "the saline, or salt plain" should fall within their Outlet, other tribes would be permitted to use it. There were three such salt, plains within the Outlet.<sup>19</sup> To make room for the Eastern Cherokees, who feared there was insufficient land to accomodate their numbers, the Neutral Lands in southeastern Kansas were added to the original Western Cherokee lands; these would never be occupied, however.<sup>20</sup>

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<sup>17</sup>For a full discussion of the negotiations resulting in the Cherokee removal and the factions arising within the Cherokee Nation as a result of this treaty, see Starkey, The Cherokee Nation, pp. 247-267.

<sup>18</sup>Muriel Wright, "Opening of the Cherokee Strip. The Origin of its Name," Shale Shaker, II, No. 2 (Oklahoma Geological Society, Oklahoma City; September, 1952), p. 9.

<sup>19</sup>Chapman, "How the Cherokees Acquired the Outlet," Chronicles of Oklahoma, XV (No. 1, March, 1937), p. 37. See Appendix B.

<sup>20</sup>Rainey, The Cherokee Strip, p. 38.

Controversy erupted from time to time as to the nature of the Cherokee title to their Outlet, and also as to its western boundary. The Cherokees were given title to the Outlet, but were not permitted to live on it. It was to serve only as a perpetual outlet to the hunting grounds of the West, though it never was used for that purpose.<sup>21</sup> B. B. Chapman, a student of this agreement, wrote, "in the history of Oklahoma Territory there are few matters more difficult to untangle than the question of the Cherokee title of the Outlet."<sup>22</sup> Not only was it difficult to ascertain where the homelands ended and the Outlet began, it was even more difficult to determine where the Outlet ended. At the time of the Cherokee removal, the sovereignty of the United States extended only to the 100th meridian, and as the United States expanded westward, the question was later raised as to whether the Outlet expanded westward with the extension of American sovereignty, as the Cherokees contended. In fact, the western boundary of the homelands have never been determined, "and no man knows to this day, where the 'home'

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<sup>21</sup>For a full discussion of the land title controversy, see Chapman, "How the Cherokees Acquired the Outlet," Chronicles of Oklahoma, in five installments, running successively from March, 1937 to June, 1938.

<sup>22</sup>Chapman, "How the Cherokees Acquired the Outlet," XV, p. 35.

ceased and the "Outlet" began."<sup>23</sup>

The first land survey in Oklahoma was the southern boundary of the Cherokee Outlet, made by John C. McCoy in 1837. Then, in the 1850's, the meridian lines were drawn.<sup>24</sup> The northern boundary was established by the Kansas-Nebraska Act of 1854, and three years later Lieutenant Colonel Joseph E. Johnston supervised a survey of the southern Kansas border at 37 degrees latitude. When this was completed, and Kansas was admitted to the Union on January 29, 1861, the Cherokees protested that 37 degrees was not the northern boundary of the Cherokee lands, and demanded modification; but nothing was done until 1871 when Daniel P. Mitchell began a new survey. When this work was completed on December 11, 1871, Outlet lands were discovered north of 37 degrees, land belonging to the Cherokees amounting to 434,679.36 acres. These lands were sold to the United States government by terms of the Washington Treaty of 1866.<sup>25</sup>

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<sup>23</sup> Joe B. Milan, "The Opening of the Cherokee Outlet," Unpublished Master's Thesis, O.S.U., Stillwater, Oklahoma, 1931, p. 10. Milan also authored three articles under this same title which appear in the Chronicles of Oklahoma from September, 1931 to March, 1932.

<sup>24</sup> Anonymous, "Restoration of the Monument at the Initial Point of the Public Land Surveys of Oklahoma. Chronicles of Oklahoma, Oklahoma City: Oklahoma Historical Society, [n.v.], 1925, p. 81.

<sup>25</sup> Stanley J. Clark, "The Northern Boundary of Oklahoma," Chronicles of Oklahoma, XV (No. 3, September, 1937), pp. 274-282.

With the outbreak of the Civil War, many members of the Five Civilized Tribes joined the Confederacy. The Cherokees, Creeks and Seminoles were divided in their loyalties, while the Chickasaws and Choctaws were almost unanimous in their Southern loyalty. With the coming of peace in 1865, Washington officials determined to punish the Southern sympathizers for their indiscretion--and also to use this as a means of implementing a new policy toward the Plains Indians. The leaders of the Five Civilized Tribes were called to Washington to conclude new treaties with the government. The Choctaws, Chickasaws, Creeks, and Seminoles were required to sell one-half of their western lands to the government at varying prices and to limit their claims to the eastern one-half of the territory. These vacated lands later were assigned to the Southern Plains tribes by the Treaties of Medicine Lodge Creek in 1867.

The Cherokees were the last to sign their treaty, inking the agreement on July 19, 1866, whereby they sold their neutral lands in Kansas to the government. Cherokees who had been loyal to the Union protested against the harshness of the treaty, pointing out that they had fought with the North and had sacrificed all. They flatly refused to accept the terms unless the government acknowledged in writing that they had supported the rebel cause only when coerced to do

so.<sup>26</sup> Article 16 of that treaty, the most important part, contained three sentences that later would be analyzed word by word for every possible construction. This section granted to the federal government the power to settle friendly tribes in the Outlet west of 96 degrees longitude at a price to be agreed upon between the Cherokees and the peaceful tribes to be located there. If a price could not be agreed upon, the government was authorized to mediate.

In later years, the question arose as to who would sell the land to the tribes, the Cherokees or the federal government. Apparently the government was to act only as an agent for the Cherokees in these sales, but all remaining land would continue in Cherokee possession. Supplemental articles to the treaty of 1866 gave the Cherokees "fee simple" title to the Outlet, but this action was never ratified by the Senate. The treaty seemingly did show that government agents believed the Cherokees had full, clear title of ownership to the Outlet and not just the use of it.<sup>27</sup> And according to the provisions of this treaty, the Osage Indians were settled in June of 1872 on a reservation between the Arkansas River and the 96th meridian with the provision that the Kaws could also settle within that reser-

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<sup>26</sup> Grace Steele Woodward, The Cherokees. (Norman: University of Oklahoma Press, 1963), pp. 290-294.

<sup>27</sup> Chapman, "How the Cherokees Acquired the Outlet," XV, pp. 44-49.

vation. Shortly afterward, four more reservations were set aside to the west of the Osages for the Pawnee, Ponca, Nez Perce, and Otoe-Missouria tribes.<sup>28</sup>

By this action the Cherokees had several peaceful tribes between their homeland and the Outlet, creating a buffer between the two, and making the Outlet virtually useless to the Cherokees. Yet they had been eager to accept the federal money for the sale of the lands, at an average of 47.49 cents per acre, because a corn failure had made them destitute.<sup>29</sup> In total, the number of Indians settled in the Cherokee Outlet by 1884 was only 4,308, giving them nearly 500 acres for every man, woman, and child. When compared to the white settlement of 160 acres per family, or about 32 acres per individual, it can be seen that these Indians had become wealthy landlords. And these Indians were mostly semi-civilized and cultivated the soil only to a small extent.<sup>30</sup>

Thus insulated from the Outlet by the friendly tribes,

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<sup>28</sup>Chapman, "How the Cherokees Acquired the Outlet," XV, pp. 205-207. For a full treatment of the final disposition of these Osage lands, see Berlin B. Chapman, "Dissolution of the Osage Reservation," Chronicles of Oklahoma, in four separate articles appearing successively from September, 1942 to June, 1943.

<sup>29</sup>Joe B. Milam, "The Opening of the Cherokee Outlet," Chronicles of Oklahoma, IX (No. 2, September, 1931), pp. 268-269.

<sup>30</sup>Buck, The Settlement of Oklahoma, pp. 11-12.



the Cherokees lost control of these valuable lands; and while grazing was prohibited by the Washington Treaty, it was impossible to prevent cattlemen from pasturing their herds on these luscious grasses. The cattlemen's attention to this pasture of several million acres could not be escaped, for one of the most famous cattle trails of American history passed across it. Texas, isolated from the rest of the Confederacy during the Civil War following the fall of Vicksburg, was overrun with longhorn cattle. Returning Confederate veterans found their ranges glutted with these gangly beasts; they were cattle poor, while the East was starving for beef. How to get the cattle from the Texas ranges to the Eastern markets was the big problem.

It was Joseph G. McCoy, a cattleman from Chicago, who provided the solution. In 1867, he and Charles H. Thompson bought the entire 480-acre townsite of Abilene, Kansas, the westernmost point of the Union Pacific Railroad, at \$5 an acre, or \$2400. Cattle pens were built to hold 1,000 head. Riders were then sent to Texas to direct trail herds to the cattle pens in Abilene, and thus was launched the era of the long drive. The first herd of five to ten thousand head arrived before the stock pens were completed, and 35,000 more arrived before the end of the year.<sup>31</sup> No one will ever know for certain how many head of cattle were

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<sup>31</sup>Henry B. Jameson, Miracle of the Chisholm Trail. (Tri-State Chisholm Centennial Commission, [n.d.] , pp. 8-10.

driven over this famous trail called The Chisholm; probably 14 million is the best estimate that can be made.<sup>32</sup> In 1871 alone, from May to November, 292 herds totaling 349,275 cattle passed over the trail.<sup>33</sup> The first of these cattle to arrive in the East helped to end one of the severest meat shortages in the history of the Northeastern part of the United States.<sup>34</sup>

The best-known trail received its name from Jesse Chisholm, a Cherokee half-breed Indian trader, who in 1861 began carrying supplies from Fort Leavenworth, Kansas, crossing the Outlet, to the Wichita agency near Anadarko.<sup>35</sup> Chisholm was never a cattle drover, but the trail over which he traveled in his commercial enterprises was later followed by cattlemen en route from Texas to the various Kansas cowtowns. The cattle trail bearing Chisholm's name was extended from time to time. Cattle drivers from San Antonio, Texas, extended the trail to 800 miles, passing through Caldwell and Wichita and then to Abilene.<sup>36</sup> McCoy hired a surveyor, Tim Hersey, to lay out the most direct line from

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<sup>32</sup>Ibid., p. 3.

<sup>33</sup>The Lawton Constitution-Morning Press, October 17, 1965.

<sup>34</sup>Kansas City Star, April 26, 1946.

<sup>35</sup>Rainey, The Cherokee Strip, pp. 53-54.

<sup>36</sup>The Lawton Constitution-Morning Press, October 17, 1965. Today Highway 81 roughly traverses the old Chisholm Trail, from Bison north through Waukomis, Enid, Pond Creek and Medford, to Caldwell.

Abilene to the Texas cattle herds, and then hired men with horses and plows to cut a wide furrow to mark the trail.<sup>37</sup> From this small beginning, millions of cattle hooves and countless freight wagon wheels dug out a broad, deep rut in the earth until it became a scar two feet deep and four to five rods wide.<sup>38</sup>

In level places the trail was like "several ribbons side by side." They marked the core of the trail made by the wheels of chuck wagons, freight wagons, and stages, and when the wheels wore through the sod, causing the wagons to drag high center, teamsters would start a new trail alongside the old. Marquis James wrote, "for two or three hundred yards on either side of these ruts the grass had been beaten down by the feet [sic] of the cattle."<sup>39</sup> Old-timers still argue about the size of the average herd driven over the trail, but generally 500 to 1000 appeared to be the average; and 3000 was an absolute maximum because of water shortages, if nothing else. A herd of this size made a frontage over a mile long when drinking, and few streams on the Chisholm Trail afforded such stretches of water. Cattle were driven leisurely to allow grazing on the lush grasses, and it was not unusual for a herd to take a

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<sup>37</sup> Jameson, Miracle of the Chisholm Trail, pp. 14-15.

<sup>38</sup> Catherine Blanche Allen, Chariot of the Sun. (Denver: Sage Brooks, 1964), p. 126.

<sup>39</sup> Marquis James, The Cherokee Strip: A Tale of an Oklahoma Boyhood. (New York: The Viking Press, 1945), p. 60.

month to eat its way across Oklahoma.<sup>40</sup> McCoy in the end lost everything in this bold venture that brought fortunes to many Texas cattlemen,<sup>41</sup> and Chisholm, who gave the trail his name, died in March of 1868 from eating bear meat with the Comanches.<sup>42</sup>

By 1886, the era of the long drive was ended. A great blizzard that year wiped out many cattle.<sup>43</sup> Most of the cattlemen, as a result of the intense competition, were losing money, and most had their herds mortgaged heavily. In fact, it had become a general practice for bankers to accompany the herds to market to exact payment immediately upon settlement.<sup>44</sup> Thus a trail that began near Lyndon Baines Johnson's home on the Pedernales River and ended at Dwight D. Eisenhower's home in Abilene had come to an end. But it was not without making great contributions. It had rescued Texas from bankruptcy; created new cities; made millionaires out of bankrupt ranches, traders, and speculators; relieved the beef shortage in Northeastern cities; stocked homesteads with cattle from California to Wyoming to

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<sup>40</sup>Jameson, Miracle of the Chisholm Trail, pp. 23-24.

<sup>41</sup>Ibid., p. 44.

<sup>42</sup>Rainey, Cherokee Strip, p. 57. A marker five miles north of Enid on Highway 81 was unveiled in memory of Jesse Chisholm in the spring of 1945. Daily Oklahoman, December 28, 1944.

<sup>43</sup>George Washington Ogden, Cherokee Trails. (New York: Dodd, Mead, and Co., 1928), pp. 2-3.

<sup>44</sup>Ibid., p. 52.

Utah; speeded up railroad building; and was a contributing factor in making Kansas City and Chicago meat-packing centers.<sup>45</sup> Other cattle trails, such as the Western Trail, which went from the Red River to Dodge City and passed through Fort Supply, crossed the Outlet, but they would never reach the fame and significance of the Chisholm Trail.<sup>46</sup>

It was common practice for trail herders to stop for several days on one of the Indian reservations or in the Outlet to rest both men and beasts.<sup>47</sup> While grazing, the cattle herds frequently became hopelessly mixed.<sup>48</sup> In addition, Kansas cattlemen allowed their herds to drift into the Outlet to mingle with the Texas cattle waiting to go to the rail heads. At first the Cherokees did not object, but finally they began to demand tribute from the cattlemen. This was done by individual Indians, not the tribal government, and resulted in ill will. By 1879, the Cherokee government decided to exact some revenue from the Outlet and sent one of their numbers to collect a grazing tax. Only a small amount was obtained the first year, but the next year, almost \$8,000 was collected at a rate of forty cents per head for full grown cattle and twenty-five cents for two-

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<sup>45</sup>Jameson, Miracle of the Chisholm Trail, pp. 2-3.

<sup>46</sup>Edward Everett Dale, Cow Country. (Norman: University of Oklahoma Press, 1943), p. 158.

<sup>47</sup>Ibid., p. 59.

<sup>48</sup>Ibid., p. 165.

year-olds and under.<sup>49</sup>

As a result of these difficulties, the cattlemen in 1880 held a meeting at Caldwell, Kansas, to lay plans for a round-up and separation of their herds and to discuss future plans for use of the Outlet. A permanent organization, the Cherokee Strip Livestock Association, was established and a meeting called for the next year.<sup>50</sup> This association was similar to other frontier squatter-type organizations. It was loosely formed to make round-up plans, to settle disputes, and to protect against wolves, thieves, and fire. It was established for the protection of property, not life or liberty, and the continued crowding of the ranges enabled the association to grow stronger.<sup>51</sup> The entire Outlet was ultimately divided up among the various members of the Association, Chief Dennis W. Bushyhead obtained permission from the Department of Interior to lease the Outlet to the powerful association, and in 1883 a five-year lease was signed for \$100,000 annual rent, payable semi-annually and in advance.<sup>52</sup> The Cherokees wanted silver, not paper money, and on October 1, 1883, the day the lease took effect, a wagon carrying \$50,000 in silver

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<sup>49</sup>Edward Everett Dale, "The Cherokee Strip Live Stock Association," Chronicles of Oklahoma, V (No. 1, March, 1927), p. 63.

<sup>50</sup>Ibid., pp. 62-63.

<sup>51</sup>Ibid., pp. 63-64.

<sup>52</sup>Ibid., pp. 67-69.

currency went from Caldwell to Tahlequah.

The Association surveyed the Outlet and assigned ranges to the more than 100 members. Strips of land were left between the ranges for the cattle trails and as quarantine grounds.<sup>53</sup> Each cattleman erected his own fences and corrals,<sup>54</sup> which oftentimes resulted in wire stealing. Rustlers placed a cultivator wheel upon an axel, forming a spool, and wound up wire as fast as they could walk. Several miles of fence could be taken up in one night. Even ranchhouses sometimes disappeared. These activities became especially pronounced when the Association lease was about to expire.<sup>55</sup> At first, the Livestock Association was the greatest and most powerful such organization in the world, and it seemed that the members' good fortune was destined to continue. But the cattlemen's friend, Chief Bushyhead, failed to be reelected in 1886, and other organizations began to compete for the Outlet. A bitter quarrel divided the Cherokees over the leasing of the Outlet, but finally a new five-year lease was inked in 1888 stipulating \$200,000 annual rent. It seemed that the Association would endure for at least another five years. But the next year homesteaders heading for the 89er Opening, came pouring across

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<sup>53</sup>Ibid., pp. 70-71.

<sup>54</sup>Dale, "Cherokee Strip Live Stock Association," p. 71.

<sup>55</sup>Evan G. Barnard, A Rider in the Cherokee Strip. (New York: Houghton-Mifflin Co., 1936), pp. 213-214.

the Outlet, and farmers joined with businessmen, railroad promoters, and border towns in the clamor to open the Outlet for homesteading.<sup>56</sup> In addition, Cherokee malcontents led by Elias C. Boudinot, a Cherokee lawyer reportedly in the pay of railroaders favoring the opening of the Outlet to settlement and who had vigorously opposed leasing the lands to the Association, charged that the lease of the Outlet had been obtained by fraud. However, no evidence could ever be produced to sustain the charge. In all probability, Boudinot was only embittered because he and his business partner, James Madison Bell, had been driven off the Outlet lands by the Association.<sup>57</sup>

The combined pressures to force the cattlemen from the Outlet caused President Benjamin Harrison in February of 1890 to order all the cattle removed by October 1 of that year. This action triggered a series of arguments over the Cherokee title to the Outlet. The Cherokees argued that the Outlet was theirs in fee simple and thus they had every right to dispose of the land or use it in any way they saw fit. The government, however, took another view and contended that until the advent of the cattlemen, "the position of the Cherokees for over 10 years had been that these lands were absolutely sold to the federal government for the loca-

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<sup>56</sup>Dale, "The Cherokee Strip Live Stock Association," pp. 71-72.

<sup>57</sup>William W. Savage, "Leasing of the Cherokee Outlet," Chronicles of Oklahoma, XLVI (No. 3, Autumn, 1968), pp. 289-290.



tion of friendly Indians, at the rate of 47.49 cents per acre." The cattlemen were held responsible for encouraging the Cherokees to make "exorbitant claims of ownership" and to demand "high prices for the lands of the Outlet."<sup>58</sup> Lengthy litigation followed, and the Livestock Association won a sixty-day extension for the removal of the cattle; yet they came to realize that they were defeated. A frantic effort was made to preserve their domain when the Cherokees were offered \$18 million, but the government won its case, holding that the Cherokees owned the Outlet to use but not to sell, and then forced the Cherokees to sell it back to the government for less than one-half of what they had been offered.<sup>59</sup>

Since the Indian Appropriation Act of March 2, 1889, negotiations with the Cherokees had been underway for the sale of all lands of the Outlet west of 96 degrees longitude.<sup>60</sup> The "Cherokee Commission" was appointed, and negotiations began with an offer of \$1.25 per acre; this the Cherokees flatly refused, pointing out they had been offered \$18 million by the Cherokee Strip Livestock Association. Several abortive attempts to reach an agreement so exasper-

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<sup>58</sup>U.S. 51st Congress, 2nd Session. Cherokee Outlet. Report No.3768, February 11, 1891. Serial 2888, p. 26.

<sup>59</sup>Dale, Cow Country, p. 207.

<sup>60</sup>Chapman, "How the Cherokees Acquired and Disposed of the Outlet, The Fairchild Failure (Part Three)," Chronicles of Oklahoma, XV (No. 3, September, 1937), pp. 291-292.

ated many members of Congress that they threatened simply to annex the Outlet if the Cherokee remained obdurate.<sup>61</sup> Still the Cherokee Commission failed to secure an agreement, and the Jerome Commission continued its labors in 1890.<sup>62</sup> Months of debates and arguments produced voluminous legal technicalities with regard to the Cherokee title to their land. The government apparently believed that "the title of the Cherokees was not good enough for them to settle on the Outlet, and yet good enough to keep citizens of the United States from settling there."<sup>63</sup> On November 18, 1891, final negotiations began. Many days of bickering followed, with the Cherokees finally agreeing to accept a price of approximately \$1.40 per acre. Ironically, if they had accepted the original offer of \$1.25 an acre, the interest earned in the interim of negotiating would have resulted in almost the identical amount.<sup>64</sup>

On December 19, 1891, the articles of agreement were signed and provided that if the agreement were not ratified by the United States and the money appropriated on or before March 4, 1893, the agreement would be void. The Cherokee

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<sup>61</sup>Chapman, "How the Cherokees Acquired the Outlet, Part Five: The Cherokees Concede to a Contract," Chronicles of Oklahoma, XVI (No. 2, June, 1938), p. 145.

<sup>62</sup>Chapman, "How the Cherokees Acquired and Disposed of the Outlet, Part Four: The Cherokee Title and the Cattleman," Chronicles of Oklahoma, XVI (No. 1, March, 1938), p.48.

<sup>63</sup>Chapman, "How the Cherokees Acquired and Disposed of the Outlet," XVI, p. 159.

<sup>64</sup>Ibid., pp. 150-156.

Council was also required to ratify this action. By an act of Congress March 3, 1893, one day before the expiration date, Congress appropriated the necessary money.<sup>65</sup>

The total amount paid to the Cherokees for the Outlet is subject to interpretation. If the total amount paid is applied only to the 6,220,854.11 acres to be opened for settlement, the price was \$1.472 per acre. If the amount is applied to all lands west of the Arkansas River, it was \$1.31 per acre. If it is applied to all land within the original Outlet, it is \$1.05 per acre. Or if the amount of money paid the Cherokees for the lands occupied by the friendly tribes is deducted from the amount to be paid, it would equal \$1.2944 per acre, or less than four and one-half cents more than authorized by Congress.<sup>66</sup>

Thus were the Cherokees forced to sell their lands, and this action "may well be classed among the most glaring ex-

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<sup>65</sup>Woodward, The Cherokees, pp. 319-320.

<sup>66</sup>U.S. 52nd Congress, 1st Session, "Message from the President of the United States Submitting the Agreement with the Cherokee Indians for the Cession of Certain Lands," Senate Executive Document, No. 56, March 10, 1892. Serial 2900, p. 13. Since 1948, Cherokee lawyers have been attempting to recover what they contend was the real value of the Outlet land. An expert from one of the nation's leading universities testified recently before the Indian Claims Commission that "the Cherokee Outlet was worth \$10.01 an acre at the time the government took it." Expert government witness, however, appraised the land value as of 1893, at \$1.70 per acre. The courts "decided that the Cherokees should have been paid approximately \$14,700,000 more than was received in 1893." Congress later appropriated the money and distribution was made to members of the tribe. For a complete account of this litigation see Woodward, The Cherokees, p. 10.

amples of injustice done to the Indians by the government."<sup>67</sup> For this vast tract of country, over six million acres, "the government agreed to pay the Cherokee nation of Indians the sum of \$8,505,736.12."<sup>68</sup> To many members of Congress, this sum of money, along with the amount already on deposit in the United States Treasury and the value of their remaining lands, made the Cherokees "the richest agricultural people of their numbers on the face of the globe," and under such affluent conditions there was "no room for sentiment in our dealing with them, justice is all they can claim...."<sup>69</sup> According to Congressional calculations this land would provide homes of 160 acres to 37,626 families.<sup>70</sup>

The government's motive for this action is difficult to ascertain. As the land was not opened until almost three years after the Cherokees had agreed to accept the government's offer, and three years of Boomer activity were required before the government acted, it is difficult to believe that it was preparation for the settlement of the land. "It must be obvious that the purpose...was not to

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<sup>67</sup>Chapman, "How the Cherokees Acquired and Disposed of the Outlet," XVI, p. 157.

<sup>68</sup>U.S. 52nd Congress, 1st Session. Cherokee Outlet. House Report No. 1631. June 13, 1892. Serial 3046, p. 2.

<sup>69</sup>U.S. 51st Congress, 2nd Session. Cherokee Outlet. House Report No. 3768, p. 5.

<sup>70</sup>Ibid., p. 3.

prepare the lands for settlement, but...was a political move directed against the Cherokees to force the cession of their lands," according to historian E. E. Dale.<sup>71</sup>

It is easy to sympathize with the Cherokees. They had been offered \$18 million for the Outlet, but were forced to sell it for less than half that sum. Yet it is hardly defensible that the government would allow over six million acres to fall into the hands of a powerful syndicate,<sup>72</sup> and it did provide homes for thousands of people. To argue, as many did, that the land was taken from the Redman and given to the white for settlement is only nominally true, however: "What really happened was that the land was taken from the ranchman and given to the farmer."<sup>73</sup> The Indian was a negligible economic factor in this transaction.<sup>74</sup>

The clamor to open the Outlet for settlement began early. Intruders on the leases of the Cherokee Strip Livestock Association were numerous. Ben S. Miller, president of the Livestock Association, complained to Chief Bushyhead in May of 1884 that there were large numbers of trespassers. Bushyhead advised Miller to serve notice on the intruders. Miller responded that he would have to serve over 1,000, and

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<sup>71</sup>Dale, Cow Country, p. 211.

<sup>72</sup>Rainey, The Cherokee Strip, p. 230.

<sup>73</sup>Dale, Cow Country, p. 211.

<sup>74</sup>Ibid. For an opposing view with regard to the Indian as an economic factor, see Savage, "Leasing the Cherokee Outlet," pp. 285-292.

"it would be rather arduous." Still later, between 1,500 and 2,000 interlopers were reported in the Outlet.<sup>75</sup> It is impossible to determine the exact number because of the exaggerated stories that were circulated by Boomers in an attempt to force the government to open the Outlet to white settlement. At the same time, cattlemen circulated equally exaggerated accounts describing the Outlet as a barren land to discourage its opening to farmers.<sup>76</sup> And border towns advertised the extravagant beauties and wealth of the country to encourage settlement. Arkansas City was the leader in this regard.<sup>77</sup> Guthrie, Hennessey, Kingfisher, and other Oklahoma Territory towns also began to compete with the Kansas town in efforts to lure the Boomer population, thereby hoping to profit from the passage of such pilgrims.<sup>78</sup>

"King" of the Boomers was David L. Payne. Ideally suited "as a frontier leader, Payne was superb--impetuous and rough enough to please adventurers and sufficiently a dreamer to attract homeseekers," and clever enough to live

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<sup>75</sup>Morris L. Wardell, A Political History of the Cherokee Nation, 1838-1907, (Norman: University of Oklahoma Press, 1938), p. 305.

<sup>76</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 28-29.

<sup>77</sup>Milam, "The Opening of the Cherokee Outlet," Chronicles of Oklahoma, IX (No. 2, September, 1931), pp. 267-277.

<sup>78</sup>Ibid., pp. 282-283.

off the dollars he extracted from his gullible followers.<sup>79</sup> Payne, a former member of the Kansas legislature, firmly believed that Oklahoma Territory and the Outlet were part of the public domain and subject to settlement under the preemption and homestead laws. Payne's biographer, Carl C. Rister, said of him: "He was well versed in Indian laws, treaties, and in court decisions bearing on Indian affairs, as were the best lawyers...."<sup>80</sup> In 1884 he traveled to Washington to seek government approval for the settlement of Oklahoma as a countermeasure to the cattlemen's influence. He was well received in high circles and made a favorable impression on officials high and low. Even President Chester A. Arthur gave him an audience. Thus he succeeded in drawing attention to his movement.

Payne returned to Kansas in the spring of 1884 and established a headquarters at Arkansas City to prepare for another of his Boomer invasions. While colleagues recruited Boomers, Payne and several followers rode into the Outlet to locate a site for a colony which he found on the Chikaskia River. In early June, a host of Boomers descended into the Outlet and quickly founded a colony at Rock Falls; by the end of the month over 1,500 settlers had joined the movement. Buildings were erected, fields were plowed, and a

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<sup>79</sup>Carl Coke Rister, Land Hunger: David L. Payne and the Oklahoma Boomers. (Norman: University of Oklahoma Press, 1942), p. 116 and 97. For a complete history of all the Boomer activities, see Ibid., passim.

<sup>80</sup>Ibid.

newspaper, the War Chief, was being published. Boomers from all over the nation began inquiring by letter to Payne's Arkansas City headquarters, and the Army's Colonel Edward Hatch on the Kansas border was greatly alarmed by the enthusiastic support given the Boomers by local newspapers. His troops had never been so busy patrolling the borders, driving out small parties of Boomers and wagontrains. This Boomer invasion of the Outlet likewise caused great excitement among the Indians and cattlemen as well as the military.

On August 5, 1884, Hatch received orders to remove the intruders. Personally sympathetic to the Boomer cause, Hatch paid Payne a visit before acting and advised him to leave. Payne had been drinking heavily, however, and was not receptive; he warned Hatch not to attempt removal. Payne was given to the end of the day to leave, but this only made him angry. His abusive language was witnessed by many of the Boomers and caused alarm to spread. Knowing that Hatch had to execute his orders, they began to leave voluntarily, and by nightfall, hardly 250 settlers remained at Rock Falls. The next day, the 9th Cavalry, composed of colored troops, descended on the camp. Payne, who had been on a drunken spree for over a week, "threatened to cut the throat of any 'nigger' who approached him." A white officer was summoned, and Payne joined four of his other leaders in a jail in the offices of the War Chief. From there, he was taken to Fort Smith and placed in jail. Soon afterward he



was released and continued his Boomer activities until his death in November of 1884.<sup>81</sup>

The Rock Falls settlement, like others, demonstrated the fact that cattlemen had the land, but that the farmers asserted equal right to it.<sup>82</sup> Payne always believed that the Outlet properly was a part of Oklahoma Territory, and furthermore, that these lands, like all the rest of the western domain of the nation, should be opened to settlement. His Boomer activities were conducted in an effort to get a decision on this question, a decision which the courts steadfastly refused to render. Finally, Payne allowed whiskey and cigars to be sold in one of his colonies in order to obtain a case in court. This he managed to do; but once incarcerated on the charges, he became apprehensive and in low spirits, and died before a decision could ever be rendered.<sup>83</sup>

Payne was probably right in his claim that the Unassigned Lands, Oklahoma Territory, should be open for settlement, but he was wrong in his contention that the Outlet should be also, for it was owned by the Cherokees.<sup>84</sup> Join-

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<sup>81</sup>Ibid., pp. 156-157.

<sup>82</sup>Buck, The Settlement of Oklahoma, p. 24.

<sup>83</sup>Rister, Land Hunger, pp. 172-173. On November 19, 1884 Judge C. G. Parker of the Federal District Court at Wichita acquitted Payne and quashed all the indictments against him for illegally entering Indian lands. Payne and his followers rejoiced only briefly, however, for he died November 27, 1884. At the time of his death Payne was preparing for his trial on the liquor charge at Fort Smith. Ibid., pp. 184-186.

<sup>84</sup>Rainey, The Cherokee Strip, p. 220.

ing Payne in agitating for the opening were E. C. Boudinot, Sidney Clark of Kansas, and others. Boudinot lent a powerful voice to the clamor for occupation of the Outlet, and even wrote an article for the Chicago Times to that end.<sup>85</sup> The din and clamor for opening continued to mount until January 18, 1893, when a convention was staged in Guthrie. Over 700 delegates from four states--Kansas, Missouri, Arkansas, and Texas--and the Oklahoma Territory were present, in addition to representatives from the Five Civilized Tribes, commercial organizations, and the leading professions. Several resolutions were passed, among them a request that the government ratify an agreement with the Cherokees to purchase the Outlet and open it for white settlement. At this time nearly 20,000 homeseekers had gathered along the borders in response to the advertising campaigns.<sup>86</sup>

The Congressional Act of March 3, 1893, provided for the opening of the Outlet to settlement under the Homestead Act.<sup>87</sup> Previous openings under the Homestead Act had resulted in free homes, but an act of May 2, 1890, which had organized the Oklahoma Territory, provided that homeseekers must pay the amount required to relinquish Indian title, which in no case was to be less than \$1.25 an acre.<sup>88</sup> Thus

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<sup>85</sup>Wardell, The Political History of the Cherokee Nation, pp. 303-304.

<sup>86</sup>Chapman, "How the Cherokees Acquired and Disposed of the Outlet," XVI, p. 162.

<sup>87</sup>Rainey, The Cherokee Strip, p. 262.

<sup>88</sup>Buck, The Settlement of Oklahoma, p. 47.

the Outlet settlers were forced to pay for their land and later won a great deal of support from the 89er settlers in their Free Homes movement.<sup>89</sup> The only other unique feature of the Outlet settlement by run was the effort to eliminate the Sooner problem, so conspicuous in the 89er run. Registration booths, nine in number, were erected, and all qualified participants were required to obtain a certificate prior to the run. This feature proved to be an ineffective nuisance, however, for there was no way to prevent unscrupulous men from registering and then sneaking into the forbidden land to a choice homesite previously selected. The long lines on the hot, treeless, dusty prairie resulted in a great amount of needless suffering.<sup>90</sup>

All that was necessary to commence the greatest "horse race" in history was an executive order from President Grover Cleveland. Thousands of land-hungry homeseekers began to pour into the border towns, there anxiously to await the president's order. The five Kansas and four Oklahoma towns with registration booths swelled to the bursting point. Wild rumors circulated in profusion regarding restrictions on who could or could not make the run. Some believed that everyone must run on foot; there were to be

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<sup>89</sup>Angie Debo, Prairie City: The Story of an American Community. (New York: Alfred A. Knopf, 1944), p. 73.

<sup>90</sup>Rainey, The Cherokee Strip, pp. 268-269. Dwight Bennet, Cherokee Outlet. (Garden City: Doubleday and Co., 1961), pp. 41-44.

no trains allowed; or the trains would be allowed but could travel only five miles per hour. One of the wildest had it that only wagons drawn by a team of white horses driven by a red-headed girl would be permitted to participate.<sup>91</sup> In the meantime, pamphlets, handbooks, and maps were being sold at great profit--to the authors.<sup>92</sup> Some printed materials did advise homeseekers about how to avoid charlatans and to properly fulfill all governmental requirements.<sup>93</sup>

Finally, the president's long-awaited proclamation was issued August 19, 1893.<sup>94</sup> The great event was scheduled for September 16, at high noon, with all rules and particulars carefully spelled out. The Guthrie Daily News had been designated the government's official organ to publish the long and cumbersome 15,000-word proclamation containing all the laws and official utterances pertaining to the open-

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<sup>91</sup>Milam, "The Opening of the Cherokee Outlet," IX, p.463.

<sup>92</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 65.

<sup>93</sup>Milam, "The Opening of the Cherokee Outlet," IX, pp. 454-455. Rand, McNally and Co., New Sectional Map of the Cherokee Outlet, Open to Settlers From High Noon (Central Standard Time) September 16, 1893. Showing the New Land District and County Boundaries, U.S. Land Offices and County Seats; also Section Lines, Railroads, Water Courses and Towns, with a Summary of the Homestead and Pre-emption Laws, and Extracts from the President's Proclamation. (New York: Rand, McNally and Co., [n.d.]). Anonymous, The Promised Land: Oklahoma and the Cherokee Strip, Reached via the Missouri Pacific R'y and Iron Mountain Route. (St. Louis: Woodward and Tiernan Printing Co., [n.d.]).

<sup>94</sup>James D. Richardson, A Compilation of the Messages and Papers of the Presidents, 1789-1908. (Washington, D. C.: Bureau of National Literature and Arts, 1909), 11 vols., X, pp. 406-424.

ing.<sup>95</sup> The run was to be made only from the northern and southern boundaries, and not from all four sides, putting to rest one rumor.<sup>96</sup> In a lengthy telegram, Secretary of Interior Hoke Smith finally detailed the rules for train travel. Trains would be permitted to make the run but only travel fifteen miles per hour, stopping at points not more than five miles apart.<sup>97</sup> To "prevent repetition of disgraceful conduct of Deputy marshalls and other officers of the United States" who in the Oklahoma Territory opening won their appointments only to enter and select choice lands, officials found guilty of prior entry forfeited their homestead rights.<sup>98</sup> A fifteen-rod-wide strip around the Outlet was provided by the government as campsites for the runners to prevent excessive profiteering by the fortunate farmers who owned land along the border, and the army patrolled the boundary two times a day.<sup>99</sup> While waiting for the fateful moment, farmers practiced racing their teams and ponies against each other in order to condition them and to

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<sup>95</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 55.

<sup>96</sup>Ibid., pp. 53-54. Many illegally ran from the eastern border, however, and the federal government later allowed the settlers to retain their claims because many of them had not learned of this restriction.

<sup>97</sup>Allen D. Fitchett, "Early History of Noble County," Chronicles of Oklahoma, XVII (No. 1, March, 1939), p. 464.

<sup>98</sup>U.S. 52nd Congress, 1st Session. Cherokee Outlet. House Report No. 1631, p. 3.

<sup>99</sup>Enid Morning News, September 10, 1967.

get them accustomed to racing conditions.<sup>100</sup>

W. S. Prettyman, a professional photographer with three hired assistants, built a platform to record the greatest of horseraces. He took a few shots himself of the long line that gathered at the northern boundary and then jumped on a horse and joined the racers.<sup>101</sup> Thus was recorded for posterity pictures which say more than a thousand words.

On the day of the run, the participants began to assemble at the line early in the morning seeking choice spots; in fact, some had spent the night in the best positions. The hot summer air was tense with excitement as the zero hour approached. Expectedly in an undertaking of this magnitude, something would have to go wrong. At Hennessey the line broke five minutes before the official gun, "Somebody must have discharged a firearm by accident,"<sup>102</sup> declared Marquis James, perhaps tongue-in-cheek. At Arkansas City, eleven minutes before noon, a pistol shot sent 5,000 horses on the run. Soldiers tried in vain to halt them, but it was "like trying to stop Niagara."<sup>103</sup> At another point a few seconds before starting time, one man's nervous horse

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<sup>100</sup>Allen, Chariot of the Sun, pp. 38-39.

<sup>101</sup>Robert E. Cunningham, "Oklahoma's Missing Link," Chronicles of Oklahoma, XXXVIII (No. 2, Summer, 1960), p. 189. Most of his surviving negatives can be seen today in the Cunningham collection at Stillwater. See *Ibid.*, p. 190.

<sup>102</sup>James, The Cherokee Strip, p. 59.

<sup>103</sup>Milam, "The Opening of the Cherokee Outlet," X, pp. 117-118.

plunged across the line. Before the horseman could travel twenty-five or thirty feet, a trooper shot the mount from beneath him.<sup>104</sup> At another point, an overanxious rider took off minutes ahead of time, and was shot dead by a soldier who was later exonerated by a Congressional investigation.<sup>105</sup> Trains carried homeseekers from Hennessey, Orlando, Arkansas City, Caldwell, and Kiowa.<sup>106</sup> Each Rock Island locomotive pulled forty-two cattle cars and a caboose; "Every car was jammed like a New York subway train in the rush hour, with an extra load of hundreds packed on the roofs and hanging on the side ladders."<sup>107</sup>

Every conceivable mode of locomotion was observed when the shots of pistols rang out sending this mass of humanity streaking across the dry, hot, dusty land which was filled with smoke from fires that had been started the night before to drive out Sooners.<sup>108</sup> Of the estimated 100,000 participants, the vast majority assembled along the eastern portions of the borders. Only 800 ran from Kiowa<sup>109</sup> and 300

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<sup>104</sup>Allen, Chariot of the Sun, p. 146.

<sup>105</sup>Ponca City News, September 16, 1960.

<sup>106</sup>Enid Morning News, September 15, 1968.

<sup>107</sup>C. C. Glasscock, Then Came Oil. The Story of the Last Frontier. (New York: Grossett and Dunlop, 1938), p. 106.

<sup>108</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 82.

<sup>109</sup>Ibid., p. 110.

from Hunnewell, while from 30,000 to 50,000 ran from Arkansas City, and 25,000 from Orlando.<sup>110</sup> Stories of these few hectic moments spent by the riders are legion. Two penniless young men without horses boldly dashed across the line on foot, about fifty feet from the starting point and successfully planted their flags on land that everyone else had just run over.<sup>111</sup> Horses broke their legs in badger holes or pulled tendons.<sup>112</sup> Men jumped from trains breaking legs. One man was seen dragged to death by his frightened pony.<sup>113</sup> About two hours after the starting guns, all was quiet. Riders from the north and south had met in the center of the Outlet.<sup>114</sup>

Thus was concluded the most dramatic horse race in the history of man. A process that started in 1607 at Jamestown was completed with a flourish that somehow seemed fitting to a lusty young nation just coming of age. The process of subjugating the last frontier had only begun, and already Americans were casting eyes about for other frontiers to conquer. Yet if the Outlet lands had been populated in just two hours, years of hard work were necessary to transforming it from a grazing area into prosperous farms.

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<sup>110</sup>Milam, "The Opening of the Cherokee Outlet," X, p. 120.

<sup>111</sup>Allen, Chariot of the Sun, p. 146.

<sup>112</sup>Ibid., p. 148.

<sup>113</sup>Enid Morning News, September 10, 1939.

<sup>114</sup>Aileen Fisher, Cherokee Strip: The Run for Land. (New York: Aladdin Books, 1956), pp. 117-118.



## CHAPTER II

### THE PEOPLE

All generalizations are dangerous; therefore it is difficult, if not impossible, to write with certainty about the quality or character of the people who made the run. It is equally impossible to determine the motives which prompted them or to determine with any degree of accuracy how well they succeeded once they arrived. However, there is abundant evidence to sustain the argument that many of those who made the run were "stern, virile, aggressive and daring,"<sup>1</sup> yet simultaneously there also is ample evidence that there were an equal number of claim-jumpers, n'er-do-wells, drifters, and reckless, desperate characters within their midst.<sup>2</sup> Many came who had no intentions of staying, but staked a claim only to sell out for money.<sup>3</sup> Certain it is, however, that every conceivable class and type of person participated in this historic event. There were professional Boomers and Sooners, as well as a large farmer class that had earlier met with failure due to adverse con-

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<sup>1</sup>Enid Morning News, September 3, 1968.

<sup>2</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 119-120.

<sup>3</sup>Ibid., p. 125.

ditions or to lack of ability. There were professional men: lawyers, druggists, physicians, and merchants. Lawyers were particularly numerous because of the number of litigations arising from conflicting claims. And there were the usual number of common laborers, miners, and factory workers from northern cities who drifted into the Outlet, made the run, and became farmers.<sup>4</sup>

The purposes of these Boomers for coming to the Outlet can be classified in three categories. There were those who came to make a home; mostly these were farmers with scant funds, a destitute lot without sufficient money to tide them over until harvest. After the first successful harvest of 1897, they were joined by many conservative, well-to-do farmers who came either to escape the extreme temperatures of the north or south or else to join adventurous friends. The second group came to the Outlet to make money by speculation. They were conspicuous at all of the openings and were a continuous source of trouble to officials. Gamblers were found all along the borders before the run--and in most of the towns afterward. There were also those not qualified to participate in the run, but did so anyway and staked claims for valuable homesteads and townsites only to sell out on the promise not to initiate a contest. The third group came for no real purpose at all. They were drifters, irresponsible vagrants, who never

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<sup>4</sup>Buck, The Settlement of Oklahoma, pp. 75-76.

lived long in one place.<sup>5</sup>

It would seem that for every pioneer who came "determined to make a living on a barren piece of land,"<sup>6</sup> there was a shyster or trouble maker of one sort or another which necessitated vigilance committee action. Vigilance committees were formed in every township in some counties. In Ponca City, for example, vigilance committees drove away claim-jumpers with threats of tar and feathers if they returned. One defiant claim-jumper audaciously fenced his claim but "rains washed it away that night." Some Sooners simply disappeared and neighbors, surprisingly, knew nothing of their fate.<sup>7</sup>

That the bad accompanied the good is abundantly clear. Ten days after the run, Enid could proudly boast of fifty-one saloons.<sup>8</sup> Perry had a section of town known as "Hell's Half-Acre" that witnessed an occasional shooting,<sup>9</sup> and numerous gambling halls did a lively business. At one time

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<sup>5</sup>Ibid., pp. 76-78.

<sup>6</sup>Grant Foreman, "Indian Pioneer History," The Grant Foreman Papers, by Resolution of the Board of Directors, Oklahoma Historical Society, July 29, 1937, 113 vols. Oklahoma Historical Society, Oklahoma City, XXX, p. 132.

<sup>7</sup>Milam, "Opening of the Cherokee Outlet," Master's Thesis, p. 120.

<sup>8</sup>R. J. Caton, "A Social and Cultural History of Enid, Oklahoma," Unpublished Master's Thesis, University of Oklahoma, Norman, 1954, p. 1.

<sup>9</sup>Clarence Cullimore, "Perry's First Doctor," Chronicles of Oklahoma, XXVIII (No. 2, Summer, 1960), p. 194.

Perry counted one hundred and ten saloons, plus unnumbered gambling houses.<sup>10</sup> Yet, surprisingly, lawlessness and violence were not as great as one would expect. There was no record of a single violent death in Perry according to its marshalls and deputies.<sup>11</sup>

Farther west, in the small community of Shattuck, six saloons and several gambling houses prospered. There was also a house of prostitution pretentiously called the "White House," which was later "ruled out of town" by the more prudish city fathers. The area of town north of First Street to the railroad tracks was truly a red-light district. By the year of statehood, a local citizen reported that "there were some people murdered; never hung [sic] anyone in Shattuck, but one got his throat cut, and lied [sic] in the bushes and ran away." The author facetiously related that "in 1907 we got statehood, taxes, prohibition, and bootleggers."<sup>12</sup>

Nearby Woodward, a modest little town of only three blocks, boasted sixteen saloons on its one main street. Woodward's most illustrious citizen, Temple Houston, frontier lawyer and son of the famous Sam Houston, was shot at

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<sup>10</sup>Ethel Katherine Knox, "The Beginning of Perry Oklahoma," Unpublished Master's Thesis, O.S.U., Stillwater, 1938, p. 17.

<sup>11</sup>Ibid., p. 24.

<sup>12</sup>Donna Baker, et al., A Pioneer History of Shattuck. (Produced by Interested Citizens of Shattuck, Oklahoma, 1970), p. 30.

one day while walking across the street. Fortunately he was carrying a huge volume of Oklahoma Territory Statutes containing 1384 pages, and the bullet penetrated only to page 654.<sup>13</sup> But lawlessness was more prevalent in the eastern third of the Outlet where "a lot of terrible things happened because men were so greedy for land and there wasn't enough to go around."<sup>14</sup>

As is the case with all frontier movements, the controversy will always rage as to whether these people moved West to escape the crowded East or to build a new civilization in a prairie wilderness. Their motives will perhaps never be known, but this much can be said for certain: they were a young group of men who were "desperately intent" because they had failed to make a living elsewhere.<sup>15</sup> Only the young could endure on the rugged prairie frontier; "It was no place for the very young or very old."<sup>16</sup> Also, they were a "free and independent lot."<sup>17</sup> E. E. Dale later wrote, "in many cases he was an idealist, often an incurable romanticist, imbued with a spirit of daring and filled

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<sup>13</sup>Enid Morning News, March 17, 1968. This volume is contained in the Judge O. C. Wybrant Papers, located in Mrs. Joy Cotton's home, Enid, Oklahoma.

<sup>14</sup>Ibid., September 7, 1969.

<sup>15</sup>Elizabeth Baker, Cherokee Country. (Portland: Metropolitan Press, 1968), p. 64.

<sup>16</sup>Edna Ferber, Cimarron. (New York: Grosset and Dunlap, 1929), p. 164.

<sup>17</sup>Enid Morning News, September 15, 1940.

with an eager desire for change and adventure."<sup>18</sup> A typical settler of the Outlet could also be characterized as a paradox. He could be "kind and generous" to a neighbor if his actions conformed to a rather narrow code of behavior, and utterly ruthless if he did not. He could be at the same time "polite but crude," "euphemistic and blunt," "secretive and talkative."<sup>19</sup>

It is also possible to characterize the settler of the Outlet as a restless breed. For whatever reason that prompted him to participate in this fantastic run for land, he often did not linger long. The settler of the Cherokee Outlet was very much a vagabond, a man with the desire to keep moving. His transient past betrayed a consuming wanderlust. To him Shangri-La was over the next mountain or across the wide plains. For him, the future lay toward a continuing horizon.

As in most frontier areas, the Cherokee Outlet was a haven for migrants of every description. One author has estimated that within ten years of the opening, perhaps as many as one-half of the original one hundred thousand had moved on. Greener fields beckoned these restless souls. Marquis James declared, "Carpenters, painters, and brick-

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<sup>18</sup>Edward Everett Dale, Frontier Ways: Sketches of Life in the Old West. (Austin: University of Texas Press, 1959), p. 48.

<sup>19</sup>Anonymous, Kay County Oklahoma. (Ponca City: Kay County Gas Co., Publishers, 1919), pp. 129-130.

masons built one boom town and scattered to build another."<sup>20</sup> Mere survival did not satisfy them; they had come in search of prosperity, and this was enough to prod them on to other places if it appeared that it might elude them in this place. The measure of their mobility was the measure of their expectations.<sup>21</sup> The Cherokee Outlet thus for the most part was settled by a large number of people "who for one reason or another had lost out, been run out" or were not satisfied with their station in life. And as is usually the case, such people liked to "brag of what they used to have and be." Understandably the Outlet could boast of a large number of "First Families of Virginia."<sup>22</sup>

In a large number of cases, the Outlet settler was motivated not so much by the lure of the West as by the haunt of the past. It was not what they were running to, in many instances, but what they were running from back home, wherever that was. A diplomatic frontiersman did not ask about a neighbor's past. It would be pushing "discretion pretty far" to ask "a man where he came from," and it was understood that a person never asked another why he had left.<sup>23</sup> Walter Prescott Webb, one of the foremost histori-

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<sup>20</sup>James, The Cherokee Strip, p. 113.

<sup>21</sup>Daniel J. Boorstin, The Americans: The National Experience. (New York: Random House, 1965), p. 97.

<sup>22</sup>James, The Cherokee Strip, pp. 181-182.

<sup>23</sup>Ibid., p. 70.

ans of the American West, wrote, "the ancestors of many of the best people of the West...went there because they were 'wanted' elsewhere in another sense,"<sup>24</sup> and one of the most popular songs in the early days following the Opening was entitled "Who Were You Back Home?"

While the reasons for moving might be uncertain, the place from whence the settlers came can be determined with some certainty. No claim is made for pure accuracy as to their origin; it is impossible to obtain a scientific random sampling of the pioneers and their previous homes. However, it is possible to conclude from the study of many early pioneer family histories, interviews, and other secondary sources that a very large number, perhaps even a majority, of these prairie nomads came from Kansas, and that they had only recently moved to that home prior to the opening of the Outlet. From a study of four hundred and thirty-three personal histories, it has been determined that two hundred thirty-three settlers came from neighboring Kansas. Oklahoma Territory accounted for fifty-seven; Missouri, forty; and surprisingly, Russia provided twenty-two of her "poor and huddled masses." Texas was next with sixteen; Iowa, thirteen; Nebraska, eleven; Indiana, eight; and Colorado, six. Twelve other states and the Indian

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<sup>24</sup>Walter Prescott Webb, "The American West: Perpetual Image," Harper's Magazine Vol. 214 (No. 1284, May, 1957), p. 31.



Territory contributed one or two each.<sup>25</sup> These figures seem to confirm the estimates of other secondary sources which state that a majority of the settlers came from Kansas.<sup>26</sup>

The census of 1900 reveals that Oklahoma as a whole had 41.4 percent of its population from the Northern states and 35.1 percent from the South, while 3.9 percent were Negroes. Political parties were about evenly represented. Dividing the Union into East and West at the Mississippi River, Oklahoma's population was composed of 49.8 percent from West of the Mississippi and 26.7 percent from East of the Mississippi. The bulk of the population came from Illinois, Indiana, and Ohio, and from states between the Mississippi and the Mountains, excluding Minnesota and the

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<sup>25</sup>These figures were compiled from several sources; but the majority of them came from Baker, A Pioneer History of Shattuck, which contains many family histories. Foreman's, "Indian Pioneer History" in 113 volumes, also contain numerous interviews with original settlers of the Outlet. The Ponca City Chapter of the Daughters of the American Revolution, The Last Run, Kay County Oklahoma, 1893. (Ponca City: The Courier Printing Co., 1939), was also a valuable source, containing many reminiscences in the pioneers' own words. In addition, the Journal of the Cherokee Strip. (Enid: Association of the Sons and Daughters of the Cherokee Strip Pioneers, 1959----), contains a large number of personal histories.

<sup>26</sup>C. M. Holton, Early Days in What is Helena Township. (Helena, Oklahoma: Published by Helena 93ers, [n.d.]), p. 5. James, The Cherokee Strip, p. 118. Milam, "The Opening of the Cherokee Outlet," X, pp. 136-137. All the above sources say that a majority of the Outlet settlers came from Kansas. In addition, a very large number of personal interviews say the same.

Dakotas.<sup>27</sup> To a large degree, these figures for the entire state are fairly accurate for the Outlet also.

Perhaps the best explanation for Kansas contributing so heavily to the population of the Outlet would be geographic proximity and familiarity with lands in the Outlet by neighboring Kansas farmers. It needs to be explained, however, why they would leave their own already improved homesteads to participate in a reckless race for raw lands so similar to their own. And adding to the enigma is the fact that these lands were not free. It was not generally known that settlers would have to pay from \$1.00 to \$2.50 an acre for this land, depending on the location. Those farms in the Western third were \$1.00 an acre, those in the central third \$1.50, and those in the Eastern third \$2.50. Yet most of those making the run would never pay a penny for their farms as a result of the Free Homes Act of 1900, but none of them could have known that in September of 1893. Four hundred dollars, filing fees, and other incidental expenses for a one-hundred-sixty-acre farm in the Eastern portion of the Outlet was no small sum of money in those days. The mystery is further heightened when the fact is considered that the run was not made until the middle of September, and certainly Kansas farmers would know that no harvest of any kind would be possible for almost a year.

There were compelling reasons for making the run,

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<sup>27</sup>Buck, The Settlement of Oklahoma, pp. 72-74.

however. The lure of new land was a strong magnet, to be sure, but the immediate future looked ominous. The most plausible explanation for the vast migration of Kansas farmers is that most of them had only recently moved to Kansas, eight to ten years earlier, and had failed, either through mismanagement or ignorance of the soil, climate, and crops to be properly grown. The rapid growth and popularity of the Populist Party among Kansas farmers attests to their strained economic condition. Most of them had lost their farms and were now tenants, and they saw the run of 1893 as a chance to begin anew, but this time better informed.<sup>28</sup> It would be interesting to know how many Kansas bankers were left holding mortgages. Most of the leading scholars agree that the Homestead system was not a boon to the small farmer. To the contrary, the ruthless activities of land speculators and railroad monopolists resulted in subverting the ambitions of the small individual farmer.<sup>29</sup> This, too, in some measure helps to explain the presence of such vast hoardes of displaced, dispossessed farmers eager for another chance at the opening of the Outlet.

These explanations can perhaps account for those who came to make permanent homes, but a very large proportion

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<sup>28</sup>Milam, "The Opening of the Cherokee Outlet," X, pp. 136-137.

<sup>29</sup>Henry Nash Smith, Virgin Land: The American West as Symbol and Myth. (Cambridge: Harvard University Press, 1950), pp. 221-223.

of those who came from Kansas, and Oklahoma Territory as well, were simply afflicted with a chronic restlessness. One hundred twenty-three personal histories reveal that almost a third of these individuals had moved three or more times (including their move to the Outlet). Twenty-eight had moved three times; five had moved four times; and four had moved five times. One particularly restless spirit, prior to homesteading in the Outlet, had previously lived in Indiana, Kansas, and the Panhandle of Texas; he then had moved back to Kansas, to Guthrie, El Reno, and Pauls Valley in Oklahoma Territory, and again back to Kansas. His appetite for travel still not sated, the first winter in the Outlet he spent working in Mexico, and in his absence reported that "someone stole his house."<sup>30</sup> It must be further noted that of the remaining eighty-five who reported coming to the Outlet from Kansas, none indicated whether this had been their permanent home. It is highly possible, indeed even probable, that a very large number of these had also lived in other states prior to establishing a residence in Kansas.

Not only were these Kansas settlers intrepid travelers, they also found a particular attraction in the carnival-like atmosphere of a horse race which prevailed at the openings. One particularly enterprising frontiersman had participated in the "Eighty-Niner" run, but had failed to secure a town

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<sup>30</sup>Foreman, "Indian Pioneer History," LVIII, p. 31.

lot. He had run again in the Sac and Fox Opening of 1891 and this time had secured a claim, but relinquished it. Again he ran in the Cherokee Opening and successfully won a town lot in Perry after a contested claim, but he sold out shortly and returned to Kansas where he registered for the Kiowa-Comanche lottery of 1901.<sup>31</sup> The mayor of Perry in 1938 reported that he had taken part in four different land runs in addition to the Kiowa-Comanche lottery,<sup>32</sup> while another old-timer proudly boasted that he had participated in all the runs for land in Oklahoma prior to coming to the Outlet.<sup>33</sup> The apparent record-holder was a Perry resident who participated in six land openings yet never proved up a single claim. Despite his lack of stability, he was both police judge and chief of police at Guthrie in the early 1900's.<sup>34</sup>

Clearly, then, these settlers with a history of mobility did not remain sedentary even after they arrived in the Outlet. A sizeable number, it would seem, were professional runners after land as betrayed by the recurring theme "I sold out as soon as possible," in many of the

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<sup>31</sup>Ibid., LXVIII, pp. 465-466.

<sup>32</sup>Knox, "The Beginning of Perry Oklahoma," p. 33.

<sup>33</sup>Enid Daily Eagle, September 18, 1969.

<sup>34</sup>Ponca City News, September 10, 1939.

family histories.<sup>35</sup> In addition, many early settlers who had leased a quarter-section of school land shortly sold their "preference rights." A very large number of the original claimants quickly sold out, moved; the lament, "no one lives on it now," occurred with frequency throughout the reminiscences of one pioneer who remembered every person who had settled in the township where she lived.<sup>36</sup>

Within a month after the run, newspapers all over the Outlet carried ads announcing claims for sale at very low prices; this continued throughout the month that followed.<sup>37</sup> In addition, a sizeable number of these personal histories describe further moves, either within the Outlet or to places outside the Outlet, and sometimes even outside the Outlet and back again.<sup>38</sup> Contrary to popular belief, a large number of those who sold out and left did not do so because of poverty resulting from poor harvests. Quite the opposite: the sale of their land, frequently to a neighbor who had also made the run, brought them unknown wealth, and

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<sup>35</sup>Foreman, "Indian Pioneer History," LXI, p. 166. Many other personal reminiscences contain this familiar refrain.

<sup>36</sup>Holton, Early Days in What is Helena Township, passim.

<sup>37</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 125.

<sup>38</sup>See Baker, Pioneer History of Shattuck; Foreman, "Indian Pioneer Papers;" D.A.R., The Last Run; and the Journal of the Cherokee Strip, passim.

"it was burning a hole in their pockets."<sup>39</sup> They could not be counted as failures; they had succeeded in doing precisely what they had set out to do.

It is also popularly believed that the entire Outlet was completely filled up on the day of the opening. Most of the Oklahoma History textbooks, even the more reliable, do little to put this popular myth to rest. A. M. Gibson's Oklahoma: A History of Five Centuries, says only that "more than 100,000 settlers raced for the 40,000 claims in the Outlet."<sup>40</sup> E. E. Dale's and M. L. Wardell's History of Oklahoma is totally silent on the subject.<sup>41</sup> E. C. McReynolds does write, in his Oklahoma, A History of the Sooner State, that "there were still unclaimed quarter sections after the run in western townships where rainfall was light and markets were distant,"<sup>42</sup> but there is no hint that the extreme western portion of the Outlet was left virtually as vacant as before the opening. Many of the actual participants in the run and their descendents have betrayed surprise when they learn this fact.

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<sup>39</sup>Personal Interview with Dr. Angie Debo, Marshall, Oklahoma, March 31, 1970.

<sup>40</sup>Arrell M. Gibson, Oklahoma: A History of Five Centuries. (Norman: Harlow Publishing Co., 1965), p. 300.

<sup>41</sup>Edward Everett Dale and Morris L. Wardell, History of Oklahoma. (Englewood Cliffs, New Jersey: Prentice Hall, 1948).

<sup>42</sup>Edwin C. McReynolds, Oklahoma, A History of the Sooner State. (Norman: University of Oklahoma Press, 1954), p. 301.

Only the eastern portion of the Outlet was fully settled on the day of the opening, and only the more desirable claims, those with water on them, were taken in the western section.<sup>43</sup> The settlers were obviously better judges of land than the federal government, and they refused to gamble that they could endure for the five years required to "prove up." Certainly they were not prepared to pay a dollar an acre for the opportunity to make such a gamble. The often-told stories of disappointed land-seekers, with heavy hearts trudging wearily back to their homes the day after the run, apply only to the well-watered eastern part of the Outlet where there were frequent and fierce contests for choice quarter-sections. In the city of Perry, between one hundred and one hundred and fifty "lawyers, judges and barristers," many of them not licensed to practice, rushed in the first day, anticipating the flood of contested claims which would follow.<sup>44</sup> They were not disappointed, for in the eastern section there was a contest for almost every town lot and quarter-section; it was not at all uncommon for a dozen people to claim a single homestead. Only two dollars was required to initiate a contest: thus a lively business was precipitated in the

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<sup>43</sup>Roscoe E. Harper, "Homesteading in Northwestern Oklahoma Territory," Chronicles of Oklahoma, XVI (N. 3, September, 1938), p. 328.

<sup>44</sup>Knox, "The Beginning of Perry Oklahoma," p. 46.



courts.<sup>45</sup> Many of these contests were waged by dishonest, unscrupulous characters who only initiated the contest for the purpose of settling out of court for a price that made it worth their time. After a successful settlement they would move on to the next run and duplicate the process. Others, however, were the result of honest disagreements and often required years to settle.

While the family histories, interviews, and reminiscences are replete with stories of legal conflicts, fist-fights, and shootings over choice claims in the east, it was quite a different story in the west. Very little of the land in the west was taken; therefore there were very few contests. Western settlers endured an entirely different kind of Gethsemane: loneliness. One old-timer reported that in the trip from Buffalo to Ashland, Kansas, a distance of about thirty miles, there were only two or three houses.<sup>46</sup> Even six years after the opening, in 1899, he had only four neighbors within a five mile radius of his home near Buffalo.<sup>47</sup> By June 30, 1899, Woodward County, one of the largest counties (constituting approximately one-half of the western portion of the Outlet), recorded 4,148 quarter-sections filed on, but there still

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<sup>45</sup>Milam, "The Opening of the Cherokee Outlet," pp. 127-128.

<sup>46</sup>Harper, "Homesteading in Northwestern Oklahoma," p. 333.

<sup>47</sup>Ibid., p. 329.

remained 8,875 homesteads vacant.<sup>48</sup> There were, therefore, about 75,000 acres of government land subject to homesteading in Woodward County at the turn of the century.<sup>49</sup> Only six percent of Woodward County was settled by the run of 1893, and Woods County to the east was only sixty percent occupied. By 1900 Woods County was ninety-one percent filled, but Woodward was still only thirty-one percent claimed.<sup>50</sup> These two counties, which represent one-half of the Outlet, were suitable only for ranching, and were overrun by cattlemen much as before the opening.<sup>51</sup>

Approximately five thousand homeseekers rushed into Woodward County on the day of the opening, "but not much of the land was claimed" owing to the scant rainfall. Therefore cattlemen were able to control vast expanses of the land by having their cowboys file on choice claims with water. Donna Baker has written, "By owning the water, they controlled the surrounding grassland."<sup>52</sup> As late as 1901 the Kilgore Ranch contained "more than ten sections." The

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<sup>48</sup>Ralph E. Randels, "The Homesteader and the Development of Woodward County," Chronicles of Oklahoma, XVII (No. 3, September, 1939), pp. 288-289.

<sup>49</sup>A printed advertisement on the reverse side of an empty envelope, contained in the papers of Judge O. C. Wybrant, Woodward, Oklahoma. The papers are in the home of his daughter, Mrs. Joy Cotton, Enid, Oklahoma.

<sup>50</sup>Buck, Settlement of Oklahoma, p. 56. See Appendix A.

<sup>51</sup>Ibid., p. 78.

<sup>52</sup>Baker, A Pioneer History of Shattuck, p. 16.

Eddleman Ranch consisted of forty sections, and the Chain C Ranch--a series of ranches--was estimated at "twenty-five miles across."<sup>53</sup> Six months after the opening, only 2,241 persons resided in Woodward County, and that population steadily declined until 1898 because of drought and intimidation by the cattlemen.<sup>54</sup> This figure, it must be remembered, was the total number of people residing in the county, counting women and children, and not the number of people who had successfully made the run.

These western settlers knew when they came that all the land lying west of Range Fourteen had been designated as free range territory. Still, some of them staked their claims within the boundaries of well-established ranches near the choice water sites. When these homesteads were fenced the ranchers were deprived of the precious water, making their pastures worthless; the result was heated protests on the part of the ranchers and a series of fence wars in the old farmer-rancher tradition of the West. Chief Justice John Burford of the Oklahoma Territory Supreme Court upheld the ranchers in their contests against the hated "nesters." In 1900 and 1901 elections were held, as the result of newly passed legislation, to decide on the desirability of "Herd Laws." Several communities voted in favor of such laws, but by this time the number of settlers

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<sup>53</sup>Ibid.

<sup>54</sup>Ibid.

had increased to such an extent that the ranchers saw the futility of continued resistance and either fenced their land or left the country--and the free range question at last came to a peaceful end.<sup>55</sup>

It was the Free Homes Act of 1900 that triggered a new wave of immigration into the western counties of the Outlet and brought the range cattle industry to an end. After 1900 most of the remaining land was occupied; by 1902 Woods County was ninety-nine percent claimed, but seventeen percent of Woodward County was still vacant.<sup>56</sup> Of the two hundred and eighty-three family histories studied in Ellis County (approximately one-half of which lays in old Woodward County--or N County), only six persons reported that they had made the run on the day of the opening. Only sixteen of those reporting the date of their arrival in the Shattuck area arrived before 1900, while one hundred and thirty arrived after 1901.<sup>57</sup>

Clearly, then, the Cherokee Outlet was not fully populated overnight. That there were thousands of disappointed homeseekers cannot be disputed, but there remained thousands of homesteads for dejected souls if they but had the tenacity to pit themselves against the forces of nature. Fortunately, however, the "myth of the garden"

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<sup>55</sup>Ibid., pp. 16-17.

<sup>56</sup>Buck, Settlement of Oklahoma, p. 56. See Appendix A.

<sup>57</sup>Baker, A Pioneer History of Shattuck, pp. 84-274.

was not strong enough to lure those who had suffered disappointment in the east to the west, and they--perhaps unknowingly--escaped the bitter taste of defeat which so many experienced in the hot, dry west.

The exact number who participated in the run can never be established with accuracy because the number who registered does not necessarily equal the number who actually took part in that great race for land. It is estimated that between 100,000 and 115,000 people actually ran,<sup>58</sup> but by February, 1894, there were only 74,829 people living in the Outlet. Of these, only 18,281 were living in Woods and Woodward Counties, which constituted more than one-half of the Outlet.<sup>59</sup> Obviously, the vast majority had settled in the five smaller eastern counties. But these figures also tell an even larger story, for the totals include women and children who unquestionably had not participated in the run. Therefore the number who had made the run only six months earlier had been considerably, and significantly reduced to a small fraction for one reason or another. The blistering hot, dry winds had discouraged many from even making the attempt, and in a very short time had driven unnumbered additional thousands away. Nature had proven too harsh and demanding a mistress. She seemed to be

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<sup>58</sup>Letter from Lester S. Jayson, Director, Library of Congress, to Author, April 8, 1970.

<sup>59</sup>"Report of the Governor of Oklahoma to the Secretary of the Interior" (Washington, D.C.: Government Printing Office, 1894), p. 4. See Appendix C.

saying to all those who were so bold as to intrude upon her sovereignty, very much as in the words of James I to the Pilgrims, that they must either conform or be harried out of the land. And that she did not take this charge lightly was dramatically manifested by the fact that already, in a very brief period of time, she had exacted a fearsome toll upon one of the hardiest breed of men--and her work had just barely begun.

### CHAPTER III

#### FARMING IN THE EARLY YEARS

The year 1893 was not a good one for pioneering. In fact, it was not a good year for many things, particularly agriculture, and even more particularly, agriculture on the Great Plains. The whole nation was wallowing in a great depression, the Panic of 1893; and the West was suffering from one of its worst droughts, making life in the Outlet a real trial for the pioneers in those first years. In addition, the Outlet had not been opened until September, adding further to the agonies of the settlers who were not able to grow any foodstuff for several months; it would be almost a year to harvest time. The "Eighty-Niner" run which had been held in April, was far more realistic,<sup>1</sup> but given the dryness of the land in 1893, an earlier opening probably would not have alleviated the pioneers' difficulties significantly.

Under the prevailing conditions, the first year in the Outlet was a story of travail and heartbreak for those who had made the run with such high hopes for success and prosperity. The vast majority found failure and hardship

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<sup>1</sup>Dwight Bennet, Cherokee Outlet. (Garden City, New York: Doubleday and Company, 1961), pp. 73-74.

instead,<sup>2</sup> and depression kept them tied to the soil. Perhaps even more would have joined the exodus had they possessed the money to do so. Poverty was the one thing all suffered in common, a sort of classless society resulted.<sup>3</sup>

Yet on the evening of September 16, 1893, a carnival atmosphere permeated the Outlet, as it did in the following days. In the attempt to locate old friends, the cry "Hey Joe, here's your mule," a hold-over from the eighty-niner run, was heard throughout the Outlet. This was done to enable people within the range of the voice to identify friends and relatives.<sup>4</sup>

The next morning, September 17, with eyes still bloodshot from the smoke and dust of the previous day, the settlers gazed upon a barren, foreboding land. In the skies overhead, there were buzzards hovering above the many dead carcasses of mules, horses, and oxen driven to death and scattered all over the Outlet.<sup>5</sup> Somehow, their presence seemed a premonition of an ominous future. The settlers immediately set to the task of building homes and making a living until the next harvest. Walter Prescott Webb's thesis, in his monumental work, The Great Plains, that the treeless, waterless, Southwestern plains would impose

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<sup>2</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," p. 2.

<sup>3</sup>Ibid., p. 3.

<sup>4</sup>Journal of the Cherokee Strip, V, No. 2, p. 16.

<sup>5</sup>Allen, Chariot of the Sun, p. 166.



rigorous demands upon all who would settle there could not be more clearly demonstrated than in the Cherokee Outlet.

In the absence of wood, cowchips, popularly called "Heifer City Coal," were used for fuel.<sup>6</sup> But no similarly available substitute was so readily at hand for home construction and fence building. The lands of the Outlet had already been largely denuded of trees years before the Opening by Kansas farmers.<sup>7</sup> With typical frontier ingenuity, the settlers went about building their homes with the only commodity at hand--land, and bois d'arc hedges substituted for fences.<sup>8</sup> Sod houses and dugouts began to dot the treeless plains. Twelve by fourteen feet seemed to be the standard dimensions of most "soddies." Lariats and leather lines were frequently used to measure or lay out the house. Row upon row of sod, three to four inches thick, twelve inches wide, and one to two feet in length, were laid in brick-like fashion, until a wall about seven feet high had been constructed. Some of the more pretentious soddies were partitioned by the hanging of blankets and wagon sheets, while a few were even plastered on the inside. What little furniture the pioneers had was generally home-made. Bed-bugs and leaky roofs were the nemesis of all sod-dwellers. Cramped and uncomfortable though they were,

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<sup>6</sup>Baker, A Pioneer History of Shattuck, p. 85.

<sup>7</sup>Dale, Frontier Ways, p. 101.

<sup>8</sup>Ibid., p. 105. These are still very much in evidence yet today in some areas.

these soddies did have the redeeming quality of being cool in summer and warm in winter.<sup>9</sup> The inhabitants had to take the rigors philosophically because, for many, such would be home for several years to come. However, there were very few sod houses built in the Enid and Garfield County area. Most of the homes were frame houses built with lumber hauled in from Kansas. Many of them were even painted.<sup>10</sup>

The first urgent task to be attended after the run was made was the filing of the settler's claim at the nearest land office. Only four land offices were established in the Outlet, at Enid, Perry, Alva, and Woodward,<sup>11</sup> which of necessity meant long and laborious trips that consumed valuable time and sorely tested the settler's patience. After traveling great distances to the land offices, the homesteader would be discouraged by encountering long lines. The process of registering claims was so slow that it literally took months to complete. The settler obviously could not stand in line awaiting his number, so a system was devised whereby friends and neighbors would check from time to time at the land office to discover approximately the number that was presently being processed. After a few days they were able to anticipate fairly accurately when

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<sup>9</sup>Orvoe Swartz, "A Pioneers' Sod House Memories," Chronicles of Oklahoma, XXXXI (No. 4, Winter, 1963-1964), pp. 411-417.

<sup>10</sup>James, The Cherokee Strip, pp. 16-18.

<sup>11</sup>Fisher, Cherokee Strip: The Race for Lands, p. 61.

their numbers would be called, and they then made plans to be at the nearest land office on that date. For many this would be weeks or months after they had staked their claim.<sup>12</sup>

Equally pressing was the need to deal with contested claims, particularly in the eastern portion of the Outlet. "When a claim-jumper contested your claim, you either shot it out right away or hired a lawyer,"<sup>13</sup> wrote Marquis James. A large number of Sooners were killed that first day in contests handled in this crude manner.<sup>14</sup> But countless thousands would have to live with uncertainty for months, even years, before a clear title could be obtained.<sup>15</sup> It only cost two dollars to initiate a contest on a claim. Notice of such contests were published in the newspaper of the county, and the land office Registrar and Receiver set the day and hour for the hearing and collected the required fee of eight to ten dollars. Decisions could be appealed to the commissioner of the General Land Office and from there to the Secretary of Interior, whose decision was

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<sup>12</sup>A very large number of personal reminiscences make reference to this problem, all agree as to the solution.

<sup>13</sup>James, The Cherokee Strip, p. 14.

<sup>14</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 118.

<sup>15</sup>Journal of the Cherokee Strip, IV, No. 2, p. 9; and V, No. 2, p. 10.

final. No further fees were required for appeals,<sup>16</sup> which explains why the legal process was so slow.

Yet other frustrations also awaited the settler on his claim. Drought conditions made attempts at farming almost pointless. Nothing grew. Even so, the big difference in the log cabin and the soddie frontier was leisure time. Turning the soil of a vacant prairie was much less time-consuming than the backbreaking work of clearing the woodlands of the East. For the men there would be many long leisurely trips, for seed, groceries, wood and other necessities. But not so for the women, who had to keep to the regular routine of hard, household work. Perhaps a few prairie women escaped the jobs of gardening, milking, care of cows and chickens, and other such duties required of the eastern women, who had to help their husbands to do "men's work," but still it was a hard, monotonous life.<sup>17</sup>

Because of the drought conditions, almost every settler later would recall that he raised no crops the first three years,<sup>18</sup> and interest rates reached as high as sixty percent in places.<sup>19</sup> The scarcity of money can be seen in

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<sup>16</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 127-128.

<sup>17</sup>Dale, Frontier Ways, pp. 86-87.

<sup>18</sup>Debo, Prairie City, pp. 60-61.

<sup>19</sup>Velma Troxel Jayne and Stella Campbell Rockwell, O County Faces and Places. A Collection of Cherokee Strip Photographs and Stories. (Enid: Harold Allen, Publisher, 1968), p. 39.

weekly church collections; in Enid only sixty-five cents was collected in one church, eighty-one cents in another, and one dollar in a third. Every conceivable device was used to make a living--and a very poor one at that.<sup>20</sup>

Many settlers had come totally unprepared. They anticipated a land of milk and honey and found instead a land barely able to produce bread and water. In some areas there was always wild game to provide nourishment in the form of ducks, geese, quail and prairie chickens. Wild antelope was also frequently mentioned.<sup>21</sup> While "plenty of wild game" later was recalled,<sup>22</sup> it was also true that many found themselves reduced to eating jack rabbits and prairie dogs, while those who could find no food at all worked for the fortunate few who did to pay for it.<sup>23</sup> Kaffir-corn bread and sowbelly seemed to be standard fare.<sup>24</sup>

Further aggravating the farmers' plight was the paucity of grazing for livestock; most of the grass had been burned off the Outlet.<sup>25</sup> And the drought prevented good crops.

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<sup>20</sup>Rainey, The Cherokee Strip, pp. 354-362.

<sup>21</sup>Foreman, "Indian Pioneer History," VII, p. 283; and Journal of the Cherokee Strip, VII, No. 2, pp. 10-12.

<sup>22</sup>Foreman, "Indian Pioneer History," XII, p. 391.

<sup>23</sup>Allen, Chariot of the Sun, p. 184.

<sup>24</sup>Journal of the Cherokee Strip, IV, No. 1, p. 6.

<sup>25</sup>Lew F. Carroll, "An Eighty-Niner Who Pioneered the Cherokee Strip," Chronicles of Oklahoma, XXIV (No. 1, Spring, 1946), pp. 95-96.

One sod farmer managed to harvest only eighty-five bushels of wheat for his efforts that first year, which he slept on in his bedroom. Another farmer reported a yield of only fifty bushels of wheat from fifty-three acres in 1894. The following year, he sowed seventy-five acres and threshed four bushels to the acre.<sup>26</sup> In the fall of 1894, Rock Island Railroad officials agreed to advance twenty-five bushels of wheat to settlers for their first sowing, but most of them got their seed from the Oklahoma Territory. The next year, the Oklahoma settlers also were asking the railroads for help, but were refused because the drought was so widespread. The railroads could not help all of Kansas and Oklahoma.<sup>27</sup>

Credit from local merchants was required by many who preferred debt to public or private doles, and few ever defaulted.<sup>28</sup> Other homesteaders lost all their money to gamblers, leaving them literally penniless with families to support.<sup>29</sup> And then, adding to their already numerous woes, in the spring and early summer of 1895, a typhoid epidemic swept the country.<sup>30</sup>

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<sup>26</sup>Enid Morning News, June 13, 1968.

<sup>27</sup>Debo, Prairie City, pp. 68-69.

<sup>28</sup>Fannie L. Eisele, A History of Covington, Garfield County, Oklahoma, and Surrounding Territory. ([n.p.] Newall A. Ellis, Publisher, 1952), p. 7.

<sup>29</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 81-82.

<sup>30</sup>Journal of the Cherokee Strip, V, No. 2, p. 1.

The forces of the frontier were working on a grand scale and had a telling effect. During the years 1894 and 1895, a large number of discouraged settlers relinquished their claims, and, in the words of that day, "went back home to live with their wife's folks."<sup>31</sup> Early day post offices were used as bulletin boards, and were covered with messages from people to advise friends where they could be found.<sup>32</sup> Reflecting the despair of the settlers was a song which became popular throughout the Outlet, sung to the tune "After the Ball." The chorus of the song went:

After the Strip is opened, after the run is made,  
 After your horses are buried,  
 After your debts are paid,  
 Many a sucker is kicking,  
 Many will lose their grip.  
 Many a man will wish he were hung  
 E're going to the Strip.<sup>33</sup>

As always, however, the pioneer, regardless of how tragic his circumstances, found that he could better face his problems if he could laugh about them. This was characteristic of the frontier: the ability to find humor in difficulties, to make jokes and laugh heartily at hard luck and the lowly state of affairs. Frontier humor was a product of adversity. The settlers took their reverses as a joke and made light of grasshoppers, drought, floods, hail,

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<sup>31</sup>Debo, Prairie City, p. 64.

<sup>32</sup>Milam, "The Opening of the Cherokee Outlet," X, p. 131.

<sup>33</sup>Jayne, O County Faces and Places, p. 31.

tornadoes, and disease.<sup>34</sup> During a drought in Ellis County, a visitor from the more humid East remarked that it was a long way between jack rabbits out there; to which the drought stricken farmer-rancher remarked, "Yes, the last one I saw three guys were already chasing it, so I didn't even bother to stop and get out."<sup>35</sup> Very few pioneers recorded their impressions and thoughts during those desperate times, but later their reminiscences were frequently nostalgic reflections about a period of their lives that they cherish highly, as reflected in the words, "If I could go back and live any period of my life over again it would be my pioneer days in Oklahoma."<sup>36</sup>

The settler of the Outlet adopted many varied and diverse modes of labor in order to earn a living. One particularly enterprising young man was in business forty-eight hours after he arrived at his townsite in Enid. Richard E. Messell, only nineteen years old, had his business building pre-cut in Kansas, ready to assemble immediately upon arrival. He sold and delivered one hundred and ten cases of soda water from his "Enid Bottling Works" his first day. He also bottled water from the Government

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<sup>34</sup>Carl L. Becker, Kansas. (New York: Appleton-Century-Crofts, 1935), as found in Robert V. Hine and Edwin R. Bingham, (eds.), The Frontier Experience, Readings in the Trans-Mississippi West. (Belmont, California: Wadsworth Publishing Co., 1963), pp. 376-377.

<sup>35</sup>Personal Interview with Mr. Bill Moyer, Gage, Oklahoma, an Ellis County farmer-rancher, June 23, 1971.

<sup>36</sup>Foreman, "Indian Pioneer History," XLI, p. 288.



Springs Park and was in the ice business.<sup>37</sup>

Others would not find such rapid success and prosperity however. Many earned a living by illegally cutting cedar posts from government lands. They would then haul the fence posts all the way to Kansas for sale. John Neal was arrested by a U.S. Marshall for this practice and was taken to Alva for trial. When asked by the judge if this was a common practice, Neal answered that everyone "that amounted to a damn" did it. He was assessed a small fine and found himself forced to cut another load of cedar posts to pay it.<sup>38</sup>

A windfall came to one fortunate and brave pioneer who managed somehow to lasso a bear and then sold it for ten dollars.<sup>39</sup> Another man reported that he killed prairie dogs for fifty cents a day, and served as an undertaker on the side. For this duty he was rarely paid but was sometimes given meat or beans. His services, which amounted only to washing and dressing the body, were much in demand, because everybody else was afraid to do the job.<sup>40</sup> Another man was fortunate enough to secure a job at a brick yard in Stillwater, but had to walk twenty-two miles to work. He lived in town during the week and "commuted" only on week-

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<sup>37</sup> Journal of the Cherokee Strip, LXI, p. 288.

<sup>38</sup> Holton, Early Days, p. 31.

<sup>39</sup> Ibid., p. 17.

<sup>40</sup> Foreman, "Indian Pioneer History," XXIII, p. 380.

ends. He did this for four years before building a frame house on his homestead.<sup>41</sup>

Old-timers also tell of itinerant preachers who frequented their homes and communities. Many of them, if not most, were totally devoid of credentials. But few seemed to care, and preaching was one way of making a living.<sup>42</sup> Digging wells for neighbors also provided a livelihood for a large number of settlers.<sup>43</sup> Children also contributed to the family's well-being by collecting buffalo bones that were in abundance all over the prairie. The bones were then sold to an itinerant "rag-iron-bone man" who came around once or twice a year.<sup>44</sup>

One energetic soul in the Covington community worked in stores, the post office, print shop, and taught school, in addition to farming.<sup>45</sup> A very large number of settlers, after making a few initial improvements to satisfy government requirements, returned to their homes, usually in Kansas, to work and live until the following spring.<sup>46</sup> Another especially hardy woman did her own farming and

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<sup>41</sup>Ibid., VII, p. 282.

<sup>42</sup>Personal interview with Mrs. Joy Cotton, Enid, Oklahoma, March 26, 1970.

<sup>43</sup>Allen, Chariot of the Sun, p. 150.

<sup>44</sup>Journal of the Cherokee Strip, IX, No. 1, p. 15.

<sup>45</sup>Eisele, A History of Covington, p. 11.

<sup>46</sup>Allen, Chariot of the Sun, p. 161. A large number of personal histories report this as a common practice.

supported four children by picking cotton for neighbors at seventy-five cents per hundredweight. She managed to save enough to buy a sewing machine, thus enabling her to earn additional money by sewing in the evenings. She later began work as a cook on a threshing crew at \$1.25 a day, returning to her claim in the fall to pick more cotton.<sup>47</sup>

Many of the younger ladies were able to support themselves by teaching in one of the many small rural schools that dotted the plains, generally for twenty to twenty-five dollars a month. Mrs. Jerry Crowley, a music teacher at the age of sixteen, rode her horse seventeen miles to give private lessons.<sup>48</sup>

A few pioneers became entrepreneurs and were launched on business careers at an early date. Milton Garber, for whom a town later was named, built a general store on his claim with accumulated savings, and was able to extend credit to his neighbors during the first drought-stricken years. When the railroad later came through the vicinity, Garber moved his store adjacent to the tracks, and the town developed around it.<sup>49</sup> Garber founded a family dynasty in Northwestern Oklahoma that was powerful in both politics and business. Dan Bass, founder of the highly successful D. C. Bass Construction Company of Enid, got his start by

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<sup>47</sup>Foreman, "Indian Pioneer History," XII, pp. 382-393.

<sup>48</sup>Enid Morning News, September 7, 1969.

<sup>49</sup>Lucy Garber, "Memoirs," Typewritten Manuscript in the author's possession.

winning a bid to build voting booths for five dollars each.<sup>50</sup> But even those who were destined to become highly successful businessmen did not enjoy immediate riches. It was thrift, industry, and most important, the ending of drought and depression in 1897, that ultimately brought prosperity to the inhabitants of the Outlet.

Good rains came in October of 1896, ending the drought.<sup>51</sup> Also, the depression coincidentally came to an end just prior to the presidential election that year. The cause of Free Silver and the ambitions of William Jennings Bryan, the Democratic candidate, may have suffered a serious setback with the end of the depression. But the pioneers of the Outlet joined with the victorious William McKinley and the rest of the nation to bask in "Republican Prosperity and a Full Dinner Pail" for the first time since the opening. At last, the repeated descriptions of poverty and despair were replaced with optimistic, cheerful notes of success, and good fortunes.

After the first big harvest, farmers began to buy farm equipment, horses, saddles, and cattle. However, prosperity was not an unmixed blessing. Shortly after the increases of horses and livestock, a wave of horse thefts swept the country, and anti-horse thief associations were quickly

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<sup>50</sup>Henry B. Bass, The First 75 Years. D. C. Bass and Sons Construction Company, 1893-1968. (Oklahoma City: Colorgraphics, 1969), p. 2.

<sup>51</sup>Ibid., p. 4. A large number of personal reminiscences report the drought ending at this time.

formed to meet the problem. Cooperation and neighborliness were also conspicuous at harvest time and in the erection of homes and farm buildings.<sup>52</sup> Many pioneers began erecting permanent buildings the year the drought ended,<sup>53</sup> but construction really began in earnest the following year; by the fall of 1901, the town of Enid proudly displayed twenty-four new brick buildings, all of them at least two stories.<sup>54</sup> Prosperity was also manifested in the large number of homes that were painted and the many fine carriages and well-harnessed horses.<sup>55</sup> One jubilant pioneer reported that in 1897 he had good crops, "got married, and began building a frame house."<sup>56</sup> Even the normally arid western part of the Outlet received life-giving rains and produced bountiful crops. In addition, there was an abundant supply of grapes, pumpkins, squash, and persimmons.<sup>57</sup>

Good times continued for the next several years as witnessed by a large number of people who reported continued construction of homes and other buildings, and purchases of equipment. One told of buying a windmill in 1900

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<sup>52</sup>Enid Morning News, September 18, 1967.

<sup>53</sup>Foreman, "Indian Pioneer History," XCII, p. 487.

<sup>54</sup>W. I. Drummond, "Supplemental Souvenir Edition of the Enid Eagle, Enid Oklahoma, May 8, 1902," (Enid: Cromwell Press), p. 10.

<sup>55</sup>Bass, The First 75 Years, p. 5.

<sup>56</sup>Foreman, "Indian Pioneer History," LXXXVI, p. 512.

<sup>57</sup>Letter from Edwin Roberts to Frankie Roberts, October 6, 1897, Judge O. C. Wybrant Papers.

and adding four rooms to the house he had built in 1897; it was his belief that prosperity in general reigned throughout the Outlet to the present day.<sup>58</sup> Still another reported that after a bumper crop of onions sold in 1898, he had prospered from that day onward.<sup>59</sup> Contracting became a lively business after 1896. Three room homes were built for an average of three hundred dollars, plus one hundred more for each additional room, and it was apparently easy to secure contracts.<sup>60</sup> Dr. D. F. Champlin of Enid became the proud owner of one of the finest X-Ray machines in the territory, and, in addition, owned three farms, other properties, and could boast of the finest home in Enid.<sup>61</sup> During 1898 a dozen new railroad companies were chartered, and half again as many surveys were completed for new lines or extensions of those already in operation in the Outlet.<sup>62</sup> Prosperity brought additional enjoyment to the pleasure-starved pioneers. One diarist

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<sup>58</sup> Clara Williamson Warren Bullard, "Pioneer Days in the Cherokee Strip," Chronicles of Oklahoma, XXXVI (No. 3, Autumn, 1958), p. 269.

<sup>59</sup> Foreman, "Indian Pioneer History," LXII, p. 34.

<sup>60</sup> Bass, The First 75 Years, p. 4.

<sup>61</sup> Portrait and Biographical Record of Oklahoma Commemorating the Achievements of Citizens Who Have Contributed to the Progress of Oklahoma and the Development of its Resources. (Chicago: Chapman Publishing Company, 1901), p. 237. The author has learned that Bessie Truitt, Enid, Oklahoma, authored most of the articles on Enid and Garfield County people contained in this volume.

<sup>62</sup> Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 153-154.

reported that on September 23, 1897, he had finished threshing wheat. The next day he sold 140 bushels at Hennessey, and the following day attended the Ringling Brothers Circus in Enid. This same diarist recorded that from 1897 onward, there was a shortage of labor, and that the more prosperous farmers hired year round help at thirteen to sixteen dollars per month. He also noted that in 1900 there was only about ten percent tenancy in his community.<sup>63</sup>

By 1898 the starving time was over for the majority of the residents in the Outlet. The years to come would bring hard times, to be sure, particularly in the westernmost portions, but for the most part, Nature had exacted her toll, and for those who had proven their mettle there would be a high degree of prosperity and success.

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<sup>63</sup>Debo, Prairie City, p. 97.

## CHAPTER IV

### THE GROWTH OF TOWNS

While the rural areas were agonizing through drought and depression, towns were being built. In fact the federal government land offices tried to make the seven county-seat towns as attractive as possible. Eighty acres were reserved in each for a park and courthouse. Spacious streets, eighty feet wide, and eight-foot wide sidewalks were prescribed. This considerably reduced the number of highly desirable county seat lots. It was also provided that only twenty-five foot lots could be claimed. As predicted, rival towns sprang up nearby, where larger lots could be obtained, and vigorous rivalries resulted over the honor of being the county seat.<sup>1</sup> It was Secretary of the Interior Hoke Smith of Georgia who ordered that all the county seat towns be surveyed in the Southern style with spacious city squares.<sup>2</sup>

Even before the settlers arrived in the Outlet, contests for the county-seat lots broke out. Speculators organized in companies for the purpose of securing these

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<sup>1</sup>Joe B. Milam, "The Opening of the Cherokee Outlet," Chronicles of Oklahoma, IX (No. 2, September, 1931), p.285.

<sup>2</sup>Knox, "The Beginning of Perry Oklahoma," p. 6.



choice lots for resale. Officials learned of their plans, however, and secretly moved the sites. Only Secretary Smith, the Chief Platter, and the head of the land office knew the locations. Even the railroad engineers were kept ignorant until they arrived on the scene.<sup>3</sup>

Seventy Cherokees were given eighty-acre allotments within the Outlet, to be selected before the opening.<sup>4</sup> Only about thirty were entitled to them, yet Secretary Smith allowed sixty-two, and these Indians attempted to select the choice county seat sites. Again, Secretary Smith averted sinister schemes by moving the townsites after the Cherokees had located their claims, or disallowed them completely.<sup>5</sup> An illustration of this practice was in Kay County, where Chief Bushyhead learned that Kildare had been designated the county seat and took his allotment near there. After his refusal to change his allotment, the government moved the county seat seven miles north to Newkirk.<sup>6</sup>

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<sup>3</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 45-46.

<sup>4</sup>U. S. 52nd Congress, First Session, "Message from the President of the United States Submitting an Agreement with the Cherokee Indians for the cession of certain lands," Senate Executive Document No. 56, March 10, 1892, Serial 2900, pp. 9 and 19.

<sup>5</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 143-148.

<sup>6</sup>Marijane Boone, (ed.), Newkirk and Kay County: Diamond Jubilee. (Ponca City: Skinner and Son, Printers-Lithographers, [n.d.] [n.pages]).

Predictably, the county seat towns were the most heavily populated on the day of the run. It was widely speculated that Perry was destined to become the leading city of the Outlet. As a consequence, it was also the most heavily "Soonered," and many stories about Sooner activities have survived. One such legend has it that some seven minutes after the run began, a huge band of riders appeared east of town, and five minutes later about two hundred horsemen descended on the town and claimed all the choice lots. Another story reports that the first stakes were driven in the town at 12:11 p.m., while the nearest starting point was nine miles away.<sup>7</sup> And there was considerable confusion over the location of the city square; soldiers, either by mistake or in collusion with others, held the wrong block of land open and settlers mistakenly settled on the city square. Months later, the "squatters" lost and were driven away.<sup>8</sup> An attempt was made by a group of Negroes from nearby Guthrie to stake claims in Perry, establish a colony named Liberty, and drive all the whites to Wharton four miles to the south. The plan failed, of course.<sup>9</sup>

Very few legitimate businessmen opened stores on the

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<sup>7</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 105-106.

<sup>8</sup>Knox, "The Beginning of Perry Oklahoma," pp. 4-5.

<sup>9</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 108.

square of Perry, where the choice lots were held by speculators, saloon keepers, and gamblers; the more reputable enterprises were located just off the square.<sup>10</sup> Over 25,000 people slept in Perry the night of the run, and lawlessness was rampant until Marshall Bill Tilghman was summoned from Guthrie to restore peace.<sup>11</sup> Perry's numbers were quickly reduced, however, and the population at statehood was only 2,881.<sup>12</sup> The land office and a ninety-day divorce law sustained the large lawyer population those first few weeks. There also was a large number of boarding houses to serve the brief residency requirements. But the residency for divorce was shortly extended to one year, and the removal of the land office ruined the legal profession for many.<sup>13</sup>

As with many Outlet towns, Perry witnessed some bitter contests for the quarter sections immediately adjacent to the city limits. And, as so frequently happened in those contests, the original settler often lost.<sup>14</sup> Another incident familiar to many towns of the Outlet was repeated in Perry. In several instances the railroad had selected one townsite, and the government had chosen another. Conse-

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<sup>10</sup>Knox, "The Beginning of Perry Oklahoma," p. 40.

<sup>11</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 106.

<sup>12</sup>Knox, "The Beginning of Perry Oklahoma," p. 15.

<sup>13</sup>Ibid., p. 46.

<sup>14</sup>Ibid., pp. 37-39.

quently, an intense competition resulted when the trains refused to stop at the government town. Wharton was the railroad town, and the indignant citizens of Perry tried in vain to force the Santa Fe to stop at their town instead of Wharton. Finally, a peaceful solution was found when the Perry city council passed a four mile per hour speed limit on train traffic; the depot was moved to Perry.<sup>15</sup>

Enid experienced similar difficulties with the Rock Island Railroad. Approximately 12,000 people settled in what was to become the Queen City of the Outlet on the day of the opening,<sup>16</sup> and it quickly became apparent that the railroad townsite a few miles to the north was doomed by the rival county seat town. Still, railroad officials stubbornly refused to stop the trains in "South Town," requiring passengers and mail deliveries to travel the offensive extra few miles daily. Peaceful entreaties and threats of force did not intimidate the railroad. Finally a group of indignant citizens took the matter in hand, sawed the timbers on the trestle south of "South Town" and wrecked a freight train. Very shortly afterward Enid became the regular stopping place, and North Enid remained a suburb thereafter.<sup>17</sup>

Marquis James later wrote that his father, Houstin

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<sup>15</sup>Ibid., p. 9.

<sup>16</sup>Milam, "The Opening of the Cherokee Outlet," X, p. 126.

<sup>17</sup>James, The Cherokee Strip, p. 14.

James, broke up the celebration which followed the train wreck. Fearing that this "jollification" would result in railroad retaliation, he mentioned the fact that a large amount of seed wheat had been spilled by the wreck, and the crowd dispersed immediately.<sup>18</sup> The rivalry between North and South Enid became so intense that South Enid came perilously close to losing its privileged status as the county seat. A bond issue to build county offices failed to pass, and again Houstin James came to rescue; he persuaded a group of "South Town men of means" to build a two-story brick courthouse at their own expense and then rent it to the county for a sum that would reimburse them over a period of ten years. The structure was completed just in time to avert the loss of the county offices to rival North Enid, and the rental was less than the county was paying for temporary quarters.<sup>19</sup> Enid enjoyed a steady growth after the initial boom period ended, and today easily outdistances all rivals as the leading city of the Outlet. Yet the rivalry with North Enid is still very much in evidence, and the famous railroad war is still a favorite of the old-timers. Many elderly Enid residents deny that they participated in the wrecking of a train, yet they betray a suspicious familiarity with the details and of the people who did the deed.

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<sup>18</sup>Ibid.

<sup>19</sup>Ibid., p. 198.

The proud Enid citizens' continued belief that their actions brought the mighty Rock Island to its knees is largely a myth. Actually it was government action which required the trains to stop at all county seat townsites, a dangerously narrow victory. The vote in the United States Senate resulted in a tie, and was decided only by the vote of Vice-President Adlai Stevenson.<sup>20</sup>

A few miles to the north of Enid, in Grant County, the towns of Pond Creek and Round Pond also were experiencing difficulties with the Rock Island Railroad. Pond Creek was designated the county seat, but the railroad had built its depot at Round Pond (presently Jefferson), a few miles to the south.<sup>21</sup> As a county seat townsite, Pond Creek naturally attracted a larger number of inhabitants that first day, approximately 8,000. It could boast a hotel, twelve law offices, several restaurants, two general stores, and six or seven grocery stores the day following the run.<sup>22</sup> Despite its obvious superior numbers, the railroads refused to stop at Pond Creek, whose citizens resorted to desperate tactics, but to no avail.

House movers at Pond Creek thereupon stalled a small framehouse on the tracks in an attempt to stop the train,

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<sup>20</sup>Drummond, "Supplemental Souvenir Edition of the Enid Eagle," pp. 6-7.

<sup>21</sup>C. B. Glasscock, Then Came Oil. The Story of the Last Frontier. (New York: Grossett and Dunlap, 1938), p. 107.

<sup>22</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 108.

but the engineer responded with an open throttle and crashed through it. Later, in June of 1894, a group of dynamiters blasted two small bridges across the Salt Fork River. One local neighbor suggested to the excited residents of Pond Creek that they not pursue the guilty culprits too rapidly to enable them to get away. A few weeks later, a railroad bridge at Kremlin was burned, and later some two hundred men tore up a section of track. A local resident tried to warn the approaching engineer, who was pulling a trainload of cattle, by waving a red petticoat, but the suspicious engineer ignored him. As a result there was a terrible crash. Twelve carloads of cattle were piled in a heap, killing most of the animals. Eighty residents were arrested on federal warrants for this escapade, but none were ever punished.<sup>23</sup> The railroad finally resorted to placing armed guards aboard the trains. Local farmers delighted in taking shots at the guards as they rode atop the speeding cars. Only with Congressional action, following the incident at Enid, was the Pond Creek-Round Pond controversy resolved, and Pond Creek remained the county seat all through territorial days--only to lose out to Medford at statehood.<sup>24</sup>

Despite the many similarities Outlet towns had in origin, and their time and method of settlement, each de-

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<sup>23</sup>Glasscock, Then Came Oil, pp. 107-108.

<sup>24</sup>Allen, Chariot of the Sun, pp. 243-244.

veloped its own unique history, character, and personality. In the eastern part of the Outlet, Newkirk was designated by the government as the county seat town.<sup>25</sup> Many settlers heading for Newkirk stopped and mistakenly drove their stakes at Kirk, a hay-shipping center established by the Santa Fe two miles to the north. After learning their mistake, these frustrated settlers were required to run the two miles to Newkirk on foot and try again. On the Monday after the Opening, successful claimants assembled at 10:00 to form their town government, voting to name the town Lamoreaux in honor of S.W. Lamoreaux, commissioner of the federal land office. The name never was well received, and was shortly changed to Santa Fe in an effort to tempt the railroad to build through the town. The railroad objected, and thus the name Newkirk was finally agreed on, since the "old" Kirk had been abandoned. Newkirk was incorporated as a second-class city on January 8, 1894.<sup>26</sup>

In later years, other Kay County towns would outdistance Newkirk in population, and several attempts would be made by Ponca City, Tonkawa, and Blackwell to woo the coveted county seat offices away from smaller Newkirk; but their populations being so nearly equal, they only succeeded in deadlocking. Thus little Newkirk still proudly remains Kay County's seat of government.<sup>27</sup>

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<sup>25</sup>Boone, Newkirk and Kay County.

<sup>26</sup>Ibid.

<sup>27</sup>Personal interview with Mr. Neal Sullivan, Newkirk, Oklahoma, June 9, 1970.



The two larger western counties, Woodward and Woods, did not witness the struggle for possession of the county seat offices owing to their small population and the scarcity of rival towns. Later, after statehood, when these counties were broken into smaller units, rivalries for county seat domination would erupt as in the east. Many of these rivalries became very heated. Shattuck, Gage, and Arnett contested in Ellis County, with Arnett emerging the victor.<sup>28</sup> Alfalfa county witnessed a struggle between Cherokee and Carmen, with the former winning out.<sup>29</sup>

These early-day rivalries often produced bitterness and competition in other areas that have remained for years. But this competition has greatly colored the history of the towns in the Outlet, producing fierce civic pride--and hard-fought contests on the football field by second and third generations.

There would be other towns established in the Outlet in addition to the county seats. While anyone could found a town, he was required to file with the recorder of the county a plot describing the boundaries, blocks, lots and their size, and land for schools and parks, along with the name of the town. The amount of land to be included within a town was governed by the number of inhabitants. A town

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<sup>28</sup>Baker, A Pioneer History of Shattuck, p. 261.

<sup>29</sup>The author lived in the Carmen community during the late 1930's and early 1940's and observed the intense rivalry that persisted long after Cherokee won the county offices.

of more than one hundred but less than two hundred inhabitants could not exceed three hundred and twenty acres. One with more than two hundred but less than one thousand inhabitants could not exceed one thousand two hundred and eighty acres. An additional one thousand to five thousand inhabitants required an increase of three hundred and twenty acres. If the population of a proposed town was less than one hundred, the townsite was restricted to the amount of land actually occupied by legal subdivisions.<sup>30</sup> Literally dozens of towns were established within a short time after the opening. Many of them would prosper, grow, and survive even to this day; the majority of them, however, endured only briefly and shortly became ghost towns.

Early day surveyors, cowboys, cattlemen, freighters, and railroad officials gave names to places prior to the opening, while later settlers brought names from everywhere. Many places have had several names, and some names have been moved to a number of places.<sup>31</sup> Two of the more successful new towns were Ponca City and Blackwell, both of them founded by ambitious and industrious individuals.

Benton Seymour Barnes, a furniture manufacturer from Adrian, Michigan, was the founder of Ponca City. Bankrupted by the depression of 1893, he came to the Outlet in search of a good townsite to begin anew. He rejected Perry

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<sup>30</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, pp. 62-63.

<sup>31</sup>Jayne, O County Faces and Places, p. 45.

and Enid, and in his wanderings farther east, in Kay County, he came upon what appeared to him to be a good site on the Santa Fe Railroad a short distance to the south of the government townsite of Cross. Barnes was particularly impressed with his choice because of the abundance of good water. He returned to Arkansas City, organized the Ponca Townsite Company and sold two thousand three hundred certificates, or shares, at two dollars each. This money was to be used to purchase the four quarter sections from whom-ever successfully claimed them. The money also would provide for surveys and the beginning of the city government.

Each certificate entitled the holder to a lot in the city. The stockholders drew by lottery the site of their respective possessions. Barnes himself participated in the run and successfully staked a claim in the southeast quarter of a section of his town. He had eight contestants on his claim with him, several of them bluffers; thus the name "bluff-dale" given to an area of the town. Three of the four quarters were successfully obtained by the townsite company, but a dispute over ownership of the last quarter delayed its development into the city. By noon of September 18, however, the entire section had been surveyed and staked off, and that evening B. S. Barnes was elected provisional mayor. On December 19, 1893, the city officially incorporated. On February 2, 1894, the first municipal

elections were held, with Barnes elected mayor.<sup>32</sup>

Ponca City developed into the rip-roaring, lawless Dodge City of the Outlet.<sup>33</sup> A new arrival to the town seven years after the run reported that it was a city of 1,500 people, four churches, one school, and fifteen saloons. A stone quarry a few miles northeast of town was its "biggest enterprise."<sup>34</sup> Another "prairie bride" described Ponca City as a lawless town with many saloons and houses of prostitution. She also witnessed the killing of a cowboy and a drunken man freezing to death in the street.<sup>35</sup> Another woman settler remembered a "saloon on every corner."<sup>36</sup> Yet another remembered "there was no social life in those days, except in the churches and saloons."<sup>37</sup>

Amidst all the lawlessness, Mayor Barnes and other leading citizens were waging a familiar battle with the Santa Fe Railroad in an attempt to get the trains to stop at their town instead of nearby Cross. After a year of peaceful and futile effort, Mayor Barnes conceived a

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<sup>32</sup>Louis Seymour Barnes, "The Founding of Ponca City," Chronicles of Oklahoma, XXXV (No. 2, Summer, 1957), pp. 155-161.

<sup>33</sup>D.A.R., The Last Run, p. 16.

<sup>34</sup>Ibid., p. 11.

<sup>35</sup>Ibid., p. 18.

<sup>36</sup>Ibid., p. 58.

<sup>37</sup>Ibid., p. 183.

brilliant idea. He persuaded a personal friend, H. S. Liddle, the railroad agent at Cross, to move his home to Ponca City. Liddle was offered two free lots and a promise to move his house at no cost. Liddle secured permission from the Santa Fe, and under cover of darkness workers began quietly removing Liddle's home toward Ponca City. The aroused and indignant citizens of Cross awakened next morning as the house was moving along the outskirts of the town. They threatened to prevent this outrage, but shotguns belonging to the workers carried the day--and the house. Shortly after that, Mayor Barnes bought the Midland Hotel, Cross' largest, and moved it to Ponca City. These two events started the movement. Within a month several more homes were moved to Ponca City, and six months later Cross was a ghost town.<sup>38</sup>

With the disappearance of Cross, the Santa Fe made its first stop at Ponca City on September 22, 1894. A huge celebration marked this historic event, and souvenir cards were given away by the railroad with the inscription, "The trains stop at Ponca City just the same as at Chicago."<sup>39</sup> Ponca City grew slowly at first, but with the later discovery of oil it would become the most metropolitan city of the Outlet.

The neighboring town of Blackwell was also the product

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<sup>38</sup>Ibid., pp. 51-52.

<sup>39</sup>Ibid., pp. 31-33.

of one man, A. J. Blackwell, a Cherokee by marriage. Shortly after the announcement of the opening, Blackwell and a group of Winfield, Kansas, businessmen formed the "Cherokee Strip Business Exchange and Protective Association" for the purpose of building a town, hopefully the county seat, near the center of Kay County. Attorneys for the association managed to have the allotments of four Cherokee children, located near the center of Kay County, placed under a guardian's care. The attorneys then had the allotments sold to the company. Blackwell traveled southern Kansas selling certificates for lots in the future city. On the day of the run, certificate-holders had only to draw by lot for their homesites, which previously had been surveyed and platted. There was some confusion over the Indian allotments; a faulty description of the northeast eighty acres only temporarily delayed Blackwell's scheme. Frank Potts of Winfield, Kansas, proved up that claim, however, so the townspeople of Blackwell later assessed themselves enough to buy him out and incorporated the elusive land into the city. Blackwell was elected to serve as first president of the city council. The energetic and dashing Blackwell, feeling the need for publicity, bought a newspaper and waged an impressive campaign which resulted in the town being named after him.<sup>40</sup> Blackwell

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<sup>40</sup> Homer S. Chambers, The Enduring Rock: History and Reminiscences of Blackwell Oklahoma, and the Cherokee Strip. (Blackwell: Blackwell Publications, 1954), pp. 25-26.

sold his certificates for five dollars each, but did not get rich from this project.<sup>41</sup> Prior to the opening of the Outlet, however, he did illegally enter and bale several tons of prairie hay. Later he sold it for \$1 to \$1.25 per bale to livestock owners who had no place to graze their animals on the burned off land.<sup>42</sup>

The neighboring town of Parker just across the Chikaskia River threatened Blackwell for a time, but high water and the absence of a railroad doomed Parker, while Blackwell after a slow beginning, began to prosper.<sup>43</sup> Blackwell was without a railroad for four years. The town tried repeatedly to induce the Santa Fe and the Frisco railroads to come to their town but failed. Finally the Hutchinson and Southern began construction toward Blackwell, and as a result the Frisco and the Santa Fe entered into a three way race with the Hutchinson and Southern. Blackwell ended up with three railroads.<sup>44</sup> With the coming of the railroads in 1898, Blackwell began to bloom.<sup>45</sup> From a modest beginning of a population of six to eight hundred people,<sup>46</sup> Blackwell became one of the major cities of Kay

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<sup>41</sup>Ibid., p. 35.

<sup>42</sup>D.A.R., The Last Run, p. 285.

<sup>43</sup>Ibid., p. 284.

<sup>44</sup>Chambers, The Enduring Rock, pp. 39-42.

<sup>45</sup>Ibid., p. 75.

<sup>46</sup>Boone, Newkirk and Kay County.

County and the Outlet. In 1899, a city ordinance was passed requiring all new businesses to be constructed of stone or brick. Still, the newspapers recorded a large number of business houses constructed during the next few years,<sup>47</sup> giving that town a distinctive appearance.

Of the many towns that sprang up in the Outlet those first few years, only a few have survived. The difference between survival and death, or the degree of success, often depended on luck, accidents of geography, the whims of railroad officials, or the efforts of one outstanding and enterprising individual.

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<sup>47</sup>Chambers, The Enduring Rock, pp. 75-77.



## CHAPTER V

### CULTURAL AFFAIRS

Hot, scorching, prairie winds, barren land, and the absence of the stabilizing institutions of civilization all tended to erode, if not totally destroy, the cultural heritage of the Outlet pioneers. Yet the settlers were grimly determined to preserve the spiritual, cultural, and aesthetic dimensions of their earlier homes against the hard, materialistic forces of a prairie wilderness. Their efforts were often pathetically crude and feeble, but they were at the same time heroic; and in the end they prevailed.

Even the most minute and trivial article of beauty was preserved with loving affection by these pioneers. Almost every woman brought some "cherished and treasured item from home, that was ostentatiously displayed to prove that the owner had come from a good background and possessed good taste." The lowliest of items, frying pans, coal shovels, and rolling pins, were painted, polished, or decorated and displayed proudly in the home in a feverish attempt to bring color to the otherwise depressing interior of a soddie.<sup>1</sup>

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<sup>1</sup>Ferber, Cimarron, p. 167.

Education was of primary importance to the settlers of the Outlet as clearly demonstrated by the speed and number of schools established. While some settlers reported that there were no schools available the first three years,<sup>2</sup> far more frequently it was recounted that public schools were established almost immediately upon arrival. It would require time formally to organize the Outlet into school districts, but the settlers impatiently started conducting classes for their youngsters, most frequently in private homes. By the latter part of 1894, there were schools in nearly every district of every county.<sup>3</sup> The first of these, until such time as taxes could be collected, were subscription schools, but rarely was a student denied admission for lack of funds.<sup>4</sup> Owing to the shortage of finances with which to pay teachers, the length of school terms was highly irregular, sometimes as short as three months. In almost every instance, the paucity of textbooks proved to be a problem. Therefore children brought their own books, of whatever kind, and, of necessity, the education they received was highly individualized.<sup>5</sup> Some students even were required to provide their own seats for the

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<sup>2</sup>Foreman, "Indian Pioneer History," XXVI, p. 423.

<sup>3</sup>Wilbert C. Ingle, "Development of Education in Grant County, Oklahoma," Unpublished Master's Thesis, O.S.U., Stillwater, 1939, p. 11.

<sup>4</sup>Ibid., pp. 7-8.

<sup>5</sup>Enid Daily Eagle, March 11, 1970.

first few years.<sup>6</sup> Teachers' salaries varied, as could be expected, but they were pitifully underpaid in every instance. Typically their salaries were reported to range from twenty to thirty dollars per month.<sup>7</sup>

According to law there were to be two schools in a township, generally located near the center, thus providing a school every three miles. These schools served an average enrollment of thirty-five to forty students, housed in one-room buildings constructed by community effort. Easy access to the schools was provided by public roadways; sixteen feet were reserved on all sides of a section, resulting in a thirty-two feet wide road.<sup>8</sup> It had been the procedure in earlier runs to reserve the sixteenth and thirty-sixth section of each township for schools. The Outlet set aside not only these two sections, but also sections thirteen and thirty-three for territorial institutions and public buildings respectively.<sup>9</sup> Those lands designated for the support of public buildings and education were not offered for lease by the governor until July of 1894; such leases to be for three years dating from January of 1894. As it was too late in the season, only two hundred and eighty-one leases were executed, so the

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<sup>6</sup>Holton, Early Days in What is Helena Township, p. 18.

<sup>7</sup>Ibid., pp. 18-22.

<sup>8</sup>Bullard, "Pioneer Days in the Cherokee Strip," p.265.

<sup>9</sup>Gibson, Oklahoma: A History of Five Centuries, p. 300.

offer was withdrawn. It was resubmitted on January 1, 1895, and three hundred and sixteen more leases were taken at that time, at seventy-five dollars per quarter section per year. While the leasing of common school lands was proceeding in January of 1895, only 1,950 of 4,244 quarters had been leased. Still, badly-needed revenue for the support of public education was beginning to trickle in. Most of the vacant school lands were in the west, and by 1898, even those lands west of range fourteen were all leased to cattlemen for grazing.<sup>10</sup>

Enid's public school system opened in March of 1894. A normal college and a business college were established that same year, but failed as did a kindergarten the following year. Then prosperity brought ambitious building projects. In 1900 Enid passed a \$12,000 bond issue by a vote of 208 to 16, the proceeds to be used to construct a new high school building. A second brick building was completed the following year, and by 1903 conditions had become so crowded for the 1,200 students that additional rooms had to be rented. By 1904 another eight-room brick building was constructed, as well as a colored school.<sup>11</sup> Another barometer of rapid school growth is revealed by the fact that Garfield county had six schools in 1894, thirty-

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<sup>10</sup>Milam, "The Opening of the Cherokee Outlet," Master's Thesis, p. 152.

<sup>11</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," pp. 23-31.

three the next year, and seventy-three a year later.<sup>12</sup> Even sparsely-populated Woodward County counted 119 school districts in 1901, and 182 the next year.<sup>13</sup> By 1894 Grant County numbered 1,860 students enrolled.<sup>14</sup>

In addition to serving as a place for dispensing education of a highly diversified nature, early school buildings also were social centers. Taffy pulls, birthday parties, Christmas programs, and other social functions frequently were held in the school buildings, especially in the rural areas. In addition, these buildings often were used as Sunday Schools and churches. In a few instances, storm caves were built to serve as protection against the ferocious tornadoes as well as community food and storage houses.<sup>15</sup>

Additionally the school performed a vital function in that it was the community meeting place; it was not only a center of learning but also a central location where all the settlers came to take part in the many and varied social events of the area. Their regn as the principal focal point for social events was brief, however. The number of independent school districts, located mainly in

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<sup>12</sup>Jayne, O County Faces and Places, p. 35.

<sup>13</sup>Randels, "The Homesteader and the Development of Woodward County," p. 292.

<sup>14</sup>Ingle, "Development of Education in Grant County, Oklahoma," p. 14.

<sup>15</sup>Eisele, A History of Covington, p. 6.

towns and cities, began to increase in size and number almost from the date of the run. Only a year after statehood was achieved, the process of consolidation began when four districts were made into one in Grant County.<sup>16</sup> "Consolidation became the sacred shibboleth of educators," and by 1908 the day of the one-room rural school was over. "Consolidate into a graded system and transport students..." became the familiar cry of educators and has continued to the present day.<sup>17</sup> The number of students enrolled in rural county schools declined far more rapidly than it rose. By the turn of the century, Grant County had 6,463 students attending classes, but three decades later the number had fallen precipitously to 1,789,<sup>18</sup> and the number of these institutions operating in Kay County declined from a high of 106 in 1897 to 90 in 1941. By 1957 only twenty-five remained to serve approximately 900 students.<sup>19</sup> In contrast to other frontiers, the Outlet hurriedly passed through its more primitive stages of development, and modernity was upon some of its institutions in very short order. The rural one-room school house endured for several years in the more remote areas, to be sure, but the major-

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<sup>16</sup>Ingle, "Development of Education in Grant County, Oklahoma," p. 43.

<sup>17</sup>Debo, Prairie City, pp. 144-145.

<sup>18</sup>Ingle, "Development of Education in Grant County, Oklahoma," p. 43.

<sup>19</sup>Ponca City News, September 15, 1957.

ity of the students were served by more sophisticated institutions.

Other forms of education were not ignored by the Outlet settlers. In September of 1898 the "Northwestern Academy" in Carrier opened with sixteen students and one faculty member. It was a private institution founded by the Congregationalist Church, which gave continued economic support. Tuition cost for thirty-eight weeks of instruction was twenty dollars, with a five percent discount for advance payment. Room and board was available at \$2.25 per week, and wooden fence posts were eagerly accepted in lieu of money.<sup>20</sup> Miss Julia Johnson, an eighteen-year-old music teacher, arrived at Enid and found the city overflowing with people celebrating the anniversary of the run. She was "filled with abject loneliness" and was horrified by barking dogs and howling coyotes as she spent her first night in the Outlet in a settler's lean-to. After a breakfast of mush and side-meat, her greatest shock came later when she arrived at the Academy and discovered that the town of Carrier did not exist. Later she recalled, "There was only a store, church, and a blacksmith shop. There was no academy building, no students, and no piano."<sup>21</sup> All of these would come with time, and at its height the academy enrolled 103 students, taught

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<sup>20</sup>Journal of the Cherokee Strip, X, No. 2, pp. 11-12.

<sup>21</sup>Enid Morning News, February 1, 1970.

by four faculty members. After a brief success during twelve years of operation, the school was forced to close its doors.<sup>22</sup>

Another similar type of educational institution, the Tonkawa University Preparatory School, was founded on March 1, 1901, by the territorial legislature. Located one-half mile east of Tonkawa, its doors were first opened for classes in September that same year. Congress in 1901 and again in 1909 donated sections of adjacent land to be sold for campus improvements. This school flourished for about ten years until local high schools became popular.<sup>23</sup> The school was closed in 1917 by executive order of Governor Robert Lee Williams, then was reopened two years later under a new name, the University Preparatory School and Business Academy. In 1920 a college department was added, and the name was again changed to the University Preparatory School and Junior College.<sup>24</sup> The first year of college preparatory classes was dropped in 1938-39, and the second year of preparatory classes was discontinued the following year.<sup>25</sup> In 1941 the state legislature changed

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<sup>22</sup>Journal of the Cherokee Strip, II, No. 1, pp. 11-12.

<sup>23</sup>Ponca City News, September 10, 1939.

<sup>24</sup>Ibid., September 15, 1957.

<sup>25</sup>Ibid., September 10, 1939.



the name to the Tonkawa Northern Oklahoma Junior College,<sup>26</sup> which it remained until recently when it was renamed Northern Oklahoma College.

Following the failure of Enid's first business college, founded in 1894 by W. D. Stephenson, a nephew, J. E. George, arrived in Enid from Mississippi in 1904 and reopened the "Enid Business College." He became its owner, president, and also served as a teacher. He led the school successfully until 1954, when his son, J. Elmo George, succeeded to the presidency. He guided the school's destinies until 1969 when it was sold to a Tulsa firm. The Enid Business College is the oldest such institution in Oklahoma and one of the most successful. During its seventy-five year history it has graduated thousands of students, providing many business leaders throughout Northwestern Oklahoma.<sup>27</sup>

The Outlet also quickly acquired two institutions of higher learning, Phillips University at Enid and Northwestern State College at Alva. The territorial legislature by an act in 1897 established Northwestern State Normal School at Alva, a small town in Woods County. This would prove to be a permanent part of the state's system of higher education. The first building was erected in 1898, and by

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<sup>26</sup>Ibid., September 15, 1957. North Central Accreditation was gained in 1947, the first Kansas or Oklahoma Junior College to obtain full recognition, and it has continued to grow and maintain fine academic and athletic programs.

<sup>27</sup>Journal of the Cherokee Strip, XI, No. 2, p. 14.

1912 the college consisted of three buildings, situated on a beautiful forty-acre tract south of the town. By the school year of 1910-1911, enrollment had reached 681 students, and state appropriations the following year reached \$40,000.<sup>28</sup> The school was enlarged from a normal school to a four-year college in 1919, and the name was changed to Northwestern State Teachers College. Twenty years later, further expansion resulted in the offering of degrees in liberal arts in addition to that in education, at which time the official name became Northwestern State College, which it remains to date.<sup>29</sup> It has continued to grow steadily, and today is the largest institution of higher learning in Northwestern Oklahoma.

Another institution of higher learning was established by the Disciples of Christ Church in 1907 at Enid by Dr. Ely Vaughn Zollars, former president of Texas Christian University. The Christian Church Societies of the two territories asked interested cities of the state to bid on the new college. All told, seven cities participated, but all their offers were rejected as too low. The cities were asked to reconsider, which they did, and a week later sub-

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<sup>28</sup>Seth K. Corden and W. B. Richards (compilers), The Oklahoma Redbook. 2 Vols. (Oklahoma City: Benjamin F. Harrison, Secretary of State, 1912), II, p. 189.

<sup>29</sup>Northwestern State College, Alva, Oklahoma, Biennial Catalog for 1970-1972, p. 19.

mitted higher bids.<sup>30</sup> Enid's offer was still too low, but the representative from the Chamber of Commerce, calling home for instructions, was told to "promise anything. Get the school!"<sup>31</sup> Enid successfully won the bid by offering to raise \$80,000 and to construct a \$35,000 home for President Zollars, who swung the offer by saying, "I vote for Enid."<sup>32</sup> Rather spectacularly, the young frontier town proceeded quickly to raise \$85,000. Two banks, the Bank of Enid and the Garfield Exchange Bank, led with contributions of \$5,000 each. The school was named Oklahoma Christian College by its first board of trustees.<sup>33</sup> Thus was begun a Christian institution of higher learning in a sprawling frontier town without a foot of paved streets and a city square in which all but two buildings were of wooden construction. It was a wide-open town of eighteen saloons, plenty of whiskey, frequent murders, and no trees.<sup>34</sup>

The Oklahoma Christian College opened the doors of its yet unfinished building on September 17, 1907, to 256 students, an impressively large number. Those first stu-

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<sup>30</sup>Frank H. Marshall, Phillips University's First Fifty Years, (October 9, 1906-October 9, 1956.) Volume One: The Early Days of Phillips University: Period of Founding and Pathfinding, 1906-1916. (Enid: Phillips University Press, 1957), pp. 29-30.

<sup>31</sup>Ibid., p. 31.

<sup>32</sup>Ibid., p. 32.

<sup>33</sup>Ibid., pp. 33-34.

<sup>34</sup>Ibid., pp. 37-38.

dents sat on boards resting on nail kegs.<sup>35</sup> Depression swept the nation in 1907, and the Enid University and Development Company failed to pay the cash bonus upon which its school depended. Teachers were unpaid, but they agreed to stay on. There was no money for coal, so students went to classes wearing overcoats. President Zollars shared his salary, being paid by T. W. Phillips, Sr., a Pennsylvania oilman, with the rest of the faculty.<sup>36</sup>

From this precarious beginning, the school continued to grow despite seemingly insuperable odds. The School's principle benefactor, T. W. Phillips, Sr., died on July 21, 1912, but his family agreed to continue their support. Shortly after his death, the name of the school was changed by the trustees to Phillips University. Through the years, the Phillips family has contributed from \$750,000 to \$1 million.<sup>37</sup> By 1916, 618 students were enrolled, and two years later the university baseball team played the World Champion Chicago White Sox in Enid, losing eight to four.<sup>38</sup> The school received its first national accreditation by the North Central Accreditation Association in 1919, and has

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<sup>35</sup>Ibid., pp. 43-44.

<sup>36</sup>Ibid., pp. 46-49.

<sup>37</sup>Ibid., pp. 94-98.

<sup>38</sup>Frank H. Marshall and Wilfred E. Powell, Phillips University's First Fifty Years. (October 9, 1906--October 9, 1956.) Volume Two: The Turbulent Middle Decades, Period of Expansion and Consolidation, 1916-1938. (Enid: Phillips University Press, 1960), pp. 16-17.

never been challenged since.<sup>39</sup> The Great Depression did seriously threaten to close the school, but faculty and administration tenaciously hung on. In 1940, the faculty received their first full salaries in over ten years.<sup>40</sup>

Poverty, one of the greatest of all levelers, gave an egalitarian flavor to practically all social affairs in the Outlet. Prairie-frontier leisure promoted social activities, and day-long picnics, parties, barbeques, dances, and singings were frequent fare.<sup>41</sup> After the first few months, gamblers, speculators, and bawdy houses passed from the scene, and churches and school buildings became the chief social centers. There was little private entertainment in the earliest days owing to the inadequacies of private homes. This social pattern continued into the second and third years following the Opening, and then private entertainment remained infrequent.<sup>42</sup>

Dances were particularly popular. Frequent mention is made of them by old-timers. Often dances were held in pri-

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<sup>39</sup>Ibid., p. 37.

<sup>40</sup>Frank H. Marshall and Robert G. Martin, Phillips University's First Fifty Years, (October 9, 1906--October 9, 1956.) Volume Three: The Period of Greatest Advance, 1938-1958. (Enid: Phillips University Press, 1967), p. 38. Facing the problems of all private institutions of higher learning, Phillips University again is threatened by the economic squeeze, but as in times past, its administration, faculty and 1,400 students will no doubt continue to be one of the leading liberal arts colleges in the state.

<sup>41</sup>Dale, Frontier Ways, p. 88.

<sup>42</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," pp. 10-13.

vate homes, even soddies. To accomodate the crowd, all the furniture could easily be moved out of doors.<sup>43</sup> Dances were generally frowned on by church people, as were the kissing games, so these were usually held in private homes. One particularly prosperous settler owned a two-room home and sponsored frequent square dances, five sets at a time. The family boasted an organ, and younger men brought their fiddles. These dances remained popular at this household for over a year until a fight erupted and brought them to an end.<sup>44</sup>

Oftentimes events such as box suppers, pie suppers, and ice-cream socials served the dual purposes of providing social contacts and raising money as well.<sup>45</sup> While prairie settlers wrote very few songs describing their hardships and joys, group singing in the homes, churches, and schools and sometimes "all-day singing with dinner on the grounds" were popular with both young and old. In contrast to the more sophisticated East, there was even singing at revivals, weddings, and funerals.<sup>46</sup> This music was typically frontier, highly romantic, and sometimes "fairly slopped with sentiment" that would soften the heart of a "wooden Indian"

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<sup>43</sup>Journal of the Cherokee Strip, III, No. 1, p. 7.

<sup>44</sup>Lillian Carlile Swartz, "Life in the Cherokee Strip," Chronicles of Oklahoma, XLII (No. 2, Summer, 1964), p. 76.

<sup>45</sup>Bullard, "Pioneer Days in the Cherokee Strip," pp. 266-267.

<sup>46</sup>Dale, Frontier Ways, pp. 56-57.

and reduce the hardest cowhand or Granger to tears.<sup>47</sup>

There were any number of other diversions to occupy the settler's leisure time. The Ringling Brothers Circus came to Enid in 1897. People from distances of a hundred miles came. Over 30,000 admissions were sold to fill to overflowing a seating capacity of only 20,000. It was reported to be the largest crowd ever assembled "under Ringling's canvas, anytime, anywhere."<sup>48</sup> Marquis James claims to have attended more than one bullfight in Enid.<sup>49</sup> Baseball quickly became another, perhaps the most popular, pastime<sup>50</sup> and has dominated the sports scene since 1907.<sup>51</sup> Horse racing was also popular and was frequently mentioned by early-day settlers.<sup>52</sup> Annual Opening celebrations knew no bounds for the first three or four years in the Eastern portion of the Outlet, but after the turn of the century, this event began to diminish in importance, while county fairs began to emerge as the great annual event.<sup>53</sup> "Enid grew and matured, and gradually it ceased spending its

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<sup>47</sup> Ibid., p. 54.

<sup>48</sup> Jayne, O County Faces and Places, p. 57.

<sup>49</sup> James, The Cherokee Strip, p. 21.

<sup>50</sup> Garber, "Memoirs," p. 65.

<sup>51</sup> Caton, "A Social and Cultural History of Enid, Oklahoma," p. 19.

<sup>52</sup> Ibid., p. 19. Also, see James, The Cherokee Strip, p. 4.

<sup>53</sup> Caton, "A Social and Cultural History of Enid, Oklahoma," p. 20.

leisure collectively," wrote R. J. Caton. As the sprawling young city prospered and grew, "its social structure reflected the economic transition." After 1898, with the advent of prosperity, no longer was everyone on the same level, and the "homogeneity of a frontier society passed after a remarkably short period; it did not return."<sup>54</sup>

With prosperity came social and cultural stratification, and a discernible sophistication developed with the advent of an "urban society that was firmly established by 1907."<sup>55</sup>

Religion was a very real part of pioneer life. Indeed, all across the Outlet denominations competed for the distinction of having been the first "to conduct services" in almost every community. But those first days were so hectic and confusing that it is impossible to determine which was first, and to award the honors to any particular denomination would result in alienating the others. It is enough to say that, shortly after the run, several denominations were holding regular services in all the towns, and many of them claim to be first. Poor church records were kept, but it can be said with certainty that they were fundamentalistic theologically, and, typical of frontier religion, revivalism was highly popular. And while "doctrinally the churches differed; practically they did not."<sup>56</sup>

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<sup>54</sup>Ibid.

<sup>55</sup>Ibid., p. 62.

<sup>56</sup>Ibid., p. 52.



In the absence of formal, organized worship services, settlers made do with private services; often these were highly ecumenical in nature. One family recorded that Sunday School services were held in four different homes, each family taking turns; the organ was transported from one home to the next each week.<sup>57</sup> Nor were these pioneer Christians fastidious about their surroundings. The Christian Church members at Enid organized and held services in a tent. After three months, they moved to an "old saloon building," and later moved to a wooden building which was shared with the Catholics who used it in the mornings, leaving the afternoon for the Christians. Later they occupied the Congregationalist building.<sup>58</sup> The Methodists at Blackwell worshipped in "an unfinished store building" with their services conducted by an itinerant preacher.<sup>59</sup> Rural worship services typically originated in a settler's sod house, moving later to the school house while negotiations began for a permanent home.<sup>60</sup> Once a site had been secured, private donations and volunteer labor completed the permanent structure.<sup>61</sup>

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<sup>57</sup>Swartz, "A Pioneer's Sod House Memories," p. 67.

<sup>58</sup>Drummond, "Supplemental Souvenir Edition of the Enid Eagle."

<sup>59</sup>Chambers, The Enduring Rock, p. 89.

<sup>60</sup>Holton, Early Days in What is Helena Township, pp. 48-49.

<sup>61</sup>Swartz, "Life in the Cherokee Strip," p. 73.

A profusion of church novelties was a significant feature of Enid social life after the first years of settlement.<sup>62</sup> The need for money was the chief reason for the proliferation of church socials.<sup>63</sup> The First Presbyterian Church sponsored such events as wrestling matches, cock fights, and movies "with phonograph accompaniment."<sup>64</sup> Even the citadels of God did not escape the rough and tumble of frontier ways. The librarian of Enid's Methodist Church was arrested for bootlegging, and even more scandalous developments were rumored, but a threat by the librarian to disclose the complicity of the biggest local politicians in the liquor traffic seemed to restore respectability.<sup>65</sup>

The churches, as with most institutions of the Outlet, quickly outlived their frontier ways, and with the coming of prosperity soon began to erect stately edifices which remain the most imposing structures in most towns, testifying to the belief and faith of the builder. A frontier flavor still permeates the worship services of most churches, despite their outward modernity, and the large number of evangelical, fundamentalist denominations betrays the frontier theology of their congregations.

Literature, of any sort or quality, was conspicuously

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<sup>62</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," pp. 13-14.

<sup>63</sup>Ibid., p. 11.

<sup>64</sup>Ibid., p. 14.

<sup>65</sup>James, The Cherokee Strip, p. 223.

absent on the frontier. Only the wealthy could afford books or magazine subscriptions, and only the more fortunate homes contained "libraries;" generally these consisted of the Bible, a copy of Pilgrims Progress, and perhaps The Divine Comedy. And these precious volumes often did double-duty as children's textbooks.<sup>66</sup> The settlers of the Outlet suffered the same literary deprivations as did the residents of all frontiers, and as a consequence, newspapers, unknown and unavailable on other frontiers, played an inordinately large role in fashioning the intellectual development of the settlers of the Outlet. A very large number of small towns could count several newspapers, and many of their first editions appeared on the evening of the run. The Perry Times was distributed on the day of the opening, as was the Perry Sentinel (which had previously been printed in Chandler). The Newkirk Herald Journal appeared at about four o'clock p.m. on September 16, 1893, and has been in continuous operation since that date.<sup>67</sup> Enid also had a first edition on the evening of the run, the West Side Democrat, which had previously been printed in El Reno, but three days later it was emanating from presses in its new home.<sup>68</sup>

Formal, journalistic training was practically unknown

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<sup>66</sup>Dale, Frontier Ways, pp. 58-59.

<sup>67</sup>Enid Morning News, September 15, 1940.

<sup>68</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," p. 43.

to the majority of these early editors, who were generally highly opinionated, "vitriolic," and "unsparing with criticism."<sup>69</sup> Perhaps the epitome of those early editors was J. L. Isenberg, whose Enid Daily Wave, established on December 13, 1893, was an unfailing source of controversy.<sup>70</sup> His violent, scathing editorials resulted in the shooting deaths of two local residents,<sup>71</sup> but Isenberg was only one of many who contributed so much to the formation of public opinion in the days following the opening. So effective were they that Marquis James, as a young reporter for the Enid Eagle, would later brag that he had given wide circulation to the myth, not of his making, that John Wilkes Booth died in Enid.<sup>72</sup> The day of "viscious," "free-swinging" editorials had largely passed by the turn of the century, giving way to more polished, sophisticated, opinion making.<sup>73</sup> Thus was lost a highly colorful mirror of frontier events and thought, which in many respects is lamentable but perhaps the better for peace and tranquility. Only a few of these pioneer newspapers endured; rather quickly they either collapsed or were consolidated with others, until today,

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<sup>69</sup>Ibid., p. 36.

<sup>70</sup>Jayne, O County Faces and Places, p. 71.

<sup>71</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," p. 38.

<sup>72</sup>James, The Cherokee Strip, pp. 251-253. This myth persists to this day.

<sup>73</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," p. 48.

only the larger cities still enjoy dailies. A large number of weeklies still endure, however, thus preserving a taint of rural philosophy and attitude that is reminiscent of the early days.

In addition to formal social activities, there were innumerable private functions, private in the sense that they resulted from individual initiative, later to become institutionized. People doubly blessed with musical talent and a piano made their homes the center of a musical society. Choral societies resulted, and they were so presumptuous as to produce "The Messiah," "Elijah," and "The Mikado" operas. However, most early day musical productions were religious in nature and held in churches.<sup>74</sup> The Rakestraw Building was Enid's first and largest auditorium, and it was frequently called the "opera house." Schiller Hall was constructed in 1899, but it also was commonly referred to as "The Old Opera House."<sup>75</sup> Schiller Hall was purchased for \$15,000 by 150 people, an unusually generous display for a town of that size. Later, in 1907, Albert Loewen opened his \$30,000 theatre seating 1,392 people. Opening night found 1,000 of the \$5.00 seats filled.<sup>76</sup>

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<sup>74</sup>Journal of the Cherokee Strip, III, No. 2, p. 7.

<sup>75</sup>Jayne, O County Faces and Places, p. 42.

<sup>76</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," pp. 16-17. The author has personally played high school basketball in this old building, and now lives across the street from it.

Many frontier towns constructed imposing edifices which were dedicated to the fine arts. Perry's opera house was not only elegant, it was pretentious. Even tiny Waukomis could boast of its "Scott's Opera House," the first stone building in town. The quality of the performances rarely, if ever, measured up to the ambitions of the builders, and "Punch and Judy Shows" were the most likely billings. The Scott Opera House, still standing, hosted far more High School basketball games than it ever did opera. But it served as the principal social center of that community for years.

Clearly the early settlers, particularly the women, did not allow their frontier setting to deprive them of their cultural heritage. Women's clubs of every description and purpose quickly made their appearance. Oftentimes, they doubled as charitable as well as social organizations, making donations to needy families and giving wedding gifts to young married couples. There appeared Garden Clubs, Study Clubs, the "Merry Matrons," "Sunshine," "Boosters," "Bon Temps," and countless others which significantly contributed to the social well-being of their many members.<sup>77</sup>

Enid's first library was established by the Study Club in 1900, and given to the city two years later despite the

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<sup>77</sup> Eisele, A History of Covington, Garfield County, Oklahoma, pp. 109-113.

objections of some who resented "the silk-stockinged snobs." And in 1905 that city rejected an offer of \$10,000 from the Carnegie Foundation for a new library because Perry, a smaller town, had previously been offered \$15,000. However, in 1909, the proud citizens surrendered and accepted the offer.<sup>78</sup>

Without question most of the Outlet's social and cultural beginnings were crude by today's standards. Still they represented a vigorous effort by a proud people not to be totally subdued by their bleak surroundings. E. E. Dale wrote, "Behind the greatest symphonies is the kettledrum."<sup>79</sup> But even more significantly, their valiant efforts to impose sophistication on a hard and barren frontier resulted in a conspicuous retrogression. The frontier won the initial rounds of the contest, and it would be years before the "couth and culture" of the Outlet could measure up to the standards of more settled communities, indeed if it can today. The pioneers cannot be harshly judged for the crudeness of their performance, however, for "they were a normal people trying to create and maintain a normal civilization in abnormal lands." They can be likened to a musician performing on a stringed instrument with many of the strings missing, placing herculean demands upon the performer; he

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<sup>78</sup>Caton, "A Social and Cultural History of Enid, Oklahoma," p. 6.

<sup>79</sup>Dale, Frontier Ways, p. 45.

was forced to make do with what he had, but of necessity his "range was limited, his repertoire reduced."<sup>80</sup> The settler of the Cherokee Outlet can be better understood and appreciated if it is remembered that he was struggling to conquer a land that bordered on the "Great American Desert."

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<sup>80</sup> Webb, "The American West," p. 31.



## CHAPTER VI

### OUTSTANDING INDIVIDUALS

With the exception of Will Rogers, perhaps no one stands taller in Oklahoma's Valhalla than E. W. Marland, Lew Wentz, and the Miller Brothers of the 101 Ranch. Every school boy in Oklahoma--and practically every man on the street--at least has heard their names, or possibly know a great deal about their lives and careers. It is striking that all these famous men were early arrivals in the Outlet, lived a few miles from each other, and built three fabulous empires which, though long since passed, have left an indelible imprint on the memories of Oklahoma.

The first of these empire builders to be considered is one of the most fascinating individuals in American history, and he emerged in the Eastern portion of the Outlet. Colonel George W. Miller, founder of the world-reknowned 101 Ranch and father of three famous sons who followed in his footsteps, was born and raised on a Kentucky cotton plantation. His title of distinction, Colonel, was not official, but privately assumed and publicly accepted. The same would later be true of his sons. Following the Civil War, Miller sold his interest in his plantation and departed for California. He got only as far as Newtonia, Missouri, however,

where he became involved in the hog-butchering business. Miller transported his processed meat to Texas where he exchanged a fifty-pound ham for a long-horn cow.<sup>1</sup> His first ranch, located near Miami, Oklahoma, was leased from the Quapaw Indians in 1871, and this became the nucleus for the future 101.<sup>2</sup>

As Miller's operation expanded, he found it necessary to seek new pasture land, and as the railroads moved westward, opening new range lands, Miller moved with them to the Cherokee Outlet where land could be leased for two to five cents per acre from the Cherokees. In 1879, Miller rented 60,000 acres in the Outlet, dividing them into two ranches of about equal size.<sup>3</sup> One, known as the Deer Creek Ranch, was located twenty miles south of Hunnewell, Kansas, and the second, the Salt Fork Ranch, where the main headquarters were established, was located near present-day Lamont.<sup>4</sup> It was 1880 when Miller erected the first barbed-wire fence and first began using the new famous 101 brand.<sup>5</sup>

Controversy still rages as to the origin of one of the most famous brands in the history of the West. It is popu-

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<sup>1</sup>Elsworth Collings and Alma Miller England. The 101 Ranch. (Norman: University of Oklahoma Press, 1937), pp. 5-6.

<sup>2</sup>Ibid., p. 6.

<sup>3</sup>Ibid., p. 14.

<sup>4</sup>Ibid., pp. 14-15.

<sup>5</sup>Ibid., p. 15.

larly believed by many that it stood for the 101,000 acres that the ranch supposedly contained, but that is totally untrue for at the time the brand was adopted, the ranch consisted of only 60,000 acres. Several explanations have been advanced through the years, but none of them can be confirmed.<sup>6</sup> One that has been given much credence, confirmed by Zack Miller, Colonel Miller's second son, was that the brand derived from the name of a saloon in San Antonio, a popular establishment with the cowboys. Supposedly every time a herd was readied for the drive north, the Miller hands were in the saloon instead of the saddle. They would leave the former for the latter only reluctantly, prompting Miller to put the 101 brand on all his cattle with the hope that it would make his hands so sick of the name they would avoid the saloon thereafter.<sup>7</sup>

Even though Miller's occupation required his presence in the Outlet, his family remained in Winfield, Kansas, where he built a fine brick home in 1881 and rose in Winfield society.<sup>8</sup> The site Miller chose for his home in the Outlet was located on Ponca Indian lands. The acquisition of these lands originated from his friendship with Chief White Eagle, principal chief of the Poncas, when they had met in Eastern Oklahoma where Miller's first ranch had been.

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<sup>6</sup>Ibid., p. 16.

<sup>7</sup>Fred Gipson, Fabulous Empire. Colonel Zach Miller's Story. (Boston: Houghton-Mifflin Co., 1946), pp. 1-2.

<sup>8</sup>Collings, The 101 Ranch, p. 15.

The Poncas had earlier agreed to accept a reservation in the Outlet on Cherokee Land, but the tribe had moved south before the final arrangements had been made and had lived for a time near Miller's Outlet ranch. Disease, attributed to the unfamiliar climate, swept through the tribe causing much suffering, and Chief White Eagle determined to petition the federal government for permission to return his people to their old lands. Miller, while in the Outlet, observed the fine reservation lands set aside for the Poncas, and sent his eldest son Joe to persuade Chief White Eagle to accept their new home. Joe proved to be a good diplomat, for in 1879, the same year Miller secured his lands in the Outlet, the Poncas moved to their reservation.<sup>9</sup>

In 1892, anticipating the opening of the Outlet for homesteading, Miller leased a large amount of the Ponca Lands<sup>10</sup> and abandoned the Salt Fork and Deer Creek Ranches on government order, moving the 101 headquarters to the new ranch; there they remained, and there Miller planned to build his permanent home.<sup>11</sup> The Ponca lands were leased for one cent per acre, Miller's own terms.<sup>12</sup> By the time of his death 50,000 acres of fine grazing land had been

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<sup>9</sup>Ibid., pp. 22-24.

<sup>10</sup>Ibid., p. 25.

<sup>11</sup>Ibid., pp. 44-45.

<sup>12</sup>Rainey, The Cherokee Strip, pp. 212-217.

leased from the Poncas<sup>13</sup> and 101 holdings were to expand and grow even further.

Success was not immediate, however; the Panic of 1893 counted Miller in its toll. He was broke, but he did not stay down long. Once again Miller's friendship with the Poncas paid off handsomely, and he quickly began his rise to greater fortunes. He made an agreement with a friend, Joe Sherburn, who held a contract with the government to deliver beef to the Ponca Agency at eight cents a pound; Miller persuaded Sherburn to allow him to butcher a small herd of culls, all he had left, and sell the meat to the Poncas at three cents a pound. The cattle could not have passed government inspection alive, but both Miller and Sherburn made money on the deal, and Miller was once again on the road to fame and fortune.<sup>14</sup>

Miller also was able to borrow sufficient money to plant 5,000 acres of wheat and to acquire 500 yearling calves to pasture it. From this he began to buy a better grade of beef cattle, and by the time of his death the 101 boasted many blooded animals, all in fenced pastures. Also in 1894, the 101 became a diversified operation; the depression had forced the change.<sup>15</sup> "Strippers" were hired to break sod at fifty cents an acre, but the farmers' horses

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<sup>13</sup>Collings, The 101 Ranch, p. 45.

<sup>14</sup>Gipson, Fabulous Empire, pp. 95-96.

<sup>15</sup>Collings, The 101 Ranch, pp. 60-71.

were so weak from a shortage of feed that they could work only a few days at a time.<sup>16</sup>

The Colonel died April 25, 1903, at the age of 61. His death was the result of pneumonia contracted in the old dug-out headquarters. Ironically, the plans for the great ranch house had already been laid. It was a huge, pretentious home, built on a Southern plantation scale, but unfortunately its builder would never enjoy its comforts. Miller left no will, but provided that the ranch should always remain in the family; he did leave his wife \$30,000 in insurance.<sup>17</sup>

At the time of his death, the 101 had already reached legendary proportions, but its greatest days still lay in the future. In the year of 1903 the ranch paid an annual rent of \$32,500 to the Indians. One year's income was somewhere between \$400,000 and \$500,000, derived from cattle, 13,000 acres of corn, and 3,000 acres of forage crops. Two hundred ponies were required to ride the range, and \$33,000 worth of machinery was used in the fields. And the ranch was just beginning to grow.<sup>18</sup>

Until his death, the Colonel had not purchased a single acre of land, but was leasing 50,000 acres of Indian lands. To purchase land, the individual Indian had to pe-

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<sup>16</sup>Gipson, Fabulous Empire, p. 105.

<sup>17</sup>Collings, The 101 Ranch, pp. 26-27.

<sup>18</sup>Ibid., p. 28.

tition the tribe for his allotment in fee simple. The tribe had to approve and the Commissioner of Indian Affairs ratify the action. Then he was required to advise the Secretary of the Interior that approval had been granted, and the Secretary then directed the Commissioner of the Land Office to issue the patent. Next, the Indian had to register the patent at the county seat, after which he was free to sell. Such a complex and lengthy process, in all probability, delayed the purchase of land. Miller's widow used the \$30,000 life insurance money to buy the first sections, 3,720 acres, already within 101 fences. The home was located on these lands, and the purchase of small tracts of Indian lands, from five to two hundred acres, was continued for some time thereafter.<sup>19</sup> The 101 holdings were scattered among the Indian lands in a sort of checkerboard fashion, making the Indian lands undesirable for other ranchers, and giving the 101 a great deal of control over lease prices. The greatest number of acres ever owned outright was 17,049.2 acres in 1932. No more lands were purchased after that date, but even during depression years the 101 lands were valued at \$810,490.<sup>20</sup>

At various times, forty-eight charges of obtaining lands unfairly and unlawfully were brought against the ranch, but acquittal was won in every case; and in 1932 the

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<sup>19</sup>Ibid., pp. 45-46.

<sup>20</sup>Ibid., pp. 48-50.

Supreme Court refused to hear appeals.<sup>21</sup> The Millers were capable of some highly shady tactics cannot be questioned, however. Colonel Zack later recalled that a couple of Miller hired hands, Frank Potts and "Ida Red," rustled a few hundred head of cattle from the Frank Witherspoon outfit one night. Of course, none of the Millers except Zack ever knew anything about it. Witherspoon, the Millers claimed, had "deceitfully" outbid the 101 for the lease of some Otoe lands the year before, and had added insult to injury by the theft of several hundred 101 cattle. The hired hands from the Miller ranch were simply demonstrating their loyalty by "repaying the stolen cattle." Under the cover of darkness the cattle were driven to Billings and shipped to Kansas City for sale. Frank Potts called their nocturnal operation "cattle arithmetic," and the Witherspoon owners, after absorbing such a lesson in subtraction, never bothered to submit another bid for the following year. Ida Red was reported to have left the territory in a hurry following the shotting of a constable in a Ponca City saloon.<sup>22</sup>

On the death of the elder Colonel Miller, his sons assumed the affairs of the 101. Colonel Joe, the eldest, took the leading responsibility and specialized in agriculture. Colonel Zack, the second son, headed the ranching operations, and Colonel George, the youngest, was the

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<sup>21</sup>Ibid., pp. 48-49.

<sup>22</sup>Gipson, Fabulous Empire, pp. 145-162.



financier; each specialized in his area of competency. No salaries were paid, each taking whatever money was needed, and no questions were asked. Each cooperated with the other, and all worked enthusiastically, a highly unusual arrangement but a very successful one. Mrs. Miller remained active in 101 affairs, also, and she was consulted on all large matters.

Fire destroyed the original home, the White House it was called, in 1909. Nothing was saved, but undaunted the brothers began the rebuilding of a new and bigger home on the same site at once. On the ruins of the old, a spacious new seventeen room, fire-proof mansion arose at the cost of \$35,000.<sup>24</sup> It was truly one of the most magnificent homes, if not palaces, in all the Southwest. For the next several years it dominated the landscape and was the principal tourist attraction of the area.

A brief quarrel erupted among the brothers, but they were reconciled prior to Mrs. Miller's death in 1921, and a trust, "The Miller Brothers 101 Ranch Trust," was organized to prevent its dissolution upon the death of any one of them.<sup>25</sup> It is difficult to determine with certainty the exact number of acres within the 101 fences, because the holdings varied from time to time. Records were incomplete, and the types of leases varied. A good estimate, however,

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<sup>23</sup>Collings, The 101 Ranch, pp. 30-35.

<sup>24</sup>Ibid., pp. 36-37.

<sup>25</sup>Ibid., p. 47.

is about 110,000 acres, 172 sections, or almost 15 miles square. Three towns were located within its boundaries: Marland, Red Rock, and White Eagle. An appreciation of its vastness can be gained when it is pondered that 300 miles of fence were required at a cost of \$50,000.<sup>26</sup>

In addition to its vast ranching operations, the 101 introduced many innovations in several areas of farming and ranching. A scientific dairy and breeding herd of 500 registered Holsteins was electronically milked daily from power produced on the ranch. Modern packing plants, ice cream plants, canneries, and blacksmith shops were operated on the ranch. In addition, the Durouc-Jersey hog herd, the Holstein, and the Short Horn cattle herds each were the largest of their kind in the world, and the ranch also contained the largest commercial apple orchard in Oklahoma. Joe produced new breeds of corn, persimmons, apples, and other fruits with the advice and cooperation of Luther Burbank.<sup>27</sup> The general store of the ranch became the mercantile center of northern Oklahoma.<sup>28</sup>

E. W. Marland, in 1908, while riding over the ranch with Colonel George Miller, thought he saw the proper geological formations for oil production on the Ponca cemetery lands. Miller and Marland, after much negotiation, secured

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<sup>26</sup>Ibid., pp. 52-53.

<sup>27</sup>Ponca City News, September 10, 1939.

<sup>28</sup>Collings, The 101 Ranch, p. 19.

14,800 acres of oil leases from the Poncas, 10,000 of which were within the 101. The first location, drilled in 1909 near the White House, was abandoned after 2,700 feet. The second, drilled the following year, brought a gas producer.<sup>29</sup> Marland then organized the 101 Ranch Oil Company to develop oil resources on a grand scale, which operated until it was absorbed by the Marland Refining Company in 1917. The first eight wells drilled brought seven gas producers, but the ninth, on a lease owned by Willie-Cries-For-War, brought the oil Marland was looking for, and thus was begun the great Ponca field. The cattle pens of the 101 once stood on the present site of the great Continental Oil Company refinery.<sup>30</sup> By 1923, the 101 had many producers on all sides of the ranch, and was looked upon as a major producer in the industry. From 1923 to 1930, the ranch received \$190,000 annually from oil production.<sup>31</sup>

Of all its many activities, any one of which would have resulted in fame and riches, the 101 Wild West Show brought the Miller Brothers to the attention of the world more than any other single thing, and it was the annual rodeo that is today the best remembered feature of the 101. In fact, many erroneously believe that the rodeo was the only activity of the 101.

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<sup>29</sup>Ibid., pp. 102-104.

<sup>30</sup>Ibid., pp. 104-105.

<sup>31</sup>Ibid., pp. 108-111.

"Buffalo Bill" Cody held the first successful Wild West Show, July 4, 1882, at North Platte, Nebraska.<sup>32</sup> His efforts spawned many imitators who endured into the twentieth century, but his show was the best of the day, lasting from 1882 to 1893.<sup>33</sup> Following Cody, it was the Miller Brothers that made the modern rodeo what it remains today. It all began with the annual ranch round-up in 1904, which was but a rehearsal for the one to be held the next year.<sup>34</sup> Crowds of curious on-lookers at the yearly round-ups were becoming too great to accommodate, so Joe erected "Camp Riverside" along the banks of the Salt Fork with camping facilities open to everyone. From the campsite, the people could observe or participate at no cost in the roping, riding, branding, and other skills of the cowboys. Thousands were taking advantage of this opportunity, and to secure greater advertising for their affair the Miller Brothers invited the members of the National Editorial Association, meeting at Guthrie June 7-11, 1905, to attend their round-up. The editors accepted, and June 11 was perhaps the biggest day in 101 history. In addition to the editors, over 50,000 people were present to watch the cowboys perform.

Special trains rolled in from Kansas City and Dallas;

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<sup>32</sup>Don Russell, "Cody, Kings, and Coronets," The American West, VII (No. 4, July, 1970), pp. 4-5.

<sup>33</sup>Ibid., p. 62.

<sup>34</sup>Collings, The 101 Ranch, p. 143.

traffic was clogged for days. In all, twenty-three trainloads of people stepped onto the 101 that day, and Santa Fe officials still regard June 11, 1905, as the busiest day in the company's history. It was indeed memorable. The grandstand collapsed, injuring several people, though none seriously; Colonel Joe decided to put the round-up, or the rodeo, on the road as a Wild West Show the next spring; and Tom Mix made his debut. Mix, recently separated from his wife, had drifted from Kentucky to Oklahoma City and Guthrie, tending bars. Eventually, he was hired on as a fencerider at \$19 a month at the 101. On this day, he was pressed into service as an entertainer, and thus was launched on a spectacular career.<sup>35</sup>

The rodeo became an annual event, and a grandstand to seat 10,000 people was constructed. The following year, on September 16, 1906, the greatest Wild West Show in history was held to celebrate the Opening of the Outlet, with 50,000 people attending, and 2,000 participating in the program. Twenty special excursion trains were needed to transport the crowd.<sup>36</sup> Ponca City still preserves the tradition, and the annual celebration of the opening is capped with a huge rodeo.

The Miller Brothers Wild West Show had a version of everything that could be considered Western: there were

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<sup>35</sup>Ponca City News, September 10, 1939.

<sup>36</sup>Collings, The 101 Ranch, pp. 145-146.

buffalo stampedes, wagon trains attacked by Indians, stage-coaches attacked by bandits, the pony express, horse thieves, and Indian dances, in addition to the usual rodeo cowboy skills.<sup>37</sup> And there was the terrapin derby. The first turtle race was held in 1924, after the second version of the show reappeared following World War I. A \$2.00 entry fee was charged for each turtle, with the first, second and third place winners taking all. If a sporting participant found himself sans turtle, he could purchase an entry for \$2 from the huge stock gathered by the Ranch. Getting the turtles to move toward the finish line was secondary to getting the turtles to move at all, and the only solution the Millers could come up with was to put the starting line in the sun and the finish line in the shade, thus, hopefully, inducing the racers to hurry to a more comfortable place. Usually, this method worked with a degree of success only for the winners.

Although the sharpest eye could not detect a sit-in-the-sun terrapin from a hell-bent-for-shade terrapin, the derby grew to popularity of the most staggering proportions. In 1926, there were 2,373 hopeful entries.<sup>38</sup> The first year's winners received only \$114 in prize money, but from 1924 to 1931, first place winners were paid \$29,722, and an equal amount had been paid to the second and third place

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<sup>37</sup> Ibid., pp. 143-146.

<sup>38</sup> Ibid., pp. 148-153.

winners. Preliminary heats had to be run to reduce the vast numbers to forty or fifty finalists. An uninitiated visitor, chancing upon the Ranch at rodeo time, would have thought he was at Churchill Downs with all the excitement created by the Terrapin Derby. There was lively betting with all the counterments of racing forms and colorful names sported by the bewildered racers. But the Post Office Department in 1931 brought it all to an end when it ruled that the race constituted a lottery and prevented any further advertising. That, plus the depression, ended the derby.<sup>39</sup>

Still there was plenty of action at the rodeos for even the most adventuresome and thrill-starved person. A Negro cowboy, Bill Pickett, regularly stunned the audiences by bulldogging a steer with his teeth.<sup>40</sup> And, always in search for more drama, an attempt was made to bulldog a steer from a World War I "Flying Jenny." Air currents created by the grandstand prevented the pilot from getting low enough over the steer to enable the cowboy to jump onto the steer's horns, and after several attempts from every angle, the plane crashed into a nearby potato patch with

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<sup>39</sup>Ponca City News, September 16, 1960.

<sup>40</sup>Collings, The 101 Ranch, p. 171. Instead of wrestling the steer to the ground by the traditional method of twisting the steer's horns, Pickett sunk his teeth into the sensitive lower lip of the animal. The most fearsome beasts were subdued in this fashion.

both pilot and cowboy miraculously escaping injury.<sup>41</sup>

This annual event brought the most famous names of the world to become guests at the 101 White House. Movie stars, statesmen, and titled European nobility casually mixed with the cowboys, and it was natural that the Millers should become involved in the infant movie industry; the ranch, the facilities, and the accessibility of trained extras made an ideal setting for western movie making. Appropriately, the "Wild West," a Pathe serial was filmed on the 101 in 1925, and "Trail Dust" was made there in 1930.<sup>42</sup> In 1907, President Theodore Roosevelt invited the Millers' Show to the Jamestown Exposition, and the following year they were invited to New York City, where all attendance records were broken.<sup>43</sup> For the next seven years the Miller Brothers 101 Wild West Show went virtually unchallenged as the greatest entertainment attraction in America.<sup>44</sup>

It was then, when the Wild West Show had reached the peak of its career, that Zack found the opportunity to buy an army. The outbreak of World War I brought a good mule market, and Zack teamed up with O. E. Kirtley to buy mules

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<sup>41</sup>Ponca City News, September 15, 1968.

<sup>42</sup>Collings, The 101 Ranch, p. 115.

<sup>43</sup>Ibid., pp. 161-182.

<sup>44</sup>The Ringling Brothers Circus perhaps was the equal to the 101 Wild West Show in attendance, but certainly there was none other equal to the Miller Brothers' type of show, which they preferred to call a Round-Up over Rodeo or Wild West Show.



in Mexico where "Pancho" Villa was making his bid for power against the Huerta government. The Villa forces met the army of Huerta on the Rio Grande, forcing the Huertistas across the river into American territory. The Americans did not know what to do with the army, and the army did not know what to do with itself. Finally, the Mexican government issued authority to sell it, if anyone would buy, and Zack took them up at the cost of \$45,000. What followed was a lot of fast figuring and dealing. Brother Joe's friendship with Secretary of State William J. Bryan made it possible for Zack to ship the horses and freight without paying import duties. Then, in order to cut freight rates, Zack bought 120 calves, allowing the 2,000 horses to be classified as herding horses. Having no use for 600 mules, Zack sold the entire lot for \$1 to a Texan who later tried to sell them back. What to do with thousands of wagons and sets of harness presented something of a problem to Zack, but he was rescued from this dilemma when two "New York Jews" approached him with an offer to buy them. When asked to put a price on the wagons, per unit, Zack impatiently ordered them to give him a bid, per acre. The bewildered eastern merchants made their offer, and for \$2,750 they purchased five acres of wagons and enough harnesses to pull them off for an additional \$1,800. Wagonloads of firearms and knives were eventually sold back to the Mexican government. Of the livestock shipped to the 101, most was sold to New York horsemen at \$60 per head. Two hundred and

thirty of the horses went into the Wild West Show, ninety of those finally ending up on European battlefields. In all, Zack reported that he made \$65,000 on his army deals.<sup>45</sup>

The Wild West Show had achieved such acclaim that it was invited to England. After several successful performances, war in Europe eventually forced the British government to confiscate the valuable trained horses, livestock, and vehicles. This marked the beginning of the end, not only for the Wild West Show, but the whole spectacular 101 Empire.<sup>46</sup> Added to these losses, in 1923 a great flood resulted in a quarter-million dollars damage to the Ranch.<sup>47</sup>

But more serious trouble came in 1927 when Joe die, the victim of accidental carbon monoxide poisoning in the ranch garage. He had been the guiding hand, and although everything went well for a time it was soon evident that his hand was missed. Then, only two years later, in February, 1929, George died in a car wreck. That same year the Great Depression swept over the country, and the Ranch lost over \$30,000 in 1930. Good crops were harvested, but there was no cash to be had. The 101 had assets worth over one million dollars, but none were liquidable to pay any of the \$600,000 in debts.<sup>48</sup>

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<sup>45</sup>Gibson, Fabulous Empire, pp. 311-335.

<sup>46</sup>Collings, The 101 Ranch, pp. 161-182.

<sup>47</sup>Rainey, The Cherokee Strip, p. 218.

<sup>48</sup>Collings, The 101 Ranch, pp. 191-196.

A contributing factor to the final failure of the 101 was the Wild West Show, although it cannot be said with certainty that it was the cause.<sup>49</sup> Colonel Zack, the show's prime mover, began again in 1924 with even bigger and grander plans. He purchased all new railroad stock and fancy, beautiful cars, the finest in the business. It was a spectacle just to witness the special 101 train pulling out of town, but it never made money after 1924. Refusing to give up, Zack used profits from the ranch to subsidize the show's mounting losses.<sup>50</sup>

Zack was no financier, and he did not enjoy the trust and confidence of creditors and investors that his father and brothers had established. Creditors began to press him,<sup>51</sup> but he was unable to find the cash to pay: on August 25, 1931, the great 101 went into receivership under the direction of Fred C. Clark, a successful rancher from Winfield, Kansas. Clark's son-in-law, Neal Sullivan, was named attorney for the receivers.<sup>52</sup> The Exchange National Bank of Tulsa, the principal creditor of the 101 and executor for George L. Miller, brought suit to appoint a receiver because of the inability of the ranch to pay its outstanding debts. Already many foreclosure proceedings had been

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<sup>49</sup>Personal interview with Mr. Neal Sullivan, Newkirk, Oklahoma, June 9, 1970.

<sup>50</sup>Collings, The 101 Ranch, pp. 182-187.

<sup>51</sup>Ibid., p. 197.

<sup>52</sup>Gipson, Fabulous Empire, p. 388.

initiated, and the receivership was requested by the bank to prevent the foreclosures which would have resulted in greater losses to the 101.<sup>53</sup>

Eight legal sheets, single-spaced, were required just to list the creditors and the amounts owed by the 101.<sup>54</sup> Zack filed a cross petition against the Tulsa bank, claiming that it was attempting to collect before the debt was due,<sup>55</sup> and thus was initiated a long and heated court battle on the part of Zack to preserve the 101. District Court Judge Duval presided in the case, with Henry S. Johnston, former governor of Oklahoma, serving as Zack's attorney.<sup>56</sup> Judge Duval sustained Clark against the many and varied charges levelled against him by Zack in his efforts to get Clark removed,<sup>57</sup> and the case was finally terminated on March 24, 1933.<sup>58</sup>

Sympathetic biographers of the Millers, lamenting the passing of this great empire, have either charged directly or by inference that greedy, heartless, creditors destroyed the 101 and prevailed against the gallant and heroic efforts

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<sup>53</sup>Exchange Trust Co., et al. Plaintiff vs Miller Brothers 101 Ranch Trust, et al. Defendants. No. 15,845. District Court of Kay County, Oklahoma. Newkirk, Oklahoma, Courthouse, pp. 4-13.

<sup>54</sup>Ibid., pp. 61-68.

<sup>55</sup>Ibid., pp. 69-71.

<sup>56</sup>Ibid., p. 700.

<sup>57</sup>Ibid., pp. 692 passim.

<sup>58</sup>Ibid., p. 890.

of Zack to preserve his feudal domain. It has even been charged that Judge Duval and the great oil philanthropist, Lew Wentz, "conspired" to force bankruptcy on the 101, and to prevent Zack from salvaging his personal property. It has been further charged that he was forced to sell his own personal, unmortgaged property along with the rest of the 101 holdings, and that his divorced wife was encouraged to harass him at the time his fortunes were at their lowest.<sup>59</sup> But the records do not sustain these charges. Miller refused to supply the court with a list of his own personal properties after repeatedly being asked, and he further continued to remove and dispose of 101 properties without court consent.<sup>60</sup> Zack was definitely a sick man at the time of the receivership controversy. The exact nature of his illness is unknown, although one doctor diagnosed it as a nervous break-down. He was jailed at the height of the controversy for failure to meet alimony payments, but shortly and dramatically he was released by executive action when Governor William, "Alfalfa Bill" Murray sent a trainload of National Guardsmen to Ponca City to carry out his executive order releasing him. Later, when attorneys Sullivan and R. O. Wilson sought to discuss his legal problems with him, Zack drove them out of his White House bed-

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<sup>59</sup>Collings, The 101 Ranch, pp. 212-215.

<sup>60</sup>Exchange Trust Co., pp. 681-683.

room with a shotgun and fired at them.<sup>61</sup> Zack later denied that he intended harm to either of them, saying, "If I had tried to hit either of those fellows, they'd have been my meat now. I just wanted to see how fast they could run."<sup>62</sup> In all probability Zack was telling the truth, for it is difficult to believe that he could have missed both of them with a shotgun within the confines of his bedroom.

There is no reason to believe the charge that Lew Wentz forced bankruptcy on the 101. Wentz had been a very close personal friend of George, and he willingly agreed to go along with whatever plans the other creditors made to salvage the ranch. But Zack behaved strangely and was apparently convinced that he was the victim of a gigantic conspiracy to strip him of the ranch. During the receivership hearings he read newspapers, and in many ways showed his utter disinterest and contempt for the entire proceeding. In the end the court abolished the receivership and approved a five-year plan to allow Zack to save his beloved ranch, but he never gave it a chance;<sup>63</sup> the pressures of creditors continued until the properties of the 101 were forced to the auction block on March 29, 1937.<sup>64</sup> The fabulous empire was no more.

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<sup>61</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>62</sup>The Wichita Beacon, March 24, 1932.

<sup>63</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>64</sup>Collings, The 101 Ranch, p. 208.

The 101 was gone, but it left behind the rodeo that has been institutionalized to become an integral part of American culture. The rodeos are to America in the twentieth century what the jousts were to Medieval Europe. Both were anachronisms; the participants in both became professional showmen, displaying with great artistry what had been the skills and talents of a people who lived in a by-gone day. Both were events of nostalgia, vehicles for preserving and holding to a past that seemed simpler, more virtuous, and more romantic. The emergence of the rodeo as a uniquely American institution epitomizes the significance and influence of the frontier on American life, for only on the frontier would these skills and talents have been developed and perfected. The advent of the organized and professionalized rodeo signaled the passing of the frontier, and more dramatically it heralded the passing of one of the most colorful and regal empires of the frontier, the 101 Ranch. In popularizing the rodeo, the Miller Brothers were unwittingly, unconsciously acknowledging that their empire was an anachronism, doomed to die almost the very day it was born at the hands of the forces of modernism. And one of those advanced agents of modernity, and ironically a very good friend of the Millers, E. W. Marland, had also unknowingly contributed to the demise of his friends by his spectacular success in propelling the Ponca City community from its frontier beginnings into more advanced stages of civilization. Marland and the Millers were

mortal enemies, but neither of them knew it because they were the best of friends. One represented the new and the other the old, and one could succeed only at the expense of the other. When an airplane was used in an attempt to bulldog a steer, the denouement had been written--if only they could have read its message.

Another impressive empire emerged in Ponca City under the direction of Earnest W. Marland, who made two great fortunes and lost them both, who made millions and gave away millions, who at the age of forty had eaten more meals from a lunch pail than from a table.<sup>65</sup> A graduate of Michigan Law School and son of wealthy English-born parents, E. W. Marland started the Pittsburg Securities and Guaranty Company and headed it until its demise in 1904. While drilling for coal in West Virginia, he struck oil and made a million dollars at the age of thirty-three, only to lose it in the panic of 1907. He first learned of the Cherokee Outlet from a nephew who had visited the 101 Ranch,<sup>66</sup> and in 1908 he arrived in the Outlet where he met Colonel George Miller; together they formed the 101 Ranch Oil Company. After a few initial disappointments, good fortune and good geological formations brought another strike, and from that moment the company grew by leaps and bounds.<sup>67</sup>

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<sup>65</sup>D.A.R., The Last Run, p. 215.

<sup>66</sup>Ponca City News, September 15, 1957.

<sup>67</sup>Ibid.



By the winter of 1912, Marland had between twenty and thirty producing wells and was drilling additional producers at Ponca City, Blackwell and Newkirk; in Pawnee and Oklahoma Counties; and Kiowa County, Kansas. In November of 1915, he organized the Marland Refining Company, built a palatial home, a game refuge, and a great refinery with tank farms, and was worth a reputed \$30 millions.<sup>68</sup>

Marland believed that the money he made should be spent in the community where he made it, and thus he was generous to all worthy organizations, including churches, hospitals, and children's homes, as well as the Student Union, and football stadium at the University of Oklahoma.<sup>69</sup> In addition to his many and varied civic interests, Marland successfully brought Eastern culture to the Outlet. He organized fox-hunting on a grand style, importing English riding horses as well as the foxes.<sup>70</sup> He personally journeyed to the neighboring farmsites and persuaded the farmers to lower their fences to enable horses and riders to give chase.<sup>71</sup> Visiting royalty joined with local pink-coated fox-hunters in riding to the hounds. It was not without difficulty that such European sophistication was imposed on the frontier, however. Master of the hounds,

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<sup>68</sup>D.A.R., The Last Run, p. 221.

<sup>69</sup>Ponca City News, September 15, 1957.

<sup>70</sup>Ibid.

<sup>71</sup>Personal interview, Neal Sullivan, June 9, 1970.

Don Henderson, was frequently outraged with anger and indignity as the hounds chased rabbits with riders setting out in hot pursuit. The hounds were also reluctant to run in coyote country. On one occasion, a hound returned and sat in the car that brought him.<sup>72</sup>

In addition, polo teams were formed with imported English ponies and grooms. Spacious stables and hurdles were provided, and anyone who wished to participate but did not have a mount was free to use Marland's. There were numerous polo fans in Ponca City, and they followed their local teams with great loyalty. Games were scheduled in New York City, Chicago, Kansas City, and other distant places; and the fans, the team, and the ponies all traveled together in grand style on private trains. Visiting teams were housed in private homes, it being considered inhospitable to place them in impersonal hotels.<sup>73</sup>

Marland was a gregarious, warm, and personable man; he sincerely enjoyed the company of good friends, and wished them to participate in all his social activities. But only the very rich could afford to play his kind of games, so Marland simply hired those friends whose company he liked to work for the Company at a salary that would enable them to participate in these expensive diversions. On one occasion, a newly-arrived doctor who had become a friend of

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<sup>72</sup>Ponca City News, September 15, 1957.

<sup>73</sup>Ibid.

Marland was invited to join the polo team on one of its road trips. The young doctor declined because he could not afford it, so Marland found an employee needing an appendectomy and engaged his new friend to perform it at \$500, thereby enabling the doctor to make the trip.<sup>74</sup>

Marland was a dreamer, and he envisioned Ponca City as the garden spot of the Southwest, and to this end he built beautiful, private golf courses which welcomed workers in overalls as well as millionaires. Eventually he turned them over to the city. He imported a Japanese gardener and commissioned him to turn the raw prairie into acres of lush exotic gardens, open at all times to the public.<sup>75</sup> The fruits of his labors are still obvious to all who visit the city to this day.

In 1915, Marland's first wife Virginia died after many years of marriage.<sup>76</sup> Several years after her death Marland married his adopted daughter, Lyde Roberts. He had to vacate the adoption papers in order to do this.<sup>77</sup> The first Mrs. Marland never lived in the stately new mansion completed in 1928. It was and still remains the most elegant and exquisite private home ever built in all the Outlet. Costing more than \$2 million, this mansion was decorated

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<sup>74</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>75</sup>Ponca City News, September 15, 1957.

<sup>76</sup>D.A.R., The Last Run, p. 221.

<sup>77</sup>Interview, Neal Sullivan, June 9, 1970.

with Italian stone carvings, New York wrought-iron, and ceilings by Vincent Marghitti of Florence. Over a year was required to complete the ceilings alone.<sup>78</sup> Fancy-dress balls were common in the mansion. Hardly a week passed without some gala event. Formally attired guests were announced upon their arrival, and as they descended the stately oval staircase the whole affair was enveloped with a sense of regal splendor.<sup>79</sup> Any event was sufficient reason for a party at the Marland mansion, either a formal soiree or an informal pioneer dinner with plain food. Marland frequently served the food to his guests, and any leftovers were given to the help who then conducted their own party.<sup>80</sup>

That Marland paid his employees handsomely is clearly manifested by the large number of elegant homes built by his employees. Many of them still grace the Ponca City horizon. One of his vice-presidents built two identical mansions, side by side, one for private living and the other for parties. He explained this extravagance by saying that he did not want a bunch of drunks cluttering up his home. He had them made identically so that he would be able to find his own bedroom in the house where he lived after a

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<sup>78</sup>Ponca City News, August 16, 1970.

<sup>79</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>80</sup>Ponca City News, September 15, 1957.

hard night in the party house.<sup>81</sup> Marland also built spacious bachelors quarters for his employees. They serve today as the home of the American Legion orphanage.<sup>82</sup>

One of Marland's ambitions was to memorialize the talents and energies of the pioneer women who came to the frontier. He commissioned several artists at handsome salaries to submit models of the typical pioneer woman. Twelve artists offered models which Marland had displayed in a dozen prominent cities across the nation, and the American people were asked to vote their choice as the best typical pioneer woman.<sup>83</sup> Bryan Baker's model was chosen, and he was commissioned by Marland to create the famed statue, which was erected at a cost of \$100,000 in 1930.<sup>84</sup> It was popularly believed that Marland paid for the statue. It is true that he conceived the idea and commissioned it to be done, but by 1930 the mighty Marland was broke. The town fathers of Ponca City were facing an embarrassing situation. Invitations had been sent, speakers had been advertised, and thousands of guests were scheduled to arrive to witness the unveiling, but the statue was unpaid for.

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<sup>81</sup>Interview, Neal Sullivan, June 9, 1970. Mr. Sullivan showed the author these two identical mansions which still stand in Ponca City.

<sup>82</sup>Ibid.

<sup>83</sup>Ponca City News, September 15, 1968.

<sup>84</sup>Ibid., September 15, 1957. Over 750,000 people in 12 cities voted for Bryant's winning model, a young woman, about to endure, while other models depicted an aged woman who had already endured.

One or perhaps two of Ponca City's leading citizens, along with close friends of Lew Wentz, paid him a visit to persuade him to help them out of their dilemma, and he agreed to pay for the statue, or at least for the balance of it. Nobody saw his check, but a personal friend was present and overheard him admonish the men not to tell anybody about this "damn fool thing."<sup>85</sup>

Wentz and Marland had for years been the bitterest of enemies, but the source of the conflict is unknown. Apparently there was never any dramatic flare-up, but their misunderstandings were probably the result of an accumulation of greivances over oil leases, originating sometime around 1916 or 1917. Marland never spoke unkindly of Wentz, and would only say that he and "Mr. Wentz" had differing views, always referring to him in polite language. Wentz, however, was much more passionate in his dislike and could refer to Marland only with sulphurous hyphenated words.

When the crash of 1929 struck the nation, Marland owed more than \$3 million in income taxes.<sup>86</sup> In addition, he was \$30 million in debt to the Morgan banking interests. He had lost his connections with Dutch Shell and the Hudson Bay Company.<sup>87</sup> Marland could either borrow or sell stock, and he unfortunately elected the former. The deepening

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<sup>85</sup> Interview, Neal Sullivan, June 9, 1970.

<sup>86</sup> D.A.R., The Last Run, p. 222.

<sup>87</sup> Ponca City News, September 15, 1957.

depression made it impossible for him to pay off his loans, and his Marland Refinery Company was forced to merge with the smaller Continental Oil Company owned principally by his creditors.<sup>88</sup> While he was broke, he was not down and out, and his grand life-style never changed. When he needed money, he could still borrow on his unmortgaged lands and was able to obtain \$100,000 against Lyde's jewelry to launch himself on a new career in politics. In 1932, he was elected to Congress, and two years later successfully campaigned for governor.<sup>89</sup> He was generally regarded as a good governor, although not necessarily outstanding.

While still occupying the Chief Executive's seat, Marland launched another attempt to regain his fortune in oil. Another Marland Company was begun with the belief that he could return to old friends and former stockholders and begin anew.<sup>90</sup> In 1939 stock was offered in the new Marland Company, and in August of that year a wildcat well four and one-half miles east of Ponca City brought oil and new hope.<sup>91</sup> But it was all in vain. He could not return, and even his adopted son George lost his many leases, land, and money in an attempt to salvage his father.<sup>92</sup>

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<sup>88</sup>D.A.R., The Last Run, p. 222.

<sup>89</sup>Ibid.

<sup>90</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>91</sup>D.A.R., The Last Run, p. 222.

<sup>92</sup>Interview, Neal Sullivan, June 9, 1970.

Marland died in 1951, totally broke, and Lyde became a recluse. She moved into the art studio on the spacious mansion grounds, and was rarely seen by anyone. Friends visited with her, but she never returned the calls. A close family friend, Neal Sullivan, was pleased when she was persuaded to visit his home one holiday evening. After that she mysteriously disappeared, and was never seen by the people of Ponca City again.

Lyde's disappearance made national headlines, and her whereabouts remained a mystery for years. Friends, relatives, and detectives tried in vain to find her, until one day while on a business trip in Kansas City, Sullivan accidentally met her. She was well, but made it clear that she did not want her whereabouts known. Sullivan believes that she is still alive in Kansas City, although she does not correspond with anybody in her old home. Nobody knows how she lives, but it is speculated that she sold some of the paintings that she took with her when she disappeared. Perhaps she lives from the sale of the fabulous mansion library.<sup>93</sup>

The forces of the frontier did not force its will upon Marland. The indomitable spirit and energy of a single man refused to submit. He left an imprint on Ponca City that is still clearly discernible; and perhaps no other individual man so dramatically dominated an entire community. In

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<sup>93</sup>Ibid.



the words of one of his closest friends, an open admirer, "He was a baron and Ponca City was his barony."<sup>94</sup>

A relative latecomer to Ponca City, which seemingly spawned great empires, was Lew Haines Wentz. Born in Mount Vernon, Iowa, and reared in Pittsburg, Pennsylvania as one of seven children,<sup>95</sup> Wentz was fiercely proud of his humble background and boasted of the fact that his father was "a damned good" blacksmith. While in Pittsburg, Wentz was employed by John G. McCaskey, a millionaire Irish merchant who had cornered the sauerkraut market in the United States. George Miller was interested in attracting Eastern money to develop oil in the Outlet, and through Lieutenant Franklin Kenny, an army recruiting officer located in Oklahoma City, he contacted McCaskey and persuaded him to invest in Oklahoma oil. McCaskey was unable to come himself, so he sent Lew Wentz to purchase and develop oil leases and look after the McCaskey properties.<sup>96</sup> Wentz reluctantly agreed to come for six months only, but spent the rest of his life in Ponca City.<sup>97</sup>

He arrived in the Outlet in January, 1911, and immediately set to work. His pay was small, but opportunities

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<sup>94</sup>Ibid.

<sup>95</sup>Glasscock, Then Came Oil, p. 280.

<sup>96</sup>D.A.R. The Last Run, p. 212.

<sup>97</sup>Ponca City News, September 10, 1939.

were great.<sup>98</sup> Finishing the business he was sent for, Wentz cast about for openings of his own, and met E. W. Marland who at the time was acquiring leases for the 101 Ranch Oil Company. Subsequently, differences developed between the two men. Whether they arose from disagreements over leasing activity or politics or personality conflicts is unknown.<sup>99</sup>

Wentz was a loner, and rarely sold an oil lease. He owned only those oil leases which he himself had written. He and McCaskey were partners in all that Wentz wrote until McCaskey died early in life.<sup>100</sup> Relationships were always good between McCaskey and Wentz, and when McCaskey died, his five heirs all sent letters commending Wentz for his honesty and fair dealing.<sup>101</sup> By shrewdness and tenacity Wentz slowly became a millionaire.<sup>102</sup> Never a promoter, he built a solid one-man organization to look after McCaskey's properties, which he purchased at McCaskey's death.<sup>103</sup> He then formed the Wentz Oil Corporation in 1924, with himself as the only stockholder. Four years later, he abandoned the corporate form of business organization, because of

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<sup>98</sup>Classcock, Then Came Oil, p. 280.

<sup>99</sup>Ibid., p. 281.

<sup>100</sup>Ponca City News, September 10, 1939.

<sup>101</sup>D.A.R., The Last Run, p. 215.

<sup>102</sup>Glasscock, Then Came Oil, p. 282.

<sup>103</sup>D.A.R., The Last Run, p. 212.

adverse public criticism by what he called "demagogues," and returned to a strictly private operation.<sup>104</sup>

From the day of his arrival in Ponca City until the day of his death, Wentz lived parsimoniously, without pomp or pretention, in the Arcade Hotel, called "the finest whorehouse in the country" by its proprietress "Auntie" Rhoades. Her hotel became the center of oil and political activity in early years, and Auntie became famous after a fashion. She was socially accepted, telling anyone and everyone what she thought and usually getting away with it. The hotel served as headquarters for the Miller Brothers on occasion, and it was probably there that Wentz became a close friend with George Miller. After acquiring great riches, Wentz adamantly refused to take up new quarters, with the explanation that Auntie Rhoades' hotel had been good enough when he started and it was good enough yet. Only through the efforts of a niece was his one room expanded into a suite of several rooms and nicely decorated.<sup>105</sup>

In the 1920's Wentz began leasing heavily in the Blackwell and Tonkawa oil fields despite meager resources, and almost lost everything.<sup>106</sup> Then his McKee Lease six miles south of Tonkawa became a real producer. In all, sixty-eight wells were drilled on 160 acres, producing in

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<sup>104</sup>Ponca City News, September 10, 1939.

<sup>105</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>106</sup>Glasscock, Then Came Oil, p. 281.

five sands. The best was number forty-five, which produced a million, six hundred barrels at prices ranging up to \$3.50 per barrel for a net production of over \$3 million.<sup>107</sup> At the height of their productions, the Blackwell and Tonkawa fields brought Wentz 20,000 barrels of oil per day.<sup>108</sup> At one time, 217 men lived and worked on the McKee lease, which also boasted two school houses and the boom town of Three Sands. Wentz's hold on this valuable lease was severely threatened when McKee gave a piece of his land to the Baptists for the building of a church and a cemetery. Charles Knox, an Enid oilman, then obtained permission from the Baptists to drill on the church land. Wentz employees formed a vigilance committee to prevent the drilling while Wentz went to court. District Judge Duval upheld Wentz and his precious lease was preserved.<sup>109</sup>

A lot of local gossip circulated at the time that Wentz at first did not allow many of the wells in the Tonkawa field to produce, enabling him to buy out the McClaskey heirs at a cheaper price,<sup>110</sup> but there is no proof of these charges, and the confidence expressed by the McClaskey heirs in Wentz's management would seem to vindicate him.

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<sup>107</sup>Ponca City News, September 15, 1957.

<sup>108</sup>Glasscock, Then Came Oil, p. 281.

<sup>109</sup>Ponca City News, September 15, 1957.

<sup>110</sup>Interview, Neal Sullivan, June 9, 1970.

Today, Lew Wentz is probably better known by Oklahomans for his philanthropies, but even before he struck it rich he borrowed money to buy all the surplus toys from local department stores to provide Christmas gifts for needy children. Later he anonymously donated shoes and stockings for the needy children with the only stipulation being that the superintendent of the schools supervise their distribution. Thereafter the indigent children of Ponca City could always count on Santa Claus.<sup>111</sup> But all of his charities were anonymous. He vigorously fought publicity and personally hated the word "charity."<sup>112</sup> It was he who promoted and financed the Crippled Children's Hospital in Oklahoma City. He built and endowed the Boy Scout Camp of Ponca City at a cost of some \$200,000, and he established the Loan Foundation for deserving and needy students at the University of Oklahoma and Oklahoma State University (then Oklahoma A&M).<sup>113</sup>

In addition to his business activities and philanthropies, Lew Wentz was a powerful political figure in Oklahoma Republican Party circles. He probably saved more newspapers than any single person during the Great Depression, many of them with Democratic mastheads. This became the basis of his political strength in later years. He

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<sup>111</sup>Glasscock, Then Came Oil, pp. 282-283.

<sup>112</sup>D.A.R., The Last Run, p. 214.

<sup>113</sup>Glasscock, Then Came Oil, pp. 282-283.

financed perhaps twenty young men to purchase newspapers, and whenever he needed favorable publicity he was always able to get it; usually as the stories were written by friends, they came out just as he wanted.<sup>114</sup>

In 1929, Governor W. J. Hollaway appointed Wentz to the Highway Commission where he waged a vigorous battle against the concrete monopoly in the state's highway construction business. Later, under Governor William Murray's administration, two new members awarded excessive contract prices to highway builders. Wentz broke with Governor Murray over the incident and was removed. Subsequently, the Oklahoma State Senate censured the guilty members, and the State Supreme Court reinstated Wentz.<sup>115</sup> During his tenure, Wentz accepted no salary, but endorsed his checks to the Crippled Children's Home. In addition, he paid his own secretary and his office and car expenses. He was also instrumental in the building of Highway 60 through Oklahoma, the only transcontinental highway at the time.<sup>116</sup>

Despite his great generosity while living, Lew Wentz left an estate of \$20 million at the time of his death in 1949. His will designated three-fifths of this to go to the Masonic Children's Home in Guthrie and to the Student Loan Foundations of Oklahoma University and Oklahoma State

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<sup>114</sup>Interview, Neal Sullivan, June 9, 1970.

<sup>115</sup>Ponca City News, September 10, 1939.

<sup>116</sup>Ibid.

University. One-fifth went to his immediate relatives, and one-fifth was left to his closest business associates.<sup>117</sup>

In typical frontier fashion, these young men of industry, ambition and keen ability--Wentz, Marland, and the Millers--carved themselves lusty empires which were the marvels of their day. Each was uniquely different, yet each epitomized the rugged individualism and fierce competitive spirit of the frontier, and their legacy is a city that is unique among all others in the Outlet. Before the coming of oil, Ponca City was just another small Outlet town. Its business was a part of the 101 complex; in fact, the 101 headquarters probably transacted more business than the city. By the summer of 1917, Ponca City stood second only to Tulsa as a growing oil metropolis, with Marland assuming the leadership.<sup>118</sup> The 101 would shortly pass from the scene, leaving its contribution of the rodeo, a symbol of the West that was dead or dying; while at the same time, Wentz and Marland were building on its ashes a metropolis that was outdistancing Enid, the largest city of the Outlet.<sup>119</sup> Wentz's contribution is a legacy of philanthropies that have served mankind to this day, and E. W. Marland injected into the city a cosmopolitan spirit, leaving in his wake a "small town with...New York glands."<sup>120</sup>

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<sup>117</sup> Ibid., September 15, 1957.

<sup>118</sup> Glasscock, Then Came Oil, pp. 278-279.

<sup>119</sup> Bass, The First 75 Years, p. 33.

<sup>120</sup> Ponca City News, September 10, 1939.

## CHAPTER VII

### THE FARMERS' FLIGHT

Upon entering the Outlet homesteaders encountered a prairie wilderness that was "like a fickle woman: one minute, serene and beautiful, the next a vixen; one moment hot as a forge-blaze, the next, cold as icicles on the eaves trough. Wind pushin'...most of the time. Hail, sleet, cloudburst, tornado."<sup>1</sup> Pioneer reminiscences almost invariably recount the suffering endured as a result of the blistering temperatures on the day of the run and the weeks that followed. Yet the following January their stories recounted the miseries inflicted by the terrible blizzard of 1894,<sup>2</sup> and a few months later, in April, another equally punishing snow-storm was hurled upon them.<sup>3</sup> In addition to the blizzards, there were torrential rains whenever they infrequently appeared, along with hail which periodically destroyed their crops.<sup>4</sup> Then, as if to add variety, there

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<sup>1</sup>Baker, Cherokee Country, p. 7.

<sup>2</sup>G. E. Lemon, "Reminiscences of Pioneer Days in the Cherokee Strip," Chronicles of Oklahoma, XXII (No. 4, Winter, 1944-1945), p. 465. See also Bullard, "Pioneer Days in the Cherokee Strip," p. 262.

<sup>3</sup>Enid Morning News, August 17, 1939.

<sup>4</sup>Eisele, A History of Covington, p. 10.



were blinding dust storms to choke their lungs during the long periods between rainfall.<sup>5</sup> But the biggest weather hazard was the tornadoes which every spring ripped through some area of the Outlet.

Early day settlers referred to them as "cyclones." One of the first to hit the area appeared in May of 1899 in Harper County, which resulted in no loss of life but which reportedly "stripped the feathers from all the chickens."<sup>6</sup> While the veracity of many of these reports may be open to question, the ferocity of the storms cannot. Another tornado struck Ponca City in April of 1912 and destroyed the entire western part of the town and surrounding countryside. No lives were lost, but there was a heavy property damage.<sup>7</sup> The most damaging tornado of record struck Woodward in April of 1947. Almost a hundred blocks of the town were destroyed, with no building in the storm area escaping severe damage. One hundred and eleven people were killed, and many hundreds more were injured. Property damage reached into the millions of dollars.<sup>8</sup> It would require volumes to record all such storms; annually spring tornadoes threaten the Outlet, and not a year passes that at

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<sup>5</sup>Harper, "Homesteading in Northwestern Oklahoma Territory," p. 334.

<sup>6</sup>Holton, Early Days in What is Helena Township, p. 26.

<sup>7</sup>Ponca City News, September 15, 1939.

<sup>8</sup>Daily Oklahoman, December 28, 1944.

least one does not swoop down on some area resulting in severe damage and injury. As recently as the spring of 1971, Enid was deluged by grape-fruit-size hail driven by fierce winds, resulting in millions of dollars in property damage; only a few days later the same city suffered an additional million dollars in damages from a raging wind-storm. Visitors to this land are generally terrified by these awesome storms, as well they might be, while the natives philosophically take them in stride and casually stroll to the storm caves only at the last minute, if at all. However, it has taken the residents two generations to become calloused, and the first settlers must have felt that the wrath of the gods was being visited upon them.

A popular expression in the West was that the farmer cursed the government and the weather, and the Outlet farmers had just cause to curse them both. While the government certainly could not be blamed for the severe weather conditions which tormented the homesteaders, its land policies left much to be desired; thus the government needlessly exposed itself to much valid criticism. In the first place, the very method of settling the Outlet was, to put it mildly, a grievous mistake. The lottery system later proved to be a far fairer method of disposing of large tracts of land.<sup>9</sup> The idea of staging a horse race for homes originated with President Grover Cleveland, but President

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<sup>9</sup>Ponca City News, September 19, 1939.

Benjamin Harrison worked out the details for the "Eighty-Niner" run; Cleveland was back in office in 1893 to decide the method of the Outlet run.<sup>10</sup> A horse race admittedly was an exciting and dramatic method of disposing of the public domain, and presumably this method was conceived as a means of insuring fairness to all. In practice, however, it favored the more fortunate few who either owned or could afford to purchase faster animals over the poor who could not. In addition, this method had the effect of bringing out the very worst in men, resulting in quarrels, fights, bloodshed and even deaths, to say nothing of the endless court litigation and enmities that would endure for generations. The homeseekers found themselves fighting against the forces of nature, in addition to their neighbors, as a result of this cruel, and frequently inhuman method of settlement. But the worst sin of all was yet to come; the land was divided into 160 acre units.

The government's land policies in 1893 were antiquated as they had been since the agrarian frontier reached the Great Plains. Congressional thinking was still dominated by the concept of 160-acre farm units so familiar to them in the more fertile, humid East; but it should have been apparent that when agriculture reached the treeless prairie, reform was imperative. Yet it foundered amid politics, and the Cherokee Outlet was carved up in the traditional

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<sup>10</sup>Buck, Settlement of Oklahoma, p. 71.

Eastern style as if it were truly a Garden of Eden, while in fact much of it was unsuited for farming, especially on as little as 160 acres. Settlers thus were invited by the government to file on homesteads where failure was almost certain for most of them. It seemed as though Congress was cruelly enticing innocent homeseekers with a wager of 160 acres that they could not live on it the necessary five years to prove it up. But the tragedy was further heightened when it became known that the government had sufficient information in its possession at the time to have averted the suffering which it had needlessly authored.

As early as 1872, a survey of the entire Outlet was made for the federal government by two "entirely unbiased" surveyors, Oscar Monrad and Roscoe H. Sears. A township by township appraisal was made of lands in the Outlet and submitted to Congress, and that report dramatically revealed that the region was unsuitable for 160-acre farms. Indeed, it revealed that much of the western portion was not suited for agriculture under any conditions or in any amount, while the better-watered portions in the east were described in highly favorable terms. In Kay, Garfield and Pawnee counties, township lands were appraised as "principally

first-rate, well adapted for agriculture,"<sup>11</sup> or "soil nearly all first rate,"<sup>12</sup> or, at worst, "soil first and second rate."<sup>13</sup> Farther west, however, an entirely different story was described by the report. In Woods County, the survey pictured the soil of a township just to the southeast of Alva as "utterly worthless and unfit for cultivation."<sup>14</sup> As it described land farther west, the report became even more critical. Townships with creeks flowing them were assessed as having "soil third-rate, and totally unfit for agriculture or grazing."<sup>15</sup> In the semi-desert western portions, it said creeks, rivers, and any source of water greatly enhanced the value of the land, but another such western township was tragically described as "soil third-rate and totally unfit for anything."<sup>16</sup>

Despite this graphic and emphatic description of soil and land conditions in its possession, the government chose

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<sup>11</sup>Oscar Monrad and Roscoe H. Sears, Appendix Surveyors Notes, Appraisal Report Cherokee Outlet In the Indian Territory--State of Oklahoma, 1893. Docket 173 Before the Indian Claims Division. Prepared for the United States Department of Justice. [n.p.] p. 135. While the date in the title is 1893, the text of the original report is clearly dated, indicating that it was prepared for and presented to the government twenty years earlier.

<sup>12</sup>Ibid., p. 231.

<sup>13</sup>Ibid., p. 206.

<sup>14</sup>Ibid., p. 226.

<sup>15</sup>Ibid., p. 227.

<sup>16</sup>Ibid., p. 230.

to ignore the ominous warnings. Efforts at reforming government land policies had been made earlier when John Wesley Powell appeared before the House Committee on Public Lands in 1874 and testified that west of the ninety-ninth meridian the land was too arid for agriculture. He argued for a classification of the land on the scientific basis of economic potentiality, but the corrupt Grant administration apparently was not interested in reform. When Carl Schurz became Secretary of the Interior during the Rutherford B. Hayes administration in 1877, Powell saw an opportunity for reforming the land office, and in April of 1878 he submitted his famous Report on the Lands of the Arid Region. The National Academy of Sciences became interested in Powell's proposals and came to his assistance. By June of 1878 a resolution had passed Congress authorizing the Academy to study the problem and recommend solutions. The study was made under Powell's direction, and the report was submitted in December of that same year.

Land speculators and western optimists formed a powerful lobby, however, and the Powell recommendations were allowed to die. Further attempts at reform were continued only to be killed by political maneuvering. The principal arguments against Powell's recommendations of farm units much larger than the traditional 160 acres were that such would delay western settlement; they threatened support of the public schools; but the most telling argument was that a great number of small farm units were needed to accommodate

a large number of yeoman farmers and thereby prevent the emergence of huge feudal estates of the European pattern. Western congressmen almost unanimously supported these arguments and opposed Powell's recommendations. They were not ignorant of the aridity of the western land, nor were they in the pay of the great land companies, at least not all of them. It was the agrarian "myth of the garden" that defeated reform, the enduring American belief that the individual yeoman farmer could transform any wilderness into a garden. That myth would not be shattered for many years, even by the hard realities of the arid west.<sup>17</sup>

Powell's report revealed that a minimum of twenty inches of annual rainfall, when seasonably favorable, was necessary to sustain agriculture. Yet even this amount would vary according to temperature and altitude. His line of sufficient rainfall dissected the United States on an irregular north and south line at about the 100th meridian, bending eastward in the southern region and westward in the northern states.<sup>18</sup> Powell reported that the grass west of the line of sufficient rainfall was "so scanty" that cattlemen required more than 160 acres to support livestock herds. A quarter-section of land was insufficient for even the minimal herd necessary to support a family. Instead,

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<sup>17</sup>Smith, Virgin Land, pp. 230-233.

<sup>18</sup>John Wesley Powell, Report on the Lands of the Arid Region of the United States, with a More Detailed Account of the Lands of Utah. With Maps. (Washington, D.C.: Government Printing Office, 1878), pp. 2-3.

he recommended four square miles as the minimum size ranching unit, with more than four sections in some areas, especially if such ranches were to be "of any practical value,"<sup>19</sup> Recognizing that it was the water which governed the value and usefulness of the land, Powell also suggested wisely that the surveys should conform to the topography, and that ranch boundaries should be drawn to provide the greatest amount of water frontage and not on the rectangular basis as had been done since the Northwest Ordinance of 1787. Also, Powell recommended that farm residences, owing to the sparse population, be grouped together to allow social organizations such as schools and churches.<sup>20</sup>

Perhaps the only serious error in Powell's report was in drawing the line too far west at the 100th meridian. More properly, the line should have been drawn at the 98th meridian, for it is at that point where adequate rainfall begins to fail;<sup>21</sup> had this line been used, the western one-half of the Outlet would have fallen within the arid regions described in his report. A twenty-five year average annual precipitation chart reveals that towns in the far western portion of the Outlet, while maintaining the bare minimum average of twenty inches of precipitation needed to sustain successful farming operations, are so marginal that they

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<sup>19</sup>Ibid., pp. 21-22.

<sup>20</sup>Ibid., pp. 22-23.

<sup>21</sup>Webb, "The American West," pp. 26-31.



could not do so on a regular basis. Buffalo, for example, averaged only 21.83 inches of annual rainfall over a twenty-five year period, but in some years this was higher; thus, of necessity, some years must have fallen below the minimum--with resulting drought and crop failure. Other western towns had an equally precarious precipitation rate.<sup>22</sup> Even the more humid eastern section, which exceeds the minimum requirements by over ten inches per year for the same twenty-five year period, suffered from periodic drought, underscoring the exceedingly hazardous risks involved in cultivating land which received the barest minimum necessary requirements. Clearly, the western one-half of the Outlet should have never been opened to farming on 160 acre allotments.<sup>23</sup>

In 1893, however, anyone arguing that the average homestead in the Outlet should be 2,560 acres would have been

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<sup>22</sup>Bureau of Business Research, Statistical Abstract of Oklahoma. (Norman: Bureau of Business Research, College of Business Administration, University of Oklahoma, 1956), pp. 34-38.

<sup>23</sup>Personal Interview with Dr. Angie Debo and Mr. Bill Moyer. See also, Webb, "The American West," and Powell, Report on the Land of the Arid Region. Monrad and Sears, Surveyors Notes, sustain this contention. On April 12, 1971, the author accompanied Congressman Happy Camp, Pat O'Meara (Acting Director, Office of Saline Water, Interior Department, Washington, D.C.), and Robert Henley, U.S. Army Corps of Engineers, Tulsa Oklahoma, on a flying trip over the Cherokee Outlet studying drought conditions. It was the unanimous opinion of all that the number of stock ponds and natural bodies of water became conspicuously less west of the Garfield and Grant county lines (approximately the 98th meridian). In addition, the greenness of the wheat fields and pastures was noticeably less west of this line.

regarded as insane. Yet the government itself obviously was aware that the quality of the land greatly varied, for it established three different prices to be charged the homesteaders for it. A House of Representatives Report, in assessing the value of the land, specifically acknowledged that while these lands were generally valuable for agriculture and grazing purposes, "they became less so as they lay farther west."<sup>24</sup> Homesteads west of the 98.5th meridian accordingly were assessed at \$1 per acre; and those lands east of the 97.5th meridian were sold at \$2.50 per acre; and all land between those two lines sold at \$1.50 an acre.<sup>25</sup> The settlers likewise were obviously aware of the fact that land west of the 98th meridian was unsuited to agriculture. All the claims east of the western boundaries of Grant and Garfield Counties, or approximately the 98th meridian, were taken the day of the Opening, oftentimes with several contestants filing on the same highly valued quarter-section.<sup>26</sup> Trainloads of disappointed people left the Outlet following the Opening, either failing to stake a claim on the valuable lands, or knowing too well the futility of staking on the

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<sup>24</sup>U.S. 51st Congress, 2nd Session. Cherokee Outlet, Report No. 3768. February 11, 1891, Serial 2888, p. 2. Significantly, this document is dated two years prior to the Opening; thus Congress had to be aware of the quality of the land.

<sup>25</sup>Vernon S. Brasswell, "The Oklahoma Free Homes Bill," Chronicles of Oklahoma, XLIV (No. 4, Winter, 1966-1967), p. 381.

<sup>26</sup>Buck, Settlement of Oklahoma, p. 57.

western homesites. Meanwhile, lands west of the 98th meridian, suitable only for ranching, went begging for claimants, and were overrun by cattlemen, very much as they had been prior to the run.<sup>27</sup>

The Homestead Act, under which the Outlet was settled, was a great blunder for the farmers in that arid country, and ultimately failure came to many of those who claimed land that could not support them in dry years. It should have been evident that irrigation was the only answer to the problem of cultivating the semi-desert,<sup>28</sup> but no notice was given of this fact; and the government, favoring the small farmer over the cattlemen, broke the prairie into sufficiently small units that failure was assured to both.<sup>29</sup>

Failing to populate the western counties of the Outlet at \$1-per-acre and a horse race, the federal government then enacted legislation even more ill-conceived and which enticed even more people to experience frustration and failure. It was Oklahoma Territorial delegate to Congress Dennis L. Flynn who authored the Free Homes Bill in 1892.

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<sup>27</sup> Ibid., p. 78. The fact that the area west of the 98th meridian lay in the heart of the Dust Bowl of the 1930's is further proof of the folly of opening the western Outlet to the plow. See Jahn A. Hawgood, America's Western Frontiers: The Exploration and Settlement of the Trans-Mississippi West. (New York: Alfred A. Knopf, 1967), pp. 390-391.

<sup>28</sup> Roy M. Robbins, Our Landed Heritage; The Public Domain, 1776-1936. (Princeton: Princeton University Press, 1942), p. 326.

<sup>29</sup> Ibid., pp. 362-363.

For the next several years he tenaciously labored in behalf of his cause and was crowned by success with the passage of the Free Homes Act on July 17, 1900, which repealed the charges obtained by the federal government in extinguishing Indian title to the lands and passed on the homesteaders by the 1890 act of Congress.<sup>30</sup>

Flynn became the darling of Oklahoma farmers, and well he might in that an estimated \$20 million in mortgages were lifted from their backs. Kay County alone profited by a million dollars, and every person who had lived on a claim for five years saved an average of \$500 which could be used for other purposes.<sup>31</sup> Such savings quickly made their appearance in new barns, homes, livestock, and other improvements.<sup>32</sup> And while it may have been good for some, it was an invitation to fiscal irresponsibility to others.<sup>33</sup> By 1900 the Outlet had achieved a degree of prosperity, and those already living there had enjoyed two or three good harvests and could have paid for the land; indeed, they had been saving to do so. This act resulted in spending sprees that led many to economic ruin. Some of the more responsible settlers regarded it as nothing more than a government handout. A very large number of the original homesteaders

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<sup>30</sup>Braswell, "The Oklahoma Free Homes Bill," pp. 383-389.

<sup>31</sup>Ibid., p. 389.

<sup>32</sup>Buck, The Settlement of Oklahoma, p. 59.

<sup>33</sup>Foreman, "Indian Pioneer History," XI, p. 392.

quickly proved up and obtained title to their lands within a year following the passage of the Free Homes Act, but most of them had their farms mortgaged within a month. In fact, "some mortgaged on the same day they made their proof."<sup>34</sup>

Even worse, it was an invitation to disaster for additional thousands of homeseekers to come to the arid west. Immigration to the western counties, heretofore sparsely settled, began almost immediately.<sup>35</sup> The census of 1900 showed a population of 17,000 people in Woodward county; in two years the number had doubled, and the following year all available homesteads had been claimed.<sup>36</sup> The Santa Fe Railroad made up special trains of twenty to thirty cars to transport the hordes of new immigrants from Kansas to these western lands.<sup>37</sup> One eyewitness reported one "train was so large that it took three engines, two to pull and one to push."<sup>38</sup> Of all those thousands of innocent people, "only one was smart. He turned around and went home."<sup>39</sup> Further proof that the federal government had not yet learned the error of its ways was demonstrated in 1904 when the Kinkaid

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<sup>34</sup>Debo, Prairie City, p. 89.

<sup>35</sup>Charles Wayne Ellinger, "The Drive for Statehood for Oklahoma," Chronicles of Oklahoma, XLI (No. 1, Spring, 1963), p. 390.

<sup>36</sup>Baker, A Pioneer History of Shattuck, p. 23.

<sup>37</sup>Ibid., p. 24.

<sup>38</sup>Ibid., p. 231.

<sup>39</sup>Ibid., p. 147.

Homestead Act allowed cattlemen in western Nebraska to prove up 640 acre ranches. Even this larger acreage proved inadequate; almost immediately the number of homesteads began to diminish while the size of ranching units increased proportionately.<sup>40</sup> If 640 acres was inadequate in western Nebraska, 160 acres was more dramatically inadequate in the western Outlet, and the process of abandoning quarter-sections which were incorporated into larger units began very shortly after they had been claimed.

Population figures can profitably be used to reconstruct the picture of what happened to the homesteaders in the years following their arrival. For example, Woodward County in February of 1894 could count only 2,241 people,<sup>41</sup> but by 1902, following the influx of settlers in the wake of the Free Homes Act, the population had soared to approximately 34,000.<sup>42</sup> At this point it becomes difficult to use census figures with a high degree of accuracy, because at statehood the Outlet was carved up into eleven counties instead of the original seven, making exact population figures and average size farm statistics somewhat distorted. Woodward County was divided into three new counties: Woodward, Harper and Ellis; but the problem is further compli-

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<sup>40</sup>Paul W. Gates, History of Land Law Development. (Washington, D.C.: Government Printing Office, 1968), p.501.

<sup>41</sup>"Report of the Governor of Oklahoma to the Secretary of Interior." (Washington, D.C.: Government Printing Office, 1894), p. 4.

<sup>42</sup>Baker, A Pioneer History of Shattuck, p. 23.

cated by the fact that roughly one-half of Ellis County today lies south of the Outlet and one-half lies within it. Also, a sizeable portion of northeastern Woodward County was detached and added to old Woods County. However, the amount of territory added to Ellis is roughly equal to the amount removed from Woodward, making the total land area of these three counties fairly equal to that of the original Woodward County. Still, it must be admitted that census figures, while highly useful, are less than scientific.

At statehood, the population of Harper, Ellis and Woodward counties, or roughly the equivalent of old Woodward County, was 36,662. Population grew briefly, and the census of 1910 reported 40,156 people, but by 1920 nature had begun to take its toll: only 33,959 residents were counted. This pattern has continued without fail, as reflected in every census report, to the present.<sup>43</sup> Today the preliminary census discloses that only 24,705 people reside in the three counties that once was the original Woodward County.<sup>44</sup> After sixty-three years, a net loss of 11,954 people has resulted. And every county west of the 98th meridian has

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<sup>43</sup> Jack L. Robinson and Thomas D. Curtis, (eds.), Oklahoma Data Book (Biennial). (Formerly the Statistical Abstract of Oklahoma.) (Norman: Bureau of Business Research, Dr. Horace B. Brown, Dean, College of Business Administration, University of Oklahoma, November, 1968), pp. 278, 299, 353.

<sup>44</sup> Letter to the author from Percy R. Willard, Regional Director, Bureau of the Census, U. S. Department of Commerce, Dallas, Texas, June 26, 1970. Preliminary census figures for 1970 are contained in the letter.

suffered the same fate. During the same period, Kay and Garfield counties, in the eastern half of the Outlet, have almost doubled their original population and have shown a steady, consistent growth in the years since settlement.<sup>45</sup> Today, these two counties support a population far greater than all the Outlet combined.<sup>46</sup>

The same story can be told by tracing the average size of farm units and the number of farms in the years following the Opening. The same caution must be exercised in the use of statistics as with population figures, but the picture they reveal is too dramatic to call them into serious question. In 1925, the earliest figures available for such information, Ellis County recorded 1,834 farm units averaging 345 acres each. Harper County, that same year, counted 1,239 farms with an average of 447 acres per unit; and Woodward County had 1,117 farms with an average size of 387 acres.<sup>47</sup> Obviously from the date of the Opening until 1925, farm consolidation had taken place at a rapid rate. The average farm unit must be presumed to have been somewhere near 160 acres following the Free Homes Act when most of the claims were taken, and in 1925 the average size farm had risen to 417 acres. This process, as with the population decline, has continued relentlessly up to the present.

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<sup>45</sup>Robinson and Curtis, Oklahoma Data Book, pp. 300, 312.

<sup>46</sup>Letter from Pervy R. Willard.

<sup>47</sup>Robinson and Curtis, Oklahoma Data Book, pp. 157, 174, 223, 546.



By 1959 Ellis County had dropped to 820 farm units averaging 853 acres each; Harper had declined to 641 farms at 993 acres per unit; and Woodward had 953 farms averaging 860 acres, for a combined average of 920 acres per farming unit.<sup>48</sup>

In the brief time from 1925 to 1959, the average size farming unit in the westernmost counties more than doubled. The census figures for 1970 are not available, but unquestionably they would reflect a continued trend in the same direction. In all probability they would show that the process has accelerated, for today it has been estimated that the average size farming-ranching operation in Ellis County is approximately 3,000 acres.<sup>49</sup> John Wesley Powell had been prophetic in his recommended average farm unit of 2,560 acres, a very realistic figure, but it took two generations of suffering, travail, heartbreak, and failure to prove him right.

Other forces have unquestionably been at work to effect this consolidation; the better-watered eastern counties were experiencing the same trend, but there has been a marked contrast in the rate of consolidation. By 1925 Garfield and Kay had increased only to 345 acres and 320 acres each.<sup>50</sup> The drier, western lands had taken a much heavier

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<sup>48</sup>Ibid.

<sup>49</sup>Interview with Bill Moyer, June 23, 1971.

<sup>50</sup>Robinson and Curtis, Oklahoma Data Book, pp. 157, 181, 265.

toll and were reversing the mistakes of the government by forcing the homesteaders onto a more realistically sized agricultural operation to be economically profitable.

That the government should have adopted a separate policy for the settlement of those lands in the western one-half of the Outlet, which were known to be more suitable to ranching operations than farming, can also be demonstrated by a look at the population density of the two sections of the Outlet. In 1964, Garfield and Kay counties supported a population density per square mile of 51.3 and 54.7 people respectively. By contrast, Woodward County supported only 11.9, Harper County sustained 5.9, and Ellis County had a mere 4.8 persons per square mile.<sup>51</sup> Today, Harper and Ellis counties are still classified as totally rural; not a single person is living in an urban community according to census standards.<sup>52</sup> By contrast, Garfield and Kay counties became urbanized by 1930,<sup>53</sup> trailing the national trend by less than a decade. By 1960 the Outlet as a whole had caught up the national trend and had become urbanized,<sup>54</sup> and this process of urbanization has continued to the present in the eastern portion; but the far western counties continue to lag far behind the

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<sup>51</sup>Ibid., pp. 147, 4-5.

<sup>52</sup>Letter from Percy R. Willard.

<sup>53</sup>Robinson and Curtis, Oklahoma Data Book, pp. 157, 261.

<sup>54</sup>Ibid., pp. 157, 23, 548.

state, national and Outlet trends and remain completely rural.

Another measure of the paucity of wisdom in the government's decision to open the entire Outlet on the basis of 160-acre allotments can be gained by measuring the economic productivity of the lands east and west of the 98th meridian. In 1963, Garfield County produced more than twice the amount of wheat harvested by Woodward, Ellis and Harper counties combined; Kay and Grant counties could make the same boast.<sup>55</sup> In 1970, Garfield was the leading wheat producing county in the state of Oklahoma, and Grant County was second.<sup>56</sup> In addition to outproducing the western counties in the wheat market, the eastern counties can at the same time sustain a cattle and live-stock population that is equal to the west. Kay County in 1956 produced 51,000 head of livestock, compared to 52,000 for Woods, and Garfield had almost the identical number as Woodward County.<sup>57</sup> If the western one-half is to ever approach the east in productivity, irrigation will be the only solution, and yet there has been very little done in this regard. By 1967 the four westernmost counties had only 20,000 acres under irrigation,<sup>58</sup> and there appears to be no

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<sup>55</sup> Ibid., pp. 147, 121, 122.

<sup>56</sup> The Oklahoma Hornet, December 31, 1970.

<sup>57</sup> Robinson and Curtis, Oklahoma Data Book, pp. 35, 114.

<sup>58</sup> Ibid., pp. 35, 119.

concerted effort at present to introduce water to the land. In fact, the absence of adequate streams and lakes makes it doubtful that irrigation will be successfully employed for some time to come; underground water is too deep and thus economically unfeasible.

Predictably, the eastern settlers prospered more quickly than those in the drier west. Not until recent years with increased acreages have the residents of the west caught up with the rest of the Outlet and the state as a whole. The county with the highest per capita income in 1955 was Kay with \$1,774 average income per resident, while Ellis County was the lowest with only \$997. The average per capita income for the entire Outlet, \$1,345, compared favorably with the state average of \$1,487.<sup>59</sup> By 1963, however, a dramatic reversal of fortunes had occurred, with the western counties rapidly overtaking the east. This sudden affluence can be attributed to the rapid rate of farm consolidation; the more tenacious, hardy few had absorbed the less fortunate, and the value of their farming operations had radically changed. Per capita income in 1963 revealed that poor Ellis County had now surpassed wealthy Kay County residents by \$2,995 to \$2,545, and heretofore lowly Harper County had soared to a spectacular \$3,088 average per capita income. Moreover, the Outlet now outdistanced the rest of the state in average annual income

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<sup>59</sup>Ibid., pp. 37, 64, 65.

by \$2,900 to \$2,100.<sup>60</sup>

Prosperity came to the western homesteaders only after they had successfully combined land holdings sufficiently large to be economically profitable. In 1925, for example, the average value of a farm in Ellis County, including land and buildings, was pitifully low at \$5,987; but by 1959, following a period of vigorous consolidation, the value had reached a respectable \$41,574.<sup>61</sup> Harper County revealed an even more remarkable increase, from \$8,384 in 1925 to a lofty \$57,293 in 1959.<sup>62</sup> During that same period Woodward County soared from \$6,761 to \$47,877,<sup>63</sup> and other western counties disclosed similarly spectacular growth in the value of the average farming unit.<sup>64</sup> It has taken a lifetime, in many instances, to consolidate the many small farm units into economically productive ranching operations. Oftentimes the result has proved less than desirable, however; small pieces of land are frequently scattered for miles, but together they constitute a viable economic unit. Great inconvenience and expense is the consequence, but it is preferable to a subsistence type of existence, or to failure. Today, three-fourths of a century after it was first

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<sup>60</sup>Ibid., pp. 147, 58-59.

<sup>61</sup>Ibid., pp. 157, 174.

<sup>62</sup>Ibid., pp. 157, 223.

<sup>63</sup>Ibid., pp. 157, 546.

<sup>64</sup>Ibid., p. 157. passim.

put to the plow, vast expanses of these western lands look very much as they did the day of the Opening. Thousands of acres have been returned to native grasses, and the puny efforts of man to subdue them have left few discernible scars.

Quite by accident, the Cherokee Outlet affords the historian a unique opportunity to assess the success or failure of the federal government's land policy. And the experiences of the Outlet settlers, following their arrival, was (or should have been) an object lesson in governmental land policy-making. Within the six million acres of the Outlet, there were two very distinct types of land, one suitable for farming and the other for ranching, calling for two entirely different land policies. The attempt to impose the eastern-style, 160 acre farm unit on the arid western portion of the Outlet was a mistake, a failure of severe magnitude. A horse race and \$1-an-acre land was not sufficient attraction to lure farmers to this land, but free land caused many thousands to abandon good judgment and make the attempt. It has taken two generations to rectify the mistake, to return the land to its natural grass and to consolidate holdings to a size large enough to sustain a profitable cattle-farming operation. In the interim, indescribable suffering was the price to be paid. The lesson is clear; the forces of nature are still supreme. They are still sovereign in the arid West, and the skills and ingenuity of modern man are still inadequate to trans-

form the hot, dry, semi-desert lands of the western one-half of the Outlet into the garden of the American myth. The better-watered eastern acres readily yielded up their bounty, and prosperity came shortly, but it required many years before the west was subdued--and then only on nature's terms.<sup>65</sup>

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<sup>65</sup>Webb, "The American West," said virtually this same thing with regard to the entire American West, and the development of the Outlet proved him correct.

## CHAPTER VIII

### BROADER CONSIDERATIONS

Frederick Jackson Turner's controversial thesis asserted in part that the farther west one traveled in the United States the more American were the settlers. The run to the Cherokee Outlet should provide an excellent laboratory for proving--or disproving--this point. Admittedly the Outlet was not the westernmost frontier of the nation, but in point of time it was one of the last areas to be settled. Thus those characteristics which distinguished Americans from other nationalities should have been possessed by the settlers in great abundance. Rarely is the historian provided such an ideal opportunity to test an historical hypothesis: the Outlet was a land area larger than several New England states combined, larger by far than Massachusetts, and had clearly defined boundaries. A hundred thousand people were thrust upon this area in rapid order, literally within a few minutes--more than had resided in most states when they were admitted to the Union. Other frontiers had been amorphous in size and shape and gradual in their development, but not the Cherokee Outlet. Thus this region, settled the same year that Turner set forth his thesis, can serve as a microcosm for the entirety of



frontier America.

How a people transformed the land, how a treeless wilderness was quickly transmuted into oceans of waving wheat and modern cities is an interesting and exciting story in itself. But how the land changed a people is an even more exciting one. Within a single generation, the entire process was completed. The land and its people literally passed through the frontier stages of development to modernity in a few short years, truly an "Arrows to Atoms" development rarely witnessed in the history of man. It remains to be seen if this frontier did indeed magnify or contribute to those American characteristics of individualism, inventiveness, energy, enterprising boldness, and nationalism which Turner attributed to the forces of nature.

In keeping with the intent of Turner, no claim is here made that the frontier was the single force at work in fashioning the American character, but the thesis provides another perspective with which better to understand American society.<sup>1</sup> There can be no argument that, in Turner's words, "the wilderness masters the colonist," or that "the environment is at first too strong for the man. He must accept accept the conditions which it furnishes or perish."<sup>2</sup> The preceding chapter demonstrates that the forces of a prairie

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<sup>1</sup>Frederick Jackson Turner, The Frontier in American History. (New York: Holt, Rinehart and Winston, 1962 ed.), "Forward" by Ray Allen Billington, p. xii.

<sup>2</sup>Turner, The Frontier in American History, p. 4.

wilderness grew stronger in the Outlet the farther west one traveled, and that the conditions which nature prescribed were truly too strong for man and the federal government's land policy. Nature forced a new policy on the government in order to fill up those lands (The Free Homes Act of 1900), and then cruelly punished thousands for their audacity. Even in the better-watered eastern portion, where the forces were not so strong, considerable "blood, sweat, and tears" were exacted before prosperity came.

It is equally clear that Turner was correct when he wrote that the frontier forced "a return to primitive conditions,"<sup>3</sup> for such was the fact for the homesteaders of the Outlet. It has already been shown how the absence of wood forced the settlers into primitive dirt dwellings, either soddies or dugouts, and how the absence of modern institutions resulted in a return to cruder, less sophisticated improvisations of their Eastern counterparts. Admittedly, they brought their cultural baggage and the accouterments of civilization with them. And while they did successfully transfigure the frontier, they also were changed in the process. The schools, churches, and social and cultural activities were mere shadows of the model Eastern institutions after which they were fashioned. Indeed, the forces of nature reduced them to raw replicas of what the pioneers had in mind when they built them. The suffering endured those first few years, as a result of the forces of nature--

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<sup>3</sup>Ibid., p. 2.

the wind, hail, drought, and tornadoes--sustain Turner's perennial rebirth thesis; there was a beginning again as on all the frontiers. The paucity of rainfall west of the 98th meridian forced more than one beginning again until the "myth of the garden" was finally smashed.

Turner's critics have been right in some respects: he tended to generalize "at the expense of exact definitions."<sup>4</sup> The intangible qualities which he attributed to the American character, such as "acuteness and inquisitiveness," are too difficult to assess; in fact, it cannot be determined with exactness what he intended by this phrase. But there are more specific, tangible qualities that can reliably be tested. Practical inventiveness and the quickness to find expedient solutions to problems can rather easily be demonstrated. Again it was nature that imposed these characteristics on the homesteaders. Those who would succeed of necessity had to become highly diversified, jacks-of-all-trades. A good farmer simultaneously had to be an agronomist, a meteorologist, a veterinarian, an accountant, an architect, and a carpenter.

One pioneer recalled that her father repaired clocks, reloaded spent shotgun shells, and could strop a razor to a fine edge. He was also an excellent checker player, an accomplished hunter and fisher; he could figure exact board-feet of lumber for building, and could calculate the amount

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<sup>4</sup>Billington in *Ibid.*, p. xvii.

of paint or paper required to cover the walls. In addition to being a successful farmer, he was a good carpenter, fence builder, and he could preach a sermon for any occasion.<sup>5</sup>

Her mother was an equally inventive person. She blacked the children's shoes with soot from the stove when no polish was available; substituted baking soda for tooth powder; and a small tree limb, chewed until it was bristly, served as a toothbrush. She used buttermilk on her face to aid her complexion, and decorated Easter-eggs by boiling them while wrapped in calico. She made Christmas decorations, and she entertained the children with invented games and colorful stories of her own creation.<sup>6</sup> All pioneer women were expected to be good housewives, cooks, seamstresses, serve as midwives at childbirth, and nurse sick neighbors, in addition to milking the cows, tending the garden, and doing countless other farm duties.<sup>7</sup>

Religious developments in the Outlet substantially support Turner's assessment that the frontier had "important results on the character of religious organizations in the United States. The multiplication of rival churches in little frontier towns had deep and lasting social effects."<sup>8</sup> The pioneers of the Outlet were deeply religious people.

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<sup>5</sup>Allie B. Wallace, Frontier Life in Oklahoma. (Washington, D.C.: Public Affairs Press, 1964), pp. 90-94.

<sup>6</sup>Ibid., pp. 96-97.

<sup>7</sup>Ibid., p. 43.

<sup>8</sup>Turner, The Frontier in American History, p. 36.

They had to be endowed with a great faith to sustain them through their hardships, and the large number--and diversity--of churches which they established was a clear reflection of that frontier characteristic. By far the most popular denominations were those that were the product of earlier frontiers. Their individualism can be clearly demonstrated by the churches they attended. The classless society which nature imposed upon them caused them to have little respect for the credentials of an educated ministry; the vast majority of the worshippers believed that it was the pure of heart, not the clear of mind, who would see the kingdom of heaven. They had little use for priests and bishops, the intercession of saints, or predestination.

As in his daily economic activities, a man's religious business was his personal concern, and all accounts were to be settled directly with the head man. Of necessity, their religion was highly individualistic, and the Protestant concept of a priesthood of all believers made everyone a qualified minister if the spirit moved them, as it frequently did. The very harshness of life on the frontier resulted in a strong belief in an afterlife. This world, in their view, was not a place to enjoy, but a testing ground for the purpose of earning stars for a heavenly crown. Utopian dreams and schemes for establishing a heaven-on-earth were rejected out of hand, for otherwise what need would there be for Heaven? It was a harsh God of judgment that they worshipped. Hell-fire and damnation preaching, punctuated

by ominous warnings of the coming Judgment Day, and the testimonials of "Saved Sinners" were the regular diet of Sunday morning worshippers. Christian love and forgiveness were rarely mentioned.<sup>9</sup> Sermons, like hair tonic, had to sting and burn to be effective, and the hymns which they sung were almost invariably sad, melancholy longings for "The Sweet By and By."

Evangelists, revivalists, itinerant preachers, and an emotion-laden fundamentalism dominated the vast majority of the Outlet churches.<sup>10</sup> Early church records are unavailable, but a cursory review of the church-news sections of the Outlet newspapers reveal not only an astonishing number of churches, but a high percentage of evangelical, fundamentalist denominations. Woodward, with a population of 8,500 people today supports twenty-five churches, and all but four of these are of the fundamentalist theology. A quarter-page advertisement by the Jehovah's Witnesses ominously predicts that the second coming is near.<sup>11</sup> Garber, with a population of just under 1,000 sustains eight different churches, only one of which could not be classi-

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<sup>9</sup>Wallace, Frontier Life in Oklahoma, pp. 34-35.

<sup>10</sup>The author has attended church services in the Outlet since childhood, has taught Sunday School classes from time to time, and is a Lay Speaker in the Methodist Church. Many of these characteristics are described from personal observation at close range.

<sup>11</sup>Woodward Daily Press, June 18, 1971.

fied as frontier.<sup>12</sup> Ponca City's 25,000 population divides its attendance among fifty-four churches, ten of which are Baptist.<sup>13</sup> Thirty-three churches minister to Alva's 7,000 worshippers,<sup>14</sup> while Enid, with a population of 43,500 proudly boasts sixty-eight churches: twelve Baptist and twelve Methodist, and a large number of Pentecostal denominations. Typical of Outlet churches, a revival was held in Enid's Convention Hall July 3-4, 1971, where the evangelist promised "Salvation, World of Knowledge, Prophecy, Teaching, Healing" for the hosts who assembled. At the same time a rival Emanuel Baptist Church competed for attendance by inviting all to a "Bang-Up Time on July 4th."<sup>15</sup>

The Outlet can be classified as the heart of the Bible Belt, as further attested by the large number of signboards all across the Outlet's highways, either notifying travelers of the worship services available to them in the approaching cities, or directing wayfarers to the many small, off-the-highway, rural churches where the country folk still assemble. In addition, the numerous road signs offer testimonials of faith that "God is not dead in this Community," and those itinerants with heavy hearts are given solace from time to time with the comforting assurance that

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<sup>12</sup>Garber Free Press, June 17, 1971.

<sup>13</sup>Ponca City News, June 18, 1971.

<sup>14</sup>Alva Review Courier, June 18, 1971.

<sup>15</sup>Enid Daily Eagle, July 3, 1971.

"Christ is the Answer." The Earl Warren Supreme Court decision outlawing compulsory prayer in the classroom resulted in a proliferation of billboards in the Outlet demanding his impeachment. Every aspiring politician is expected to fight for a reversal of that decision. In addition, the automobile and farm pickups carry the never-ending crusade into the farthestmost recesses by prominently advertising their own particular Protestant message. Bumper stickers invoking the blessings of God in America can be seen in profusion, and an equal number triumphantly announce that "My God is not dead. Too bad about yours," abound.<sup>16</sup>

Echoing Turner, Walter Prescott Webb, in a beautifully written essay, entitled "Ended: 400 Year Boom, Reflections on the Age of the Frontier" observed that the pioneer did not have to win his independence and freedom in the wilderness; it was imposed upon him, and he became literally a prisoner of his own freedom. Of necessity, he was forced to invent institutions in order to live with so much freedom. Consequently he adopted an individualistic religion: protestantism; an individualistic economic system: capitalism, and an individualistic form of government: democracy.<sup>17</sup>

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<sup>16</sup>The "God is Not Dead in This Community" sign can be seen near the Covington Community, and the "Jesus Is The Answer" sign is located near Golty. There are many more such signs along the Outlet's highways, too numerous to mention, as is true with the bumper stickers. These are cited only to illustrate the typical.

<sup>17</sup>Walter Prescott Webb, "Ended: 400 Year Boom, Reflections on the Age of the Frontier," Harper's Magazine, CCIII (October, 1951), pp. 26-33.



These three became the veritable trilogy of American life. It has already been shown that individualistic, frontier protestantism was and still remains the overwhelmingly dominant religion of the Outlet settlers. Therefore it would seem natural to expect their political affiliations and voting habits to reflect the same degree of individualism.

Before this can be assessed, it must first be resolved what Turner and others who have endorsed his thesis meant when the word democracy was used. As Turner was writing in the 1890's he presumably used the word to imply the highly individualistic political system favored by the pioneers, a governmental system which was largely laissez faire in philosophy. As one author has expressed it: "It is not because he fears governmental activity, but because he has so often had to dispense with it, that the American is an individualist."<sup>18</sup> It was an 18th- and 19th-century brand of liberalism with little patience with a strong centralized government which meddled in the daily lives of the people. The old slogan of Revolutionary War days--"the government that governs least governs best" or "government at best is a necessary evil"--was their brand of democracy. Their philosophy of government was perhaps best expressed by President Grover Cleveland who at the time Turner was writing emphatically rejected a request for a small, low-

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<sup>18</sup>Becker, Kansas, p. 375.

interest loan to a group of Texas farmers with the stern admonition that "it is the role of the people to support the government, and not the role of the government to support the people." In his day Cleveland was regarded as a liberal, but today's historian classifies him as a conservative. Thus it is that today's conservative was a 19th-century liberal, and if this was the type of democracy Turner envisioned on the frontier, then it would be the modern day 20th-century Republican Party that presently would be the best vehicle for that political expression. It must be acknowledged that very few voters troubled their minds, in the 1890's or at present, with sophisticated political philosophies or consistency in their voting habits. The majority inherited their politics as they did their religion from their parents and grandparents before them. They registered as their fathers did, then pragmatically voted for the party or the candidate that offered the platform or promises most consistent with their private views.

Such practices are revealed in rather dramatic fashion by the party registration and voting habits of the Outlet settlers today. The Democratic Party registration lists presently reveal a two-and-one-half-to-one majority over the rival Republicans, yet in the thirty one presidential, congressional and gubernatorial elections since statehood the Republicans have carried twenty five contests, oftentimes with overwhelming majorities. In 1928 the laissez faire Hoover collected 67,640 to Al Smith's 24,535. Dwight

D. Eisenhower smashed Adlai Stevenson by almost two-to-one majorities in 1952 and 1956. Richard Nixon more than doubled John F. Kennedy's vote in 1960, as he did to Hubert Humphrey in 1968. The Democratic Party in the eleven counties of the Outlet gained majorities in only four out of the seven New Deal elections, but supported Harry Truman over the urbane Easterner Thomas E. Dewey by a two-to-one majority in 1948, and the "Prairie Fire" campaign of J. Howard Edmonson brought him victory by the same majority.<sup>19</sup>

The voting habits of the Outlet settlers were and are a reflection of the larger West of which they were a part, The Great Plains. Despite the cries of radicalism leveled against the region by Easterners, the West was always politically conservative. The farmers' periodic demands for reform were protests against change and not a demand to be given a greater share of the benefits of industrialization. Their basic desire was "to maintain a democratic, agrarian social order of the 18th century in the increasingly industrial order of the 19th and 20th centuries."<sup>20</sup> That was the aim of the Populists of the 1890's, and that "was the dream of the farmers who in the 1930's shifted the center of conservative Republicanism to the upper plains states in

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<sup>19</sup>Basil R. Wilson, (Compiler), Directory and Manual of the State of Oklahoma. (Oklahoma City: Oklahoma State Election Board, 1967), passim.

<sup>20</sup>Ray Allen Billington, Westward Expansion, A History of the American Frontier. (New York: The Macmillan Co., 2nd Ed., 1960), p. 758.

their vain effort to check a 'New Deal' which promised to adjust the entire nation to the needs of a modern industrial world."<sup>21</sup> The Outlet farmers reflected this sort of twentieth century conservatism when, after supporting the New Deal for the first two terms, they turned dramatically against it in the end. The voters of the Outlet joined with the larger West to oppose the New Freedom in earlier days, and later repudiated the New Deal which were both viewed by the West as needless governmental interference and meddling with the individualism, speculation, and pursuit of individual wealth. They had no time to worry about the needs of society.<sup>22</sup> H. H. Champlin, Enid's great oil tycoon, epitomized the Outlet farmers' attitude toward the New Deal; after first supporting it, he turned bitterly against it, and in his last will and testament he wrote, "I have no ill feeling toward anyone, except to be truthful, I must mention President Roosevelt...."<sup>23</sup>

The nationalism of which Turner wrote, the nationalism of Hamilton, Clay and Webster, the nationalism of laissez faire, the "American System," and Herbert Hoover's "Rugged Individualism," was repeatedly demonstrated by the dominance of the Republican Party within the Outlet. The fierce pride in country, a chauvanistic nationalism, still remains a pronounced trait of the Outlet residents. Their hawkish

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<sup>21</sup>Ibid.

<sup>22</sup>Ibid., pp. 756-757.

<sup>23</sup>Bass, Building for a Rugged Individualist, p. 119.

opposition to a no-win policy in Viet Nam is a powerful manifestation of their subscription to the "New Manifest Destiny" type of nationalism that was rampant in the days of Turner.<sup>24</sup> It is also strikingly significant that there has yet to be a single, militant anti-Viet Nam War demonstration on either of the Outlet's two college campuses. There is no draft-card burning or desecration of the flag in the Cherokee Outlet, and the number of patriotic slogans appearing on the bumpers of automobiles reflect the citizens' affection for their nation. Critics are warned to love America or leave it.

A large number of Populists could be counted within the ranks of the early day Outlet farmers. A "Hayseed Convention," as it was called, met in 1896 at Augusta, a ghost town in present-day Alfalfa County. A fusionist meeting with the Democrats, it was one of the largest political conventions ever held in the northern part of the state. Without camping facilities or any comforts for the delegates, the convention nonetheless lasted for four or five days. Reminiscences reported horse racing, dancing and ball games, but made no mention of the business which was conducted.<sup>25</sup> The Populist Party controlled politics in Woods County from 1893 to 1900, and having no place to meet, its

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<sup>24</sup>This information was obtained from Congressman Happy Camp's office. Two questionnaires of the past two years reveal an overwhelming support for a military victory in Viet Nam by the residents of the Outlet.

<sup>25</sup>Foreman, "Indian Pioneer History," XXIII, pp. 58-59.

delegates and members assembled in fields, generally requiring 160 acres to accommodate them all.<sup>26</sup> But their presence in such large numbers cannot be used as an argument against Turner; to the contrary, they contribute additional support. The Populists were conservatives, seeking to restore a by-gone day, "looking nostalgically to a mythical, golden era of yeomen husbandry." Their actions revealed a revival of the older, well-established tradition of "entrapreneurial radicalism" dating from the days of Andrew Jackson.<sup>27</sup> This was precisely the type of democracy that Turner was writing about.

Another dominant American trait which was fostered by the frontier, a "restless nervous energy" that was "powerful to effect great ends,"<sup>28</sup> also was evident among the Outlet pioneers. The optimism of the frontier encouraged men boldly to seek greatness; enterprises that envisioned a particular frontier town as the "Chicago of the Prairies" were launched endlessly. Edmund Frantz led the promotion of two local railroads in Enid which he envisioned would compete with three lines already existing there. Frantz, with others, planned the "Enid, San Diego, and Pacific" and the "Oklahoma Northern" lines. Only two of the five schemes

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<sup>26</sup>Ibid., XI, pp. 391-392.

<sup>27</sup>Richard Hofstadter, The Age of Reform, From Bryan to F.D.R. (New York: Alfred A. Knopf, 1955), pp. 58-59.

<sup>28</sup>Turner, The Frontier in American History, p. 37.

moved beyond the planning stages, "The Arkansas Valley and Western" which reached as far west of Enid as Avard, and "The Denver and Gulf" which reached Guthrie. Both went bankrupt and sold out to bigger companies.<sup>29</sup> Undismayed by these reversals, Frantz proceeded to other ventures and became one of the leading citizens and businessmen in the city of Enid.

The strong spirit of cooperation and neighborliness which were part of the frontier frequently has been cited as evidence against Turner and his thesis of individualism, and indeed there was a great amount of cooperation among the early Outlet settlers. Threshing crews were community efforts,<sup>30</sup> as was the fight for free homes.<sup>31</sup> During the Great Depression, a charity commission was organized in Enid; a National Guard field kitchen was secured, and calls went out for volunteers. Hundreds responded with food and clothing, and one merchant donated four hundred pairs of shoes. His store later went broke. The first morning 1,600 people were fed from this community largess. In addition, medical and hospital care was also provided.<sup>32</sup>

Old-timers' reminiscences invariably reflect with loving affection those early days when the spirit of coop-

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<sup>29</sup>James, The Cherokee Strip, pp. 231-234.

<sup>30</sup>Eisele, A History of Covington, pp. 8-9.

<sup>31</sup>Braswell, "The Oklahoma Free Homes Bill," pp. 383-389. See also Baker, Cherokee Country, p. 173.

<sup>32</sup>Journal of the Cherokee Strip, VIII, No. 2, p. 8.

eration and neighborliness was most pronounced. Neighbors joined together to build barns, houses, fences, churches, schools and roads. The women held quilting bees, and aided each other in sickness, childbirth, and death. A majority of the social clubs also served as community organizations. But all of this is not to argue against the Turner thesis. It did, as in the case of the Kansas farmers, produce a type of conformity. It was a conformity which was imposed upon them to preserve their individualism. As Carl Becker wrote, "On the frontier, man soon learned to conform to what is regarded as essential, for the penalty for resistance or neglect is extinction...."<sup>33</sup> Only together was survival possible for those strong-willed individuals "for whom defeat is worse than death, who cannot fail because they cannot surrender."<sup>34</sup>

Outlet homesteaders, as other frontiersmen before them manifested a unique individualism. They were slaves to convention, dress, living habits, and agricultural methods, yet demanded freedom to exploit the land. They would brook no Eastern or social restraints, yet were quick to call on the federal government for assistance when it was needed.<sup>35</sup> There may be a hundred different ways to run a successful filling station, grocery store, or a huge

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<sup>33</sup>Becker, Kansas, p. 397.

<sup>34</sup>Ibid., p. 376.

<sup>35</sup>Billington, Westward Expansion, p. 749.



corporation (surely no single formula has been followed by any two successful businessmen); but in the Cherokee Outlet, as with all farming frontiers, anyone who would succeed would conform, and those who refused were sure to fail. Weather and nature conspired to force conformity on all who lived on this land. They had to till the soil, plant, and harvest as nature dictated, not as individual whim or fancy made it convenient. Thus there was a likeness, a oneness in outward appearance, but beneath that blue denim shirt beat a heart that had its own unique cadence. "The individualism of the frontier is one of achievement, not eccentricity, an individualism of fact rising from a sense of power to overcome obstacles....," wrote Becker.<sup>36</sup> The Outlet pioneer cooperated with his neighbors when duty or the forces of nature required it, not because he trembled when he stood alone.

No claim to finality can be made for the Turner thesis in a study of this length. In all likelihood a volume would be required adequately to test the validity of any one of the frontier characteristics attributed to Americans by Turner. Those qualities are too intangible, illusive, and amorphous to be scientifically measured, and to state that they exist in greater degree on one side of an imaginary boundary line than on another would be highly suspect. But it is not too much to say that those characteristics which

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<sup>36</sup>Becker, Kansas, p. 375.

Turner described certainly abounded on America's last frontier, and the Cherokee Outlet affords his critics scant evidence to use against him. With the exception of Ponca City, it was the prairie wilderness that imposed its terms upon the inhabitants. And even in this one exceptional city the forces of nature prevailed at first. Only with the discovery of oil and the powerful riches it brought to a strong-willed man of vision did the prairie surrender its sovereignty and become what man had willed it.

## CHAPTER IX

### THE PASSING OF THE FRONTIER

"In few parts of America did frontier conditions persist for more than one or two generations," declared E. E. Dale.<sup>1</sup> Population growth, trails and highways, railroads and cities quickly drove away pioneer conditions. Cities and towns emerged and "differentiation in the social classes began to appear."<sup>2</sup> The Outlet was an exception to this general rule only in the speed and quickness with which frontier conditions disappeared. Understandably, due to the lateness of the Opening, frontier conditions could not long endure. Industrialization and technology were rapidly expanding across the rest of the nation, and the Outlet homesteaders could not long preserve their isolation or remain immune to the forces of modernism. Many of the first settlers came into the Outlet riding on a train, one of the principal agents of technology which helped to destroy the frontier conditions in other regions. Other instruments of modernism were also shortly to make their appearance and would begin to erode the primitive conditions. Ponca City

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<sup>1</sup>Dale, Frontier Ways, p. 131.

<sup>2</sup>Ibid.

had a telephone system within a year after the Run, with ninety subscribers in 1894. It would shortly be joined with the larger Bell System, providing communications with the rest of the world.<sup>3</sup>

Automobiles soon made their appearance to further destroy the isolation of the frontier. In addition, there were Sears and Roebuck catalogues delivered by the rural postal delivery service to keep the homesteaders in contact with the latest styles and appliances of the more civilized East. Electricity and radios arrived on the Outlet frontier almost as soon as they did in the East. All of these things provided leisure time to allow the homesteaders to cultivate an interest in and love for the more refined cultural activities. Moreover, prosperity came relatively quickly for many of the easternmost homesteaders, and with it came the financial wherewithall to seek those things beyond the material necessities of daily living.

Conditions varied all across the Outlet, and it is difficult, if not impossible, to determine precisely when frontier conditions ceased to exist in any one particular area. The Outlet did not develop as a unit. Generally speaking, however, east of the 98th meridian, frontier conditions evaporated much more rapidly than in the west. The larger population and more sudden prosperity were undoubtedly responsible, but perhaps the strongest force was the dis-

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<sup>3</sup>Ponca City News, September 15, 1968.

covery and rapid development of oil resources in Garfield, Kay, and Noble counties. It was oil that built so many of the modern cities of the Outlet. E. W. Marland and George L. Miller developed the first successful oil well in 1910 on the Willie-Cries-For-War allotment about two miles southwest of Ponca City, and thus was started the great oil boom that brought prosperity to a large number of people, even fantastic wealth to a few.<sup>4</sup> In 1912, Marland began developing the Newkirk field, and the following year he directed his energies towards the Blackwell reserves where he drilled twenty-eight straight producers before hitting a dry hole.<sup>5</sup>

The Garber field in Garfield County was the next major producing field to be discovered and developed by the Garber brothers, Milton and Bert, along with their associate Harry Moore. The Garber brothers caught the oil fever from Harry Moore, a grocery salesman who in 1916 persuaded the Garbers to drill a well in their community. A small producer further excited them, and they began immediately to buy up leases from neighboring farmers. The famous "Hoy Number One" well gushed in on September 10, 1917, and brought sudden wealth to its owners. Still unable to finance the further development of the entire field, the three partners sold a one-half interest in their leases to the Sinclair Oil Company for three million dollars, and this large

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<sup>4</sup>Ibid., September 10, 1939.

<sup>5</sup>Anonymous, Kay County Oklahoma, p. 49.

large corporation subsequently developed the famous Garber field.<sup>6</sup>

It was this same Garber Field that brought about the entrance of another giant in the petroleum industry, H. H. Champlin. By coincidence, soon after the spectacular Hoy well had been brought in, it was discovered that the lease on one of the farms owned by a man named Beggs had mistakenly been written on a form requiring semi-annual payments. All other leases in the area had been written on the standard forms requiring only annual payments. It is unknown why and how the Beggs lease was written on the improper semi-annual contract; probably it was an oversight, but at any rate the lease had unintentionally been allowed to expire due to the absence of payments. The valuable lease, situated near the fabulous Hoy well, was eagerly sought by many oil companies. The Sinclair Company should have sent one of the Garbers to renew it immediately, but they hesitated. Thereupon H. H. Champlin, an Enid banker and close personal friend of the Garbers, secured the lease from Beggs and projected himself into the oil industry. Champlin took Beggs to Enid and from there to Medford "where he kept him in a hotel for several days until he succeeded in getting the new lease from Beggs, for which it was rumored he paid \$12,000, a mere pittance of the real

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<sup>6</sup>Garber, "Memoirs," pp. 99-100.

value of the lease."<sup>7</sup> Predictably, relations between the Garbers harbored ill-feelings towards the influential Champlins for many years afterward. Champlin, who previously had been a daily visitor at the Garber home and who had learned of the vacated Beggs lease from his friend, Milton, on one of his evening visits, "never came near" the Garbers again for some time. "It was told around Enid that he really acted like a crazy man during that week" spent securing the Beggs lease, recalled Garber.<sup>8</sup> From this inauspicious beginning, the Champlin Oil Refinery of Enid was subsequently built, and it remains today one of the large oil producers in Northern Oklahoma. The Garber field proved to be one of the best in the entire mid-United States, producing oil from four different sands, beginning at the shallow depths of 1,100 to 2,100 feet.<sup>9</sup> In 1926 the wells of the Garber pool were deepened, bringing in another Niagara of oil; the Shroeder lease of this field was later acclaimed "the most valuable oil-producing quarter section in the history of the oil industry."<sup>10</sup>

The Billings field, developed between 1917 and 1922, became a minor oil-producing field until 1925 when the wells were deepened, and for a time seriously challenged the

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<sup>7</sup> Ibid., pp. 135-143.

<sup>8</sup> Ibid.

<sup>9</sup> Anonymous, Kay County Oklahoma, p. 50.

<sup>10</sup> Bass, The First 75 Years, p. 39.

Tonkawa field.<sup>11</sup> E. W. Marland drilled nine dry holes in the Tonkawa field before he found a producer in June of 1921. The unique feature of this development was the huge gas producers, in addition to oil, which made Tonkawa one of the "greatest casing-head gasoline-manufacturing centers of America."<sup>12</sup> Also contributing to the uniqueness of the Tonkawa field was the fact that the first rotary drilling rigs were used in its development, and fantastic prices were paid for leases. It was not uncommon for a one hundred and sixty acre lease to bring two million dollars, and sometimes even this majestic sum was rejected. Sam McKee, a Tonkawa farmer, refused an offer of two million dollars for his quarter section tract which was producing 8,000 barrels of oil daily. Many of the wells were prolific producers; thus by 1923 fifteen pipelines were transporting the oil from the Tonkawa field, and eleven more were under construction. These twenty-six lines had the capacity of handling 185,000 barrels of crude oil daily.<sup>13</sup>

Oil brought another frontier to the Outlet. Boom towns, with the concomitant raw frontier conditions, followed the discovery of oil. Most of the towns did not endure long, but "Oklahoma oil towns such as...Ponca City,

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<sup>11</sup>Carl Coke Rister, Oil! Titan of the Southwest (Norman: University of Oklahoma Press, 1949), pp. 205-206.

<sup>12</sup>Ibid., p. 204.

<sup>13</sup>Ibid., pp. 204-205.



trim and modern with its refineries and industries; Enid, northern Oklahoma's trade center, with its Champlin refinery...all are still growing oil towns."<sup>14</sup> "Oil has built great cities--greater than gold has ever built and apparently more permanent...in very truth, oil brought an end to America's Last Frontier," declared C. B. Glasscock.<sup>15</sup>

When the Outlet, the eastern portion at any rate, had achieved prosperity on a measure that equalled the East, it began to seek those more sophisticated refinements that accompanied wealth and leisure. Cities in the oil-rich areas began to flaunt their affluence by imitating their older, more refined Eastern sisters. On this flat land with its broad horizons, skyscrapers incongruously began to appear to puncture the sky. Construction of the multi-storied Bass Building, the Youngblood Hotel, and the Broadway Tower all began in Enid on the eve of the nation's Great Depression.<sup>16</sup> They brought financial ruin to their builders and drained off the precious capital resources from the area, in addition to depressing the values of rental properties,<sup>17</sup> but they provided Enid with a distinctive skyline, although some remain only partially occupied.

Ponca City emerged as the most sophisticated and cos-

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<sup>14</sup>Ibid., p. 204.

<sup>15</sup>Glasscock, Then Came Oil, pp. 322-323.

<sup>16</sup>Bass, Building for a Rugged Individualist, pp. 39-46.

<sup>17</sup>Ibid., pp. 47-49.

mopolitan city in the Outlet, yet it is only one-half the size of Enid and is not a seat of county government. Both towns had oil booms and rich agricultural lands, and both emerged as the two leading trade centers of the Outlet. Enid became a big farm town with an ostentatious skyline and all the other outward appearances of a modern city, but Ponca City's development was more urban and subtle. There are no skyscrapers to interrupt the gentle beauty and cleanliness of this charming city that E. W. Marland taught how to live. By his elegant life-style and generosity, he brought grace and charm to a sprawling little town that followed his example. The differences between the two towns are visible even to an untrained eye, and there is also a spiritual quality, a fierce civic pride, that sets Ponca City above all others, even her nearest competitor. Enid remains a big town, while Ponca is a small city.<sup>18</sup>

The difference between the two principal cities reflect the difference that existed between H. H. Champlin and E. W. Marland, the two great oil barons that brought modernism to both. In Ponca City the graceful hand of Marland is everywhere in evidence. There is a huge hospital, the Pioneer Woman Statue, parks, golf courses, and the majestic Marland

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<sup>18</sup> Author's Personal Interview with J. T. Moore, Enid, Oklahoma, July 8, 1971. A lifelong resident of Ponca City, recently moved to Enid, Moore agrees that Marland's influence is the difference. So does Neal Sullivan, an influential attorney who has lived his entire life in Newkirk and who knew both Marland and Champlin. Interview, June 9, 1970.

Mansion amid beautiful trees and gardens.<sup>19</sup> There are the beautiful homes and landscaped streets built by the men who worked for him and followed his example. There was nothing cheap or vulgar built by Marland and his people. They built with taste and love, and they built to endure. By contrast, Enid today shows few traces that H. H. Champlin once lived there. His great refinery is too conspicuous to miss, as is his big family mansion, but that is all: no hospital, no stately landscaped streets, no parks and gardens, and no grand life-style to lead a frontier people from rural backwardness into the social graces were bequeathed by Champlin. Instead, his legacy was a big rural town cluttered with service stations bearing his proud name and a conservative social attitude which his admiring biographer proudly calls "Rugged Individualism."<sup>20</sup>

Perhaps another measure to be employed in determining when the Outlet came of age would be the time when those who made the run no longer felt ashamed of it--and began to brag about it. At first the original pioneers boasted of their Eastern backgrounds and connections. Later it would be regarded as prestigious to boast that an ancestor had made the run.<sup>21</sup> This pride in the past was a manifestation of a growing historical awareness. On the frontier the people

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<sup>19</sup>The Marland Mansion is now a non-denominational, parochial high school operated by a Catholic Order.

<sup>20</sup>Bass, Building for a Rugged Individualist, passim.

<sup>21</sup>Ferber, Cimarron, pp. 360-361.

are future oriented; the hard realities of the past and present make them so. There was precious little in the past which would occupy their minds and dreams, and the hardships of the wilderness would understandably make them futuristic in their thinking.

Garfield County betrayed an incipient historical awareness in March, 1932, about the same time that Enid began building skyscrapers. George Rainey, the Outlet's most famous historian, and a handful of businessmen organized the Cherokee Outlet Historical Society at that time, but the majority of the homesteaders apparently were not ready for such a sophisticated vehicle for preserving the past. The organization lasted only three or four years; it died for want of interest.<sup>22</sup> Apparently the majority of the people yet were too preoccupied with their future ambitions to concern themselves with their past. A beginning had been made, however, and that date could easily be used to mark the time that the Outlet started to come of age. Another historical awareness occurred in 1935 when Laura Cain and R. E. Hoy organized the "Cherokee Strip Homesteaders and Early Settlers Association." This effort was and still remains today a fraternal type of organization, holding annual picnics, dinners, and the usual fare of entertainment.<sup>23</sup>

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<sup>22</sup>Enid Morning News, September 14, 1967.

<sup>23</sup>Eisele, A History of Covington, Garfield County, Oklahoma, pp. 121-122.

Not until February, 1957, was a semi-professional historical society formalized. On that date seventeen interested men assembled in the Garfield County Agent's office, and from this meeting emerged the "Sons and Daughters of the Cherokee Strip Pioneers Association." Membership was limited to those who had made the run, to their lineal descendants, or to those who had settled in the Outlet within five years after the Opening.<sup>24</sup> Two years later, in September, 1959, the Association published its first journal which has continued with increasing circulation to the present.<sup>25</sup>

Historical awareness and pride in the past is not consistent throughout the Outlet, however. The eastern one-half reveals a far greater sense of history than the western half. In fact, the farther west one travels the less conscious are the people of their historical heritage. A study of the newspapers of the leading cities of the Outlet quickly discloses that the eastern portion is vastly more conscious of its past than is the indifferent west. Ponca City, the easternmost major Outlet city, reveals a particularly advanced stage of development by this yardstick. Every year at anniversary time, the Ponca City News devotes a large amount of space to Outlet activities and history. The special edition in 1968, for example, had

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<sup>24</sup>Journal of the Cherokee Strip, III, No. 1, p. 2.

<sup>25</sup>Enid Morning News, September 14, 1967.

eight voluminous sections commemorating the seventy-fifth anniversary of the Opening.<sup>26</sup> Periodically, this newspaper publishes impressive editions which are veritable gold mines for historical research. Huge celebrations, held every year to celebrate the birthday of the Outlet, are capped with the traditional rodeo which the Miller brothers instituted in 1904. These functions are attended by thousands of people, and the newspaper coverage of them invariably is complete and done with obvious pride.<sup>27</sup>

Farther west, Enid displays a similar awareness and has, like Ponca City, held annual celebrations for many years. In 1939, over 30,000 people witnessed a huge parade led by Governor Leon C. "Red" Phillips, with 1,290 people who had made the run, who were special guests of the city. The festivities were covered in great detail by the newspaper.<sup>28</sup> The following year the front page of the Enid Morning News was virtually devoted to Outlet celebrations news. Festivities that year included a huge air show, which highlighted a three day celebration.<sup>29</sup> In 1968 more

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<sup>26</sup>Ponca City News, September 15, 1968.

<sup>27</sup>The researcher need only consult any issue of the Ponca City News published during the week of September 16 to find close coverage of the social activities as well as numerous histories of the Outlet.

<sup>28</sup>Enid Morning News, September 17, 1939. Enid's coverage of activities and history is not as thorough as Ponca City, yet most of the members of the Sons and Daughters of the Cherokee Strip Pioneers Association are from Garfield County.

<sup>29</sup>Ibid., September 8, 1940.

than 20,000 people witnessed the seventy-fifth annual celebration parade that contained ninety units. In addition, an estimated four hundred people attended the dinner honoring the pioneers who had made the run, held by the Sons and Daughters of the Cherokee Strip Association. Thirty of the original participants signed the register that year.<sup>30</sup>

Postmaster General Marvin Watson, Senator Mike Monroney, and Governor Dewey Bartlett were on hand to commemorate the official Cherokee Outlet stamp which went on sale the following month.<sup>31</sup>

Farther west, the Alva Republican in 1894 did not make a single reference to the historic event of the year before,<sup>32</sup> and the city's other newspaper related only that there was "a good deal of quiet claim-jumping going on in the western part of the strip."<sup>33</sup> A week later, almost as an afterthought, the Alva Republican in a very small, single-sentence article stated tersely, "The Cherokee Strip as a civilized community is a year old."<sup>34</sup> The following year brought little change. The Alva Republican noted that the first annual fair, held from September 16 to 19, had prospects of great success, but there was no mention of the

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<sup>30</sup>Ibid., September 15, 1968.

<sup>31</sup>Ibid., September 17, 1968.

<sup>32</sup>Alva Republican, September 14, 1894.

<sup>33</sup>Alva Chronicle, September 27, 1894.

<sup>34</sup>Alva Republican, September 21, 1894.

Outlet or any scheduled celebration.<sup>35</sup> A week later, fair activities were given front-page coverage, but again there was no mention of any anniversary celebration. However, there were several revealing notices of pending legal suits resulting from abandoned claims and contested land titles.<sup>36</sup>

After one-third of a century, historical interest was still woefully absent in the Alva community. Only a small column, buried in the latter part of the newspaper, reported that a second annual meeting of the Outlet Pioneers would be held on September 16 at the municipal park, while at the same time the front page boasted a banner article rejoicing that nine hundred dollars had been raised by the "stadium-fund drive."<sup>37</sup> While Enid and Ponca City residents gave themselves over to several days of festivities commemorating the seventy-fifth anniversary of the Opening, Alvans were invited to attend an open house at the Cherokee Strip Museum, located in the basement of the New Public Library, and open only on certain hours on certain days of the week. At the same time that County Fair livestock show winners were given splendid publicity and royal treatment, the old-timers who had made the historic Run were totally ignored by the press.<sup>38</sup> No organized activities of a civic

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<sup>35</sup>Ibid., September 13, 1895.

<sup>36</sup>Ibid., September 20, 1895.

<sup>37</sup>Alva Record, September 11, 1930. Subsequent issues contain nothing further.

<sup>38</sup>Alva Review-Courier, September 15, 1968.



or public nature were conducted to celebrate the seventy-fifth birthday of the Outlet, and very little news was reported to awaken the residents to this historic event.<sup>39</sup>

It is understandable that the people of these far western cities would find less cause for celebration than residents of the eastern cities. There were few pioneers still living who had made the run; most of the older settlers had arrived in those communities much later, and therefore would never have felt the peculiar spirit of being part of a unique historic event. The first few years following the Opening the leading newspapers of Woodward were totally silent about any annual celebrations commemorating the Opening.<sup>40</sup> A generation later, there was still no pride in the past, as reflected by the absence of news in the columns of the papers. The annual Elks Rodeo was the big event of the year.<sup>41</sup> Even the approaching seventy-fifth birthday of the Outlet went unnoticed, and there was yet no hint of any planned commemorative social functions to celebrate the event.<sup>42</sup> At last, on the last page of the birthday edition, there appeared a three-quarter-page article proclaiming "Happy Birthday Woodward," paid for by a local

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<sup>39</sup>Ibid., September 17, 1968.

<sup>40</sup>Woodward News, September 14, 1894; September 21, 1894. Woodward Advocate, September 28, 1894. Woodward Star, September 12, 19, 26, 1896.

<sup>41</sup>Woodward Democrat, September 11, 1931.

<sup>42</sup>Woodward Daily Press, September 12, 1968.

businessman, apparently the only person in town with an appreciation for birthdays. There was still far more interest in County Fair winners and sports activities than in honoring the ancestors of a by-gone day.<sup>43</sup>

An economy that is almost exclusively agrarian and a concomitant rural population in great measure help explain the more frontier-like conditions in the western one-half of the Outlet which persist to this day. Cities, the creations of modern technology, are few and small in the west, and it is understandable that they would retain a stronger particularism than their larger eastern counterparts. Added to this is the fact that western historical consciousness is diluted by the paucity of numbers of those who participated in the opening of the Outlet. The majority of western residents have scant reason to treasure the uniqueness of their heritage because it was not all that unique. They came into the Outlet more in the manner of the settlers who populated other frontiers, while the eastern one-half was fully settled in a few minutes, enjoyed prosperity after a brief period of privation, and then had the good fortune of an oil boom which brought additional numbers and a greater measure of cosmopolitanism. Therefore it is no surprise that the two geographic regions within the Outlet manifest two different characters, two different degrees of historical awareness, and two different gradations of modernism.

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<sup>43</sup>Ibid., September 16, 1969.

The Cherokee Outlet as a distinct geographic entity is no more. It exists only weakly in the minds of the western inhabitants, and more strongly in the memories of the easterners. Only highway historical markers set it apart for the edification of speeding motorists who care to read them, and for local history buffs who are few in number. A vast majority of the Outlet residents are not aware when they cross the line where the run began in 1893, and if they are advised of it the typical attitude is "so what?" Television, rapid transportation and easy communications have eroded the Outlet's uniqueness, and it was quickly assimilated into the state and the nation. That this uniqueness has disappeared is attested by the efforts of those who wish to set it apart by incorporating some portion of the region into the National Park System. On October 20, 1970, President Nixon signed into law a bill authorizing a one-year feasibility study to locate historical sites within the Outlet worthy of national recognition.<sup>44</sup> What that report will recommend is as yet unknown, but the very existence of such a study group is strong evidence that the story is ended but for the adding of footnotes.

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<sup>44</sup>Ponca City News, November 24, 1970.

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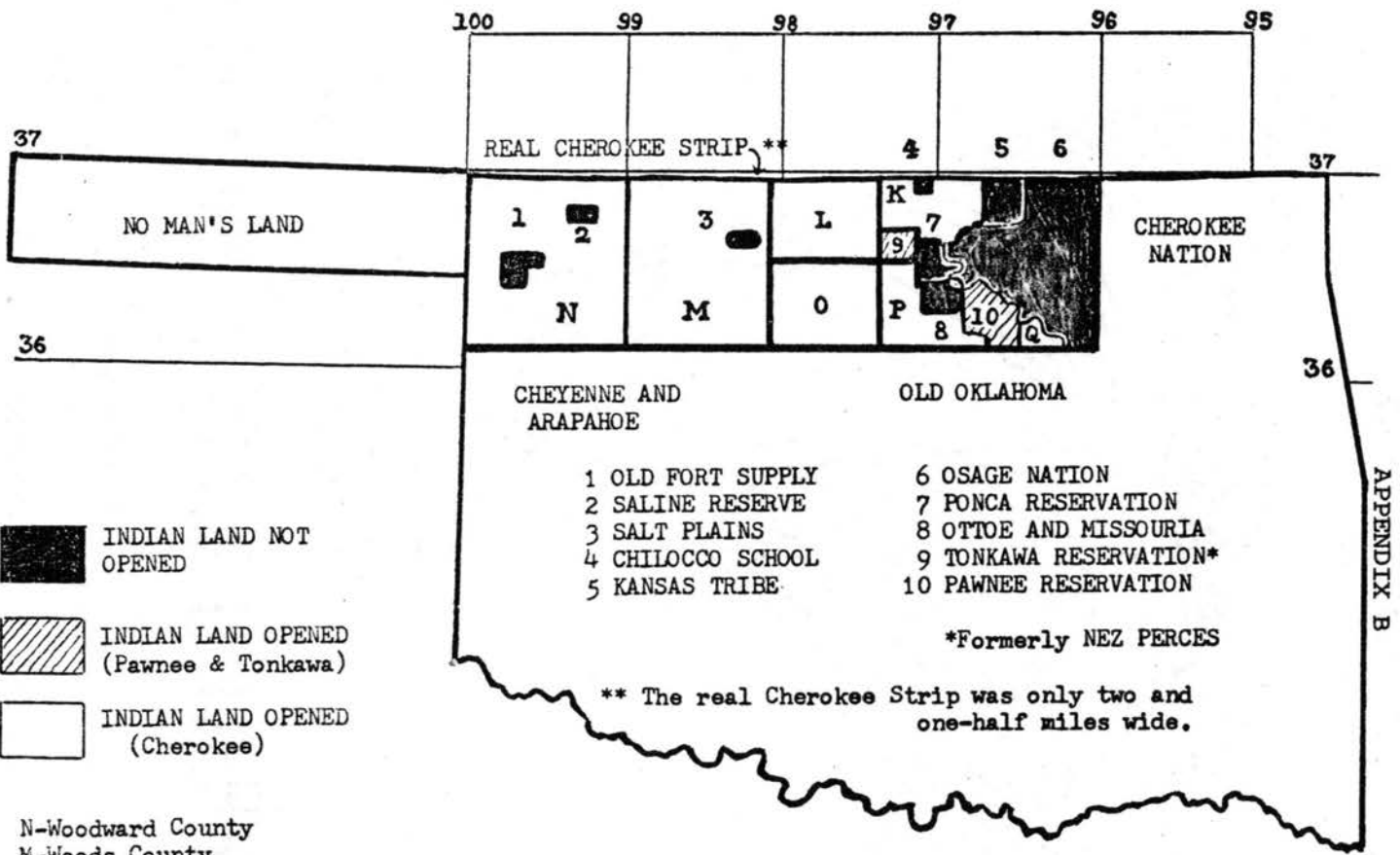


APPENDIX A

TABLE OF UNRESERVED LAND OCCUPIED IN  
EACH COUNTY 1894--1902

COUNTY	1894	1895	1896	1897	1898	1899	1900	1901	1902
Garfield	99	100	100	100	100	100	100	100	100
Grant	98	99	99	99	99	99	99	99	99
Kay	99	99	99	100	100	100	100	100	100
Noble	99	99	99	100	100	100	100	100	100
Pawnee	95	98	97	99	99	99	99	99	99
Woods	60	67	71	74	78	87	92	97	99
Woodward	6	8	10	25	28	31	40	66	83

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- INDIAN LAND NOT OPENED
- INDIAN LAND OPENED (Pawnee & Tonkawa)
- INDIAN LAND OPENED (Cherokee)

- N-Woodward County
- M-Woods County
- O-Garfield County
- P-Noble County
- L-Grant County
- Q-Pawnee County
- K-Kay County

\*\* The real Cherokee Strip was only two and one-half miles wide.

APPENDIX B

APPENDIX C

POPULATION OF THE OUTLET FEBRUARY 1894

K. County (Kay)	14,379
L. County (Grant)	14,032
M. County (Woods)	16,000
N. County (Woodward)	2,241
O. County (Garfield)	14,994
P. County (Noble)	7,570
Q. County (Pawnee)	5,613

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VITA

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Major Field: Higher Education

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