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IN THE SENATE OF THE UNITED STATES.

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JANUARY 30, 1890.—Presented by Mr. TURPIE, referred to the Committee on Public Lands, and ordered to be printed.

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MEMORIAL OF A CONVENTION HELD AT OKLAHOMA CITY, NOVEMBER 29, 1889, PRAYING FOR THE PASSAGE OF A LAW FOR THE ADJUSTMENT OF CONTESTS GROWING OUT OF SETTLEMENTS UPON TOWN SITES IN THE TERRITORY OF OKLAHOMA.

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OKLAHOMA CITY, IND. T.,  
November 19, 1889.

At a convention of delegates from the various town sites in the Oklahoma country, held in Oklahoma City on this 19th day of November, 1889, the following memorial and suggestions to Congress were adopted.

JOHN T. TAYLOR,  
*Chairman of Convention.*  
ALBERT REUNIE,  
*Secretary of Convention.*

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MEMORIAL.

*To the Senate and House of Representatives of the United States in Congress assembled:*

We, your memorialists, as residents of the cities and towns of the Oklahoma country in the Indian Territory, in convention assembled, respectfully represent to your honorable bodies:

First. The opening of the Oklahoma country to settlement was attended by an unprecedented rush of settlers for land, one of the results of which being that nearly all lands now occupied for town-site purposes were sought to be settled by some one or more homestead claimants, who now are seeking to assert their claims thereto, thus placing in controversy and dispute nearly all our town-site titles, and without legislative aid these town sites will in all probability be involved in litigation for years to come, greatly to the detriment and injury of the occupants thereof, as also to the interests of the surrounding country.

Second. That all town sites now occupied in the Oklahoma country were, under the act of Congress of March 2, 1889 (chap. 412, laws 1889), settled in pursuance of sections 2387 and 2388 of the Revised Statutes of the United States, which provide in substance that entries thereunder be made in trust by the corporate authorities of the towns, or by the county judge of the county in which the town site may be located. The absence, however, of both corporate authorities and county judges thus

far in the Oklahoma country has precluded the making of entries under those sections, while the absence of Territorial government and legislation renders the administration of such trusts impossible, and practically defeats the acquisition of title under the provisions of the aforesaid sections.

It thus results that the acquisition of titles on the part of settlers upon our several town sites under those sections must, in the ordinary course, await the formation of a Territorial government, the election of a legislature, and its action, providing suitable legislation to carry into effect the provisions of those sections and the creation of the trustees therein provided for, unless your honorable bodies shall grant to our people some legislation providing other means of entering these town sites and deeding the lots therein to the persons entitled thereto under existing laws, so as to avoid this great delay that must ensue under our present circumstances.

Third. We would also call attention to the fact that in several of our cities more than 320 acres in one body is now actually occupied for municipal purposes, while under the restrictions of the act of March 2, aforesaid, only 320 acres can now be entered as a town site, thereby necessitating separate town organizations at these points.

Being present and well acquainted with all the foregoing circumstances, the following remedies are respectfully submitted to your honorable bodies for consideration, as being the best adapted to afford the necessary relief:

First. That all contests now pending as to the right to enter town sites have precedence in the land department; that commissioners be appointed to enter the town sites, and that they be empowered to make such entries and to make deeds at once, subject to the rights of the homestead claimants, and if such contests be decided in favor of the contestants that the value of the tract as farm land be ascertained and assessed to the various lots as per value, and the sum so collected be paid to the successful contestant in lieu of his right to the land.

Second. That such rules be provided for the government of the commissioner or trustee as should be provided under like circumstances by a Territorial legislature, and that a court be established in the Oklahoma country with power to hear and determine all contests as to town lots, with such other jurisdiction as your honorable bodies may deem proper.

Third. That a period of limitation of thirty days from notice and application for deed be made, within which contests must be brought.

Fourth. That the provisions limiting town-site entries to 320 acres be repealed.

Your humble memorialists therefore pray that your honorable bodies enact such remedial laws as are applicable to their situation.

JOHN T. TAYLOR,  
*Chairman of Convention.*  
 ALBERT REUNIE,  
*Secretary of Convention.*