

THE BIG PASTURE AND ITS OPENING TO SETTLEMENT

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By

THEODORE R. WATSON

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Southeastern State Teachers College

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APPROVED:

T. H. Reynolds

In charge of thesis

T. H. Reynolds

Head of the History Department

H. C. W. Intosh

Dean of the Graduate School

126857

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PREFACE

The purpose of this treatise, "The Big Pasture and Its Opening to Settlement," is to trace briefly the events in history which led to the establishment of the pasture lands and the final disposition of them to settlement.

Chapter I deals entirely with the original claims and ownership of these lands, beginning with the Spanish claims, which date back to the Treaty of Tordesillas in 1494, and the later explorations and settlements that substantiated these claims. Included are the original French claims from the explorations of La Salle in 1682, the transfer of these to Spain in 1762, and the retrocession of Louisiana to France by the secret Treaty of San Ildefonso in 1800. The purchase of Louisiana Territory led to the setting aside of the Indian Territory and the settling of the Choctaws, Chickasaws, and the Kiowas, Comanches, and Apaches on this land by separate treaties and agreements with each tribe involved.

The second chapter is a very brief account of the coming of the cattlemen, which really began with the "Northern Drives" about 1866 and 1867, when these drivers had an opportunity to observe the fine quality and bountiful supply of the grass as they drove their herds across the Indian reservations. The Department of the Interior eventually granted the Indian agents the right to lease this grass land to some of the big ranchers from Texas and

elsewhere, which led to the establishment of ranches on the Kiowa, Comanche, and Apache reservation. Ranch life here held its charms and fascinations for all those who possessed that rugged individualism which prevailed among our earliest pioneers.

Chapter III deals with the opening of the Kiowa, Comanche, and Apache reservations in 1901 and the establishment of the Big Pasture as surplus grazing lands for these Indians. Briefly discussed are some of the attempts that were made and some of the forces that were working to open these lands to settlement. The cattlemen, who had the land leased for grazing purposes, attempted to foil any move that would lead to the settlement. The passage of the Stephens Bill and its provisions which led to the final opening have been briefly discussed.

Chapter IV deals entirely with the opening, from the President's proclamation on September 19, 1906. The rules and regulations of the Department of the Interior specified that sale of land should be by the sealed-bid method. Some opposition to this method was manifested, but the rules were not altered. In conclusion, the sale met the general approval of everyone concerned. The final totals were far beyond the early predictions of the outcome. This land was soon settled by the homesteader. A great change had come over the pasture lands in the course of a few months.

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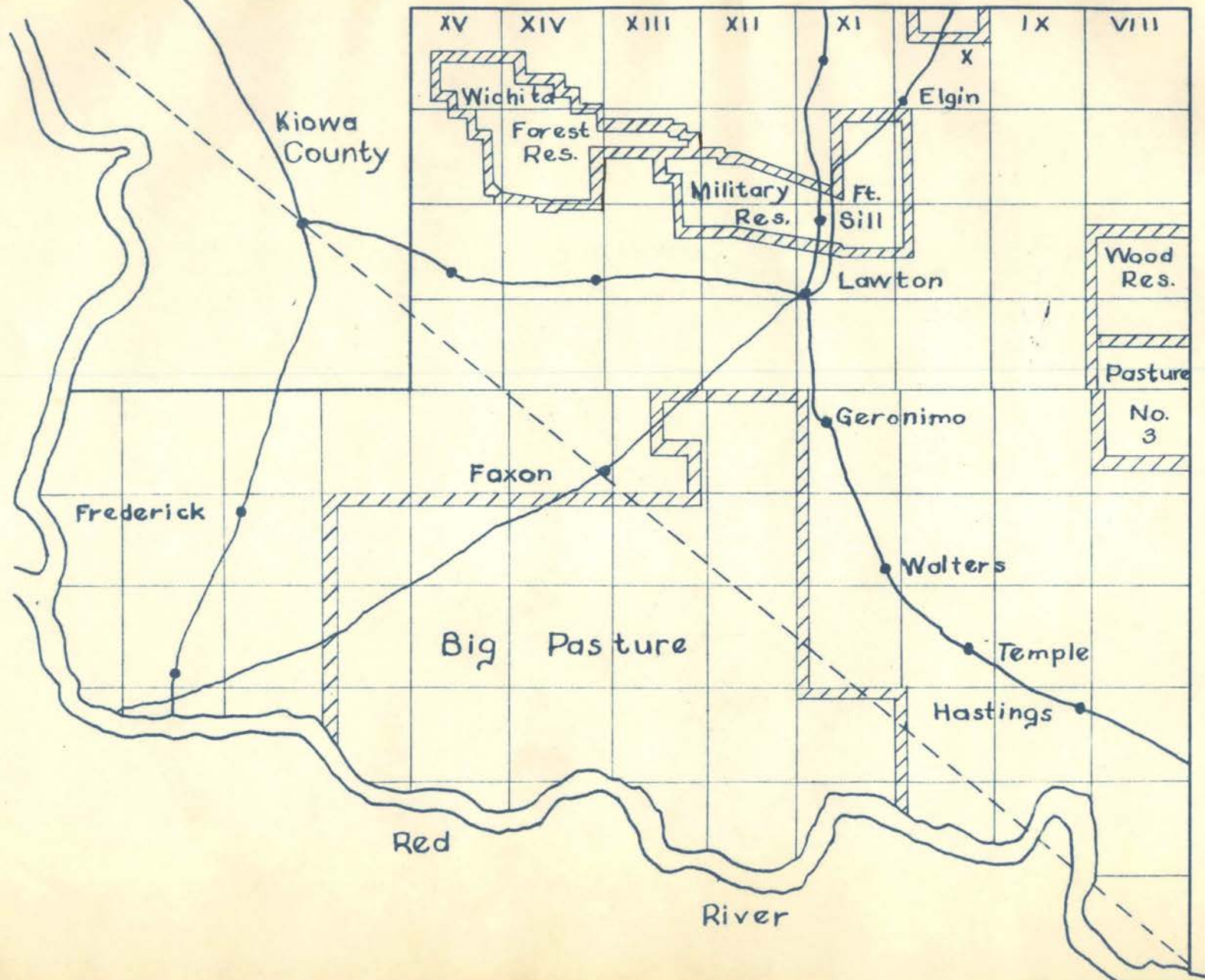
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COMANCHE COUNTY SHOWING BIG PASTURE



Chapter I. The Original Owners
of the Big Pasture and Their Later Transfers

The original Spanish claims to the lands which are now included in the State of Oklahoma date back to the Treaty of Tordesillas in the year 1494. This treaty was later proclaimed in a bull by Pope Alexander VI in 1504. The sovereign rulers of Spain and Portugal agreed that the lands already discovered and those that were to be discovered west of the line of demarcation, drawn 370 leagues west of the Cape Verde Islands from pole to pole, should belong to Spain.¹ This claim was further substantiated by the discoveries, explorations, and settlements in the New World from 1513 to 1541.

The French claims were based mainly upon the explorations of La Salle. He was commanded to complete the unfinished task of Father Marquette and Joliet, that of exploring the Mississippi River. He succeeded in reaching the mouth of this great stream on April 9, 1682, where he erected a column and took possession of all the lands drained by this river system in honor of King Louis XIV of France. This region, which embraced all the lands in what is now Oklahoma, was named Louisiana in honor of the king.²

¹ Francis Gardiner Davenport, European Treaties Bearing on the History of the United States and Its Dependencies, Publication COLIV, 95.

² Justin Winsor, A Narrative and Critical History of America, IV, 225.

France ceded to Spain all her claims to land west of the Mississippi River, including New Orleans and the mouth of the river, on November 3, 1762.³ This was done to reimburse Spain for loss of the Floridas and for the assistance given France during the French and Indian War. The words of the treaty were as follows:

His most Christian Majesty (King of France) cedes in entire possession, purely and simply, without exception to His Catholic Majesty (King of Spain) and his successors in perpetuity, all the country known as Louisiana as well as New Orleans and the island on which it stands.⁴

The First Consul of France, Napoleon Bonaparte, by the secret Treaty of San Ildefonso traded the small Kingdom of Tuscany, Italy, to the Duke of Parma (Spain), for which he received in return the Territory of Louisiana. The wording of the treaty in part is as follows:⁵

His Catholic Majesty (King of Spain) promises and engages on his part, to retrocede to the French Republic the Colony or Province of Louisiana with the same extent it has in the hands of Spain and that it had when France possessed it, and such as it should be after the treaty subsequently between Spain and the other states.⁶

When the news of the retrocession was confirmed positively in 1802, much excitement was registered in the United

³ Herman Binger, Commissioner of the General Land Office of the United States, Louisiana Purchase, 56 Cong., House Doc. 708, 17, Serial 4002.

⁴ Annals of the Congress of the United States, 8 Cong., 386.

⁵ Binger, op. cit., 26.

⁶ Ibid.

States, especially by the men from the western waters beyond the Allegheny Mountains. Continued commercial use of the Mississippi River was indispensable to the future welfare of these people. A resolution was made in Congress appropriating two million dollars to be applied on the purchase price of New Orleans and the Floridas if and when the purchase could be made.⁷ James Monroe was dispatched to Paris as Minister Plenipotentiary and Extraordinary to assist our minister to France, Robert Livingston, in negotiating with the French officials for the possible purchase of New Orleans and the Floridas.⁸

The attempt of Napoleon Bonaparte to restore order in the Island of Santo Domingo met with failure. This led to his decision to sell the whole of Louisiana Territory to the United States rather than to see it fall into the hands of his archenemy, England.⁹

In their instructions, Monroe and Livingston were empowered to purchase only Florida and New Orleans.¹⁰ They were offered the whole of this region for fifteen million dollars and readily accepted the offer without further word from home before Napoleon Bonaparte should change his mind and withdraw the offer.

⁷ Annals of Congress, 7 Cong., 374.

⁸ James D. Richardson, Messages and Papers of the Presidents, I, 358.

⁹ Binger, op. cit.

¹⁰ Ibid., 28.

When the purchase became known in this country considerable comment was made against the acquiring of additional territory. Some members of Congress readily voiced their sentiment. Senator Plumlee of New Hampshire said:

Admit this Western World into the Union and you destroy all the weight and importance of the eastern states and compel them to establish a separate, independent empire.¹¹

Representative Griffin of Virginia said:

I fear the vast extent of our empire. . . . I fear (though this land was represented as flowing with milk and honey) that this Eden of the New World will prove a cemetery for the bodies of our citizens.¹²

Representative Griswold of Connecticut said:

It is not consistent with the spirit of republican government that its territory should be exceedingly large; for as you extend your limits, you increase the difficulties arising from a want of that similarity of customs, habits, and manners so essential for its support.¹³

On October 20, 1803, the United States Senate ratified the treaty by a vote of twenty-four to seven. Five days later the House made its ratification by the overwhelming vote of ninety to twenty-five. Thus the fears of Jefferson were quieted.¹⁴

The granting article of the treaty read as follows:

Whereas by Article III of the treaty concluded at San Ildefonso the ninth Vendemaire (ninth of October),

¹¹ Binger, op. cit., 36.

¹² Ibid.

¹³ Ibid.

¹⁴ William McDonald, Documentary Source Book in American History, 1606-1913, 278.

1800, between the First Consul (Napoleon Bonaparte) of the French Republic and his Catholic Majesty (King of Spain) it is agreed as follows: His Catholic Majesty promises and engages on his part to cede to the French Republic six months after the full and entire execution of the conditions and stipulations herein relative to His Royal Highness, the Duke of Parma the Colony or Province of Louisiana with the same extent that it now has in the hands of Spain and such as it had when France possessed it, and such as it should have after the treaties subsequently entered into with the other parties. And whereas in pursuance of the treaty and particularly with the third article mentioned above of said treaty the French Republic has an incontestable title to the domain and to the possession of said territory, the First Consul of the French Republic, desiring to give to the United States a strong proof of his friendship, doth cede to the United States, in the name of the French Republic forever and in full sovereignty, the said Louisiana Territory with all its rights and appurtenances, as fully and in the same manner as they have been acquired by the French Republic in virtue of the above mentioned treaty concluded with His Catholic Majesty.¹⁵

Another part of this treaty stated:

The present covenant shall be ratified in good faith and due form. The ratification shall be exchanged within six months from the date of the signatures of the Ministers Plenipotentiary, or sooner if possible.¹⁶

Done at Paris the tenth of Floreal eleventh year of the French Republic, 30th April, 1803.

The signatories of the treaty were:

For the United States (Robert Livingston(seal)
(James Monroe(seal)

For the Republic of France . (Barbe Marbois(seal)

¹⁵ Hunter Miller, Treaties and Other International Acts of the United States, II, 499-500.

¹⁶ Ibid.

According to the stipulations of the Treaty of Dancing Rabbit Creek, September 15, 1830, the Choctaw Indians (one tribe of the Five Civilized Tribes) signed away their lands in Mississippi and received in return lands in the Indian Territory, as follows: commencing at Fort Smith, following the Arkansas River to the mouth of the Canadian River and ascending the Canadian to its source, thence south to the Red River and descending the Red River to the line of Arkansas, then north to the starting point on the Arkansas.¹⁷ In this way the lands that were later to be set aside in the Big Pasture passed into the hands of the Choctaws.

The Chickasaws had made the State of Mississippi their eastern home. The treaty of Pontotock on Pontotock Creek, Mississippi, October 20, 1832, provided for the relinquishing of the Chickasaw lands to the Federal Government. The lands were to be surveyed and sold by the government and the proceeds used for the benefit of the tribe.¹⁸

On January 17, 1837, representatives of the Choctaw and Chickasaw Indians entered the Treaty of Doaksville at Doaksville, Indian Territory, whereby the Chickasaws purchased a joint interest in the Choctaw Nation. The Chickasaw District was to be the western half of the Choctaw Nation. In granting this district with all tribal rights,

¹⁷ Charles J. Kappler, Indian Affairs, Laws and Treaties, II, 311.

¹⁸ Joseph Bradford Thoburn, The Growth of Oklahoma, I, 105.

the Choctaws received the sum of five hundred thirty thousand dollars from the Chickasaws.¹⁹

The United States made a treaty at Washington with the Choctaws and Chickasaws, June 22, 1855. The terms of this treaty provided that these tribes give up all claim to the land west of the one-hundredth meridian west from Greenwich. It also stipulated that all the lands held in common between the ninety-eighth and one-hundredth meridians should be leased to the government. Hence this land came to be known as the leased district. This land was to be settled permanently by the Wichitas and other affiliated tribes. In consideration for the leased district, the Choctaws received six hundred thousands dollars and the Chickasaws, two hundred thousand dollars.²⁰

A treaty involving the leased district again was concluded in 1866 between the Choctaws and Chickasaws and the United States. The land between the ninety-eighth and one hundredth meridians was ceded outright to the Federal Government for the sum of three hundred thousand dollars.²¹

The government, desiring to settle the plains Indians on a more definite reservation, signed the Treaty of Medicine Lodge Creek in 1867 with the Apaches, Kiowas, and Comanches. Article II, pertaining to the boundaries, reads as follows:

¹⁹ Kappler, op. cit., 487.

²⁰ Kappler, op. cit., II, 708.

²¹ Ibid., 919.

The United States agrees to the following district to wit: Commencing at a point where the Washita River crosses the ninety-eighth meridian, west from Greenwich; thence up the Washita River in the middle of the channel thereof to a point thirty miles by river, west of Ft. Cobb, as now established; thence due west to the North Fork of Red River, provided that said line strikes said river east of the one hundredth meridian of west longitude; if not then only to said meridian line, to the said North Fork of Red River; thence down the said North Fork in the middle of the stream thereof, from the point where it may be intersected by the lines above described to the main Red River; thence down the said river in the middle of the main channel thereof to its intersection with the ninety-eighth meridian of longitude west from Greenwich; thence north on said meridian to the place of beginning, shall be and the same is hereby set apart for the absolute and undisturbed use and occupation of the tribes herein named. Viz; Apaches, Kiowas, and Comanches.²²

In this way was set aside the reservation of the above-named Indians containing the lands which included the Big Pasture.

²² Kappler, op. cit., II, 917.

Chapter II. The Cattlemen
and Life on the Range

When the men in grey came back to their homes in Texas at the close of the Civil War, they found that their wealth consisted of longhorn cattle, as numerous as Confederate bills and equally as worthless. There was no market in the Lone Star state for these cattle, and they could be bought on the range from one to two dollars per head, while a fat beef might bring as much as six dollars.¹ At this very time a fat steer would bring from eight to eleven dollars per hundred pounds and beef from twenty-five to forty cents a pound on the market in the northern cities.²

The cattlemen soon learned about the prices cattle were bringing in the North, and immediately they began to devise methods of reaching these markets.

In 1866 and 1867 large herds were collected at many points in Texas and along the south bank of Red River, preparatory to a drive north as soon as the grass was sufficiently advanced to make the start. Out of these conditions grew the famous "Northern Drives."³

Two of the main routes followed by the herd drivers were the old Chisholm and Western trails. The Chisholm

¹ E. E. Dale, "Those Kansas Jayhawkers," Agricultural History Journal, II, 173.

² Ibid.

³ Ibid.

Trail crossed Red River to the east of the Kiowa, Comanche, and Apache reservation, the Western Trail crossing the river at Doen's Crossing slightly to the west of these Indian lands.⁴

With the opening of these trails, the men engaged in driving the herds through the territory had an opportunity to observe the supply of water, the type of the soil, and the superb quality of the grass.⁵ In the words of Andy Adams:

I shall never forget the impression left in my mind of that first morning after we crossed Red River into the Indian lands. The country was as the first day of its creation. As we wound over the divide, there was revealed to us a panorama of swarded plain and timber fringed water courses; where sleek cattle stood knee deep in its super abundance of blue stemmed mesquite grass; with not a visible evidence that it had ever been invaded by civilized man save the cattle men and their herds.⁶

The drive to market usually started late in April or in early May. The herds varied in size from one thousand to thirty-five hundred, or an average of about twenty-five hundred to the herd. This size herd would cost approximately one dollar per mile or about sixty cents a head for transportation to market.⁷

A crew of ten to fifteen cowboys, a trail boss, a cook, and one or more horse wranglers accompanied each herd

⁴ E. E. Dale, The Range Cattle Industry, 63.

⁵ Thoburn and Wright, A History of Oklahoma, II, 529.

⁶ Andy Adams, The Log of a Cowboy, 122.

⁷ George Rainy, The Cherokee Strip, 131.

on northern drives.⁸

The "remuda," as the herd of saddle horses was called, traveled alongside of every herd in the charge of the horse wrangler. Horses were cheaper than men. It was necessary for each man to be well mounted, for three men well mounted were able to do as much as five or six men poorly mounted. For a successful drive, each man needed at least six horses with plenty of stamina and endurance. Usually, the extra horses were sold at the end of the trail, where a ready market for horse stock was found.⁹

Ordinarily the men on the trail were skilled and hardened to hardships, privations, and long days and nights in the saddle. There were few, however, who had had such experiences as were to be encountered along the way. They had endless trouble with the Indians, whose reservations they passed through. Beeves were usually demanded by the red men for the grass consumed as the cattle grazed along the way. If these were refused, the herds were sometimes stampeded at night by the Indians and stolen.¹⁰

A disastrous stampede was related by an old trail driver, W. M. Conway, as follows:

A band of Comanches met the herd and demanded beeves for the privilege of passing through the reservation.

⁸ Theburn and Wright, op. cit., 502.

⁹ James C. Henderson, "Reminiscence of a Range Rider," Chronicles of Oklahoma, III, 259.

¹⁰ E. E. Dale, "Those Kansas Jayhawkers," Agricultural History Journal, II, part 4, 174.

The trail boss gave them two beeves, but they demanded more. The foreman refused them and they went away sullen and defiant. The next morning, the cowboy standing guard saw Indians approaching the herd. One of them dashed into the herd of three thousand sleeping cattle, waving a dry cow hide. This made a terrible noise and frightened the cattle until they dashed in every direction. A fight took place between the cowboys and the Indians, several of the savages paying with their lives. The cattle scattered in every direction. It was two weeks before they could all be gathered up and started on the trail again. Some of the animals were found back in Texas from whence they came.¹¹

Cattle on the trail were very nervous and demanded constant attention. The breaking of a twig, the rustling of a slicker, the howl of a wolf, or the cough of a man or a horse was often enough to send the entire herd into an uncontrollable stampede. With the first sound of the stampede, every man was in the saddle. It was "beef against horse flesh." The thing to do was to outrun the herd, overtake the leader, and swing the cattle about, forming a mill until their nerves were quieted.¹²

There was plenty of danger in these stampedes, and often drivers were run over by steers and killed.¹³

Many devices were used to prevent the dreaded stampede. To keep the cattle calm, the drivers often sang in unison. Singing to the bedded herd at night was to drown out any unfamiliar noise that made the herd uneasy. One familiar

¹¹ W. M. Conway, *Reminiscences*.

¹² Douglas Branch, *The Cowboy and His Interpreter*, 80.

¹³ M. J. Reynolds, "The Texas Trails," *Munsey Magazine*, XXIX, 577.

tune was the soft, slow drawl of the night song:

Oh! say little dogie, when are you going to lay down,
 And quit this forever shifting around?
 My limbs are weary, my seat is sore;
 Oh! lay down, little dogies, like you laid before,
 Lay down, little dogies, lay down.¹⁴

Sometimes the fiddle was used on the herd at night. One old trail driver related that he had a companion lead his horse around while he "agitated the cat gut," reeling off such tunes as Old Black Joe, Arkansas Traveler, and others. The cattle seemed to enjoy the music, for there was never a stampede while the fiddle was going.¹⁵

The crossing of the Red and Canadian rivers was a terror to every herd driver who had to cross these streams when they were muddy and running with swift current. The lead cattle instinctively sensed high water. Here the point riders would force their horses into the stream to force the leaders across. If the leader became frightened at the swiftness of the current or was struck in the side with a floating piece of timber, the cattle milled in a panic-stricken circle. The crucial task was for the trail drivers to break the mill; unless this could be done, the cattle were sure to drown.¹⁶

Quicksand was one of the worst enemies of the drive. It was very deceptive; as long as there was movement, it

¹⁴ J. Frank Dobie, "Cowboy Songs," Country Gentleman, January 10, 1925.

¹⁵ Ibid.

¹⁶ Frank M. Canton, Frontier Trails, 4.

seemed perfectly solid, but a cow stopping en route across the stream bogged without hopes of escape from the mire.¹⁷

It cannot be determined with any degree of accuracy just how many cattle were driven over these trails in the years immediately following the Civil War. From a table with some degree of exactness are quoted the numbers for a period of sixteen years, beginning in 1866.

1866	260,000	1874	166,000
1867	35,000	1875	151,618
1868	75,000	1876	321,998
1869	350,000	1877	201,159
1870	300,000	1878	265,646
1871	600,000	1879	257,927
1872	350,000	1880	394,780
1873	405,000	1881	250,000 ¹⁸

The buffalo were gone. The last of these magnificent beasts had passed forever from the great southern plains. After their virtual extinction, the government was compelled to issue beef to the Kiowa, Comanche, and Apache Indians. Contracts for furnishing beef to the Indians were given to certain cattlemen who supplied the meat either from the herds that were being driven north from Texas or from herds on the grass lands near the agencies.¹⁹

¹⁷ Ibid.

¹⁸ D. H. Dale, The Range Cattle Industry, 59.

¹⁹ Ibid.

The cattle industry south of Red River had spread. The range was practically bare of herbage due to overstocking, while the grass in the Kiowa, Comanche, and Apache reservation was green and rank. These fine, wide-open spaces were an incentive for the cattlemen who had driven cattle across these Indian lands to begin thinking about a permanent occupation on this reservation.²⁰

Quite unassumingly some of the cattlemen either drove their herds or permitted them to drift into these lands. By 1882, large herds were crossing the North Fork of Red River and peacefully grazing upon the Indian's lands.²¹ Early in that year several thousand head of cattle were occupying that range. The Department of the Interior requested the War Department to remove the cattle by military force, as the Indian agencies could not cope with the situation.²²

The War Department complied with the request, but the officers in the field reported that it was impossible to remove the cattle permanently, for the cattle came back or were driven back by the owners as soon as the soldiers were gone.²³

Many of these ranchmen made request to the Department of the Interior for permission to graze their cattle upon

²⁰ E. E. Dale, The Range Cattle Industry, 138.

²¹ Sen. Ex. Doc., No. 54. Hunt to Price, IV, 57, Serial 2165.

²² Ibid., Kirkwood to Secretary of War, 59.

²³ Ibid., Henry to Pope, 59.

these lands but were refused. The department held that it had no authority to grant such permits.²⁴

After this refusal the cattlemen began to occupy the range regardless of the ruling of the secretary. A man might own fifty thousand cattle and not an acre of land, though he claimed range rights to one hundred thousand acres and enforced the claim with blood and iron.²⁵

For some time various Indian agents had called attention to the fact that the Indian had a large surplus of valuable grass lands which might be made to yield them a considerable income if leased to the cattlemen.²⁶ On this subject Agent P. B. Hunt of the Kiowa, Comanche, and Apache agency said:

The grass question seems to be the most difficult thing I have to contend with. I find it impossible to keep trespassing cattle off the reservation, and we are crowded on all sides. It seems to do very little good to put them off, for it is found that cattle that have just been driven off will come back on the reservation as soon as the police forces advance. Our Indians are not disposed to rent the grass as a whole, but if it is used it seems it should be paid for. The grass should be utilized in some way that will benefit the Indians, and if it is not possible to supply them with herds sufficient to consume it, it does seem as if the grass should be rented and the Indians receive the money for it.²⁷

The subject of leasing the grazing lands to the cattle-

²⁴ Ibid., Lewis to Price and Price to Lewis, 2-3.

²⁵ Ray Stannard Baker, "The Tragedy of the Range," Century Magazine, LXIV, August, 1902.

²⁶ Bureau of American Ethnology, 17th Annual Report, 219.

²⁷ Ibid., 351.

men was approved by the department, and an arrangement was made with a number of large cattle concerns for leases.²⁸

The first payment under this arrangement was made in the summer of 1885, but was made only to the Comanches, for the Kiowas and Apaches would not accept the money for a year or more longer, believing it was an effort on the part of the white man to beat them out of their lands. It was mainly through the efforts of the cattlemen's friend, Quanah Parker, that they were induced to accept the lease money at a later date.²⁹

Quanah Parker was very influential among his people as well as among the affiliated tribes, and his good will was cherished by all who would use his reservation for grazing purposes. He was held in high esteem by the cattle kings and was the recipient of many valuable gifts from these men. It is stated by reliable sources that his fine home at the foot of the Wichita Mountains was built by Burk Burnett and a few other ranchers.³⁰

Some of the cattlemen who held the largest leases in the reservation and the amount of their monthly rentals paid to the Indians were:

Dan Waggoner	375,553 acres	\$3,129.61
Burk Burnett	200,000 acres	1,666.27

²⁸ Ibid., 220.

²⁹ Ibid., 350.

³⁰ James Williams, The Legend of the Great Southwest,

Joseph Suggs	217,791 acres	1,814.93
Will H. Jennings	115,000 acres	958.33
Frank M. Weaver	53,789 acres	448.24 ³¹

There were many more ranchmen leasing lands in the reservation who were operating on a much smaller basis.

In this way the great cattle ranches were established in the Kiowa, Comanche, and Apache lands, the first economic factor in the development of this region, which was to lead to Oklahoma's last land opening. Here, as elsewhere, ranch life presented its charms, privations, and hardships to those pioneers who rode the range for Oklahoma's last cattle kings.

A more rugged and harder type of individualism could not be found anywhere. They were just plain, hard-working, every-day, "bow-legged humans." Ordinarily, they were called cowboys but were equally as well known as cowpunchers, whether their charges were horses or cattle.³² They were noted for their frankness, hospitality, and generosity. Usually they were peacefully disposed in a land where there were no written laws to protect a man's rights, where each man went "well heeled" (armed) and was found ready for any emergency.³³

³¹ Annual Report of the Department of Interior, 1901, pt. 1, 76.

³² Rollins, op. cit., 58.

³³ Thoburn and Wright, op. cit., II, 505-506.

Every cowboy must be able to ride, rope, scout, brand, and take his turn on night watch. He furnished his own saddle and bedding and received a monthly salary of twenty-five to forty dollars for his trouble. The cook, who prepared the meals for the outfit and drove the chuck wagon, was paid slightly more than the riders, while the foreman might be paid as much as one hundred dollars per month.³⁴

There was no eight-hour-a-day law in the "cow country."³⁵ The day's work started early; with the first break of dawn the crusty cook was out of his bunk, lighted his fire, gave the horse wrangler the unwelcome morning salutation of "roll out," and set to work preparing the morning meal.³⁶

The menu was about the same in all cow camps. The fare consisted of sour-dough bread, beans, salt pork, dried fruit, rice, potatoes, and black coffee. Fresh meat was usually to be had from time to time, depending on the time of the year.

Etiquette was entirely lacking. It was every man for himself. A stranger arriving in camp at mealtime, tired and hungry, was not asked to dismount and partake of the meal, but was expected to do so and make himself at home, hunt a tin plate and cup, pour his own coffee, and help himself

³⁴ James C. Henderson, "Reminiscence of a Range Rider," Chronicles of Oklahoma, III, 259.

³⁵ Theodore Roosevelt, "The Round Up," Century Magazine, XXIV, 851.

³⁶ Rollins, op. cit., 190.

to the food.³⁷

One of the big events of the year was the spring and fall roundups. These events were community affairs, every ranch in a large area being represented. These roundups were for the purpose of collecting the owners' cattle together and branding the "mavericks" and newborn calves. Every rider was familiar with the brands of other stockmen, and the cattle were separated according to the brands.³⁸ Many peculiar patterns and designs were used in making branding irons. The ranch was often named for the brand used on the ranchman's cattle. One of the famous brands used in branding cattle in Oklahoma was the three D's, placed in a triangular shape on the hip of a cow, the brand of Dan Waggoner. The famous 6666 was the brand used by Burk Burnett.³⁹

The ranchman's grass was his best asset, and no means was spared to conserve the supply. The prairie fire was a constant menace and seemingly started when least expected. The extinguishing of these fires was probably one of the most trying experiences in the range rider's life. At the first sight of smoke all the men rushed to the spot. The slicker, a coat which was carried on the back of the saddle, was usually resorted to in fighting the fire if it had not

³⁷ Thoburn and Wright, op. cit., II, 505.

³⁸ Rollins, op. cit., 232.

³⁹ T. C. Ater, Reminiscences.

gained dangerous proportions. Many times the flames would have spread over such a wide area and gained such headway that more desperate methods had to be resorted to. A steer would be killed in this case and the carcass split open. Two cowboys would then pair off, fastening their ropes to the front legs of the dead animal and dragging it to the blaze; there they would straddle the blaze, the one on the burnt side, close up, the other in the path of the smoke, his rope played out to the knot on his saddle horn. The carcass, bloody side down, would be dragged slowly along the blaze until it was worn to ribbons. The little spots of fire remaining would then be thrashed out with slickers or saddle blankets by the crew that followed up the drag.⁴⁰

There were other losses incurred by the rancher. At rare intervals cyclones whisked their way across these great open spaces of the prairie, leaving in their trail dead animals and on either side crazed brutes galloping in wild stampede. Witnesses have reported seeing large steers picked up and carried into the air to a height of two hundred feet and for a distance of a quarter of a mile before nature would tire of her playthings and drop them.⁴¹

Severe winters always took their toll of livestock. If an ice crust formed over the range, as it did many times, the cattle did not have the instinct to paw away the ice to

⁴⁰ Theodore Roosevelt, An Autobiography, 108.

⁴¹ Ira Finley, Reminiscences.

reach the grass below. Ira Finley, a rider for the Val Verde Cattle Company, which had its holdings in the Big Pasture and other parts of the reservation, reported having seen three thousand head of cattle perish one winter due to an ice crust's forming over the range, the cattle dying from lack of food and exposure to the cold.⁴²

Regardless of the hardships and perils on the range, ranch life still held its charms and compensations from the social side of life. The lonely cow camp was frequently visited by relatives and visitors from other states. These visitors were entertained by hunting the predatory animals of the prairie, the wolf and the coyote. Rodeos including horse races, "bull-dogging," roping, and "bronco-busting" were frequently staged for the benefit of the visitors as well as to break the monotony of the every-day routine of the men.⁴³

Almost every camp had its musicians, both instrumental and vocal. Many evenings were passed around the camp fire listening to such tunes as Old Dan Tucker, Cotton-eyed Joe, and Black Jack Grove. Cowboys sang about things that were outstanding in their lives, such as mother, sweetheart, saddle horses, cows, roundups, stampedes, and the chuck wagon.

As further sources of recreation there were the occa-

⁴² Ibid.

⁴³ Thoburn and Wright, op. cit., 506.

sional country dances. These were generally at the finish of the roundup, at Thanksgiving, or at Christmas. Female partners were at a premium, but the men attended for miles around with alacrity. It was seldom too far to go to one of these "shindigs." One of the favorite dancing tunes was:

Rye whiskey, rye whiskey,
I wish you no harm,
I wish I had a bottle
As long as my arm.⁴⁴

Sunup sent the "cowpunchers" galloping to camp for another day on the range.⁴⁵

Religion was among the philosophical subjects that gave the cowboy little concern. He was healthy in most cases, hard working and self-confident, and as long as he followed the open range he was little troubled with speculation about the hereafter. With most of the cowboys their speculations went no further, except as they sang over the dreamy musings of some cowboy songs, such as this one:

Last night, as I lay on the prairie,
And looked at the stars in the sky,
I wondered if ever a cowboy
Would drift to that sweet by-and-by.
Roll on, roll on;
Roll on, little dogies, roll on, roll on . . .⁴⁶

All the songs and hilarity of the cowboy on the great ranches were soon to pass. The prairies were passing, and

⁴⁴ Rollins, op. cit., 189.

⁴⁵ Dobie, op. cit.

⁴⁶ Branch, op. cit., 161.

presently the cattle themselves were to pass; that is to say, the big herds and the range would be no more.

The development of ranching in the Indian Territory presented an interesting study. Here, as everywhere in the "cow country," the industry came into existence very quickly, and its decline came rather abruptly, because of the two opposing factors, social and economic. The cattleman gave way to the man with the plow and the hoe with the opening of this great reservation of the Kiowas, Comanches, and Apaches.

Chapter III. The Establishment of the Big Pasture
and Efforts Made To Open It to Settlement

A treaty was entered into by representatives of the United States Government and the Kiowa, Comanche, and Apache Indians on October 21, 1892, at Fort Sill, Indian Territory. In accordance with the stipulated terms of this treaty, the members of the tribes accepted their land in severalty. Each one received an allotment of one hundred and sixty acres to be selected somewhere within the reservation.¹

In addition to allotting this land and reserving sections 13, 16, 33, and 36 for educational purposes, the Department of the Interior was authorized to set aside four hundred eighty thousand acres of land for grazing purposes, to be used in common by these Indians to graze their stock upon, since some few were owners of stock. Twenty-five thousand acres were set aside as a permanent wood supply for these tribes.² In this way the "Big Pasture" was created.

These grazing lands were set aside by the Indian agent under the direction of the Secretary of the Interior. For the convenience of the Indians three separate pastures were established. Pasture No. 2 consisted of 30,727 acres, and

¹ Charles J. Kappler, Indian Affairs, Laws and Treaties, 1904, I, 709.

² Ibid.

pasture No. 3 contained 30,046 acres. The remainder of the four hundred eighty thousand acres was set aside in one large tract in the southern part of Comanche County.

Pasture No. 2 was located in Caddo and Comanche counties.³

According to the terms of the treaty, all remaining lands in this reservation were thrown open to white settlement within six months, under the general homestead laws.⁴ After considerable delay, this treaty was approved by an Act of the United States Congress in June, 1901.⁵

Approximately one year later, on July 4, 1901, President McKinley issued a proclamation opening these relinquished lands to settlement by the lottery method. On August 6, 1901, all lands that had not been reserved by the terms of the treaty were thrown open to settlement.⁶

Only the Big Pasture, as the reserve pastures came to be known, remained to be opened to settlement.

From the opening of the Kiowa, Comanche, and Apache reservations in 1901, continued attempts were made to throw the remainder of these lands open to settlement. The Big Pasture embraced a large area of Comanche County, and there were those who believed that the opening of these lands to

³ Annual Reports Department of Interior, 1901, I, 321.

⁴ Kappler, op. cit., 709.

⁵ United States Statutes at Large, 56 Cong., 1 sess., XXXI, 681.

⁶ Ibid., 57 Cong., XXXII, 1975-1981.

homesteaders would very much lessen the burden of county government. Since this region was especially adapted to agriculture and general farming purposes, it was believed that a tremendous increase from revenue from the taxable property would be the net result after the land was sold and improved. Others insisted that the Indians did not need it, as they were making no appreciable use of it.⁷

The residents of the Texas towns along the border of Red River were very active for settlement. They complained that the Big Pasture restricted their trade territory and looked forward to the time when the "cow country" across the river would be settled by prosperous farmers.⁸

The influence of these border towns was sufficient to pledge the Texas delegation in Congress, including Congressman John H. Stephens of Vernon, Texas, to support any bill which might have potentialities for the desired opening. Stephens became the champion of the long fight that was to ensue. As early as 1903, he introduced a bill into Congress to open the reserve pasture lands of the Kiowas, Comanches, and Apaches.⁹

The cattlemen, who were occupying the pasture lands and who had been instrumental in having them set aside, naturally opposed the opening.¹⁰ This was the last of the great ranges

⁷ Lawton Constitution, April 27, 1905.

⁸ Ibid., May 11, 1905.

⁹ Congressional Record, 57 Cong., XXXVI, 2473.

¹⁰ E. E. Dale, The Range Cattle Industry, 156.

that they had so long used. In false pretense, they often boisterously proclaimed the interest and welfare of the Indian, but in so doing, the ranchmen usually had their own selfish interests in mind. They told the Indians that the "grass money" would bring more than the interest on the money from the sale of the lands would. From grass rentals at this time the Indians were receiving approximately \$136,295 annually, which made a splendid argument for the cattlemen.¹¹

The Indians realized that this was the last stand against the encroachments of civilization. Other than the allotments that they had taken, there were no lands that they might call their own. They naturally dreaded the confinement, which would be inevitable if the opening should come. Quanah Parker, the great chief of the Comanches, who had become adept in the white man's ways, opposed the opening and used his influence to prevent it. The old chief had been bribed on many occasions by the cattlemen; too, he was induced to believe that the revenue from the grass meant more to his Comanche wards than the proceeds from the sale would. His words, spoken April 27, 1905, sum up his attitude:

I am against the opening of the pasture, what I say goes with the commissioner. If I say open, it will open, but if I say no open, it no open. The majority rules and I say no open.¹²

¹¹ Annual Reports of the Department of the Interior, 1904, 294.

¹² Lawton Constitution, April 27, 1905.

The Indians, especially the Kiowas, were quite disturbed when a bill that repealed the act of Congress securing these lands to them and opened them to settlement met the approval of the House of Representatives. The land was to be sold at the rate of one dollar twenty-five cents an acre.¹³

When the Stephens Bill was introduced into Congress, there was considerable argument advanced by various members of that body that these lands no longer belonged to the Indian.¹⁴ It was obvious that the sale of the land to white settlers would not constitute taking it from the Indian and giving it to the settler. The Kiowas, Comanches, and Apaches had been negligent as far as making use of it was concerned. What would really happen would be the taking of the land from the ranchmen, who had been in reality the only ones making use of it from an economic standpoint.¹⁵

President Roosevelt, who had final say as to whether the Big Pasture would be opened to settlement, visited this section of the country in April, 1905. Immediately this area of Oklahoma became the principal point of interest in the country. It was the first time that a President of the United States had visited this territory.¹⁶

¹³ James F. Randlett, Indian Agent, Annual Reports of the Department of Interior, 1904, 294.

¹⁴ House Reports, 57 Cong., 2 sess., III, Serial 2215.

¹⁵ E. E. Dale, The Range Cattle Industry, 321.

¹⁶ Alvin Rucker, "Last of the Openings, the Big Pasture," The Daily Oklahoman, December 4, 1932.

Frederick, the President's headquarters while here, had more people there on the day of his arrival than any time before or since. It was in the horse-and-buggy days, and many people who came so far were until the next day arriving home. It was estimated that ten thousand people had gathered there to greet the Chief Executive on his arrival.¹⁷

Colonel Cecil B. Lyon, Republican National Committeeman from Texas, had invited the President here for a week's outing, hunting wolves and camping in the Big Pasture. Jack Abernathy of near Frederick proved to be the chief entertainer for the President. He had gained quite a reputation through his ability to catch wolves and coyotes alive with his hands.¹⁸ Besides Colonel Lyon and Abernathy, the party was composed of other notables of this region, including Dan Waggoner and Burk Burnett, cattlemen. These gentlemen were to be hosts to the President, since the hunt was to be staged upon their leases in the Big Pasture.¹⁹ They were personal friends of Mr. Roosevelt and left nothing undone which would add to his pleasure while here. A comfortable camp was erected on Burk Burnett's lease about fourteen miles southeast of Frederick on Deep Red Run.²⁰

The President proved himself a true outdoors-man and

¹⁷ George McHugh, *Reminiscences*.

¹⁸ Rucker, *op. cit.*

¹⁹ Theodore Roosevelt, "A Wolf Hunt in Oklahoma," *Scribner's Magazine*, November, 1905.

²⁰ *Ibid.*

sportsman. He was an excellent rider and proved his ability as such by following the dogs in swift pursuit of the elusive coyote over prairie-dog-infested terrain astride a Texas cowpony. His riding ability was doubtless acquired from his past experiences on the cattle ranges of the North. He was a capable entertainer and spent many hours at night swapping jokes and telling yarns around the camp fire.

The six-day hunt proved highly successful. Seventeen wolves and coyotes were captured, principally by Abernathy. This was much to the delight of the President, who was usually on hand at the termination of the chase.²¹

The ostensible reason for President Roosevelt's coming to the Big Pasture was to hunt wolves, though it was believed by many that the trip was motivated by his desire to gain first-hand information pertaining to the proposed opening.²² To get the Indian's point of view, he asked Chief Quannah Parker to join him on his hunt. This the chief obligingly did, remaining throughout the week with the President.²³

After many adversities, the Stephens Bill, which provided for the opening of the pasture lands in Oklahoma Territory, met the approval of the House of Representatives and the Senate in March, 1908. Upon submission of the bill

²¹ Frederick Enterprise, April 15, 1905.

²² Rucker, op. cit.

²³ Roosevelt, op. cit.

to the President for his approval, he immediately returned it to be amended. His principal objection to the bill as passed was concerning the price for which the land was to sell. The original draft specified that the land sell for one dollar fifty cents per acre. After having made careful investigation and having received recommendations from the Indian Department, President Roosevelt recommended to Congress that the price be raised to five dollars an acre and that Article 6 be added to the bill. These changes met the approval of both houses.²⁴ Article 6 provided that allotments of one hundred and sixty acres of land be given to all Indian children born since June 6, 1900, whose parents were duly enrolled on the tribal rolls of the Kiowas, Comanches, and Apaches.²⁵

Raising the price of the land from one dollar fifty cents an acre, while making provision for the allotment of land to the Indian children, had much to do toward reconciling the Indians to the sale of their pasture lands. They no longer opposed the sale. Quanah Parker, chief spokesman for his tribe, now openly favored the government's action.²⁶

On June 5, 1906, Congress approved the Stephens Bill with its amendments. The act provided that the four hundred eighty thousand acres set aside for grazing purposes and

²⁴ Congressional Record, 59 Cong., 1 sess., XL, part 5, 4455.

²⁵ Ibid.

²⁶ Lawton Constitution, April 2, 1906.

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the twenty-five thousand acres set aside for permanent wood supply should be opened to settlement under the homestead laws of the nation. It was to be opened officially by presidential proclamation within six months following its passage.²⁷

The money received from this sale was to be placed to the credit of the Kiowas, Comanches, and Apaches through the Treasury Department of the United States Government.²⁸

The report of the passage of the bill was enthusiastically received by the citizens of Oklahoma, Texas, and elsewhere who had untiringly lent their efforts to that cause. The local people of Lawton and other nearby towns became quite optimistic over the opening, which seemed to be a reality now. New business enterprises sprang into existence overnight, confident that a rich harvest would be gleaned from the hordes that would soon be trooping into the pasture to select land desirable for a home. General business improvement was sure to follow upon the heels of the President's proclamation.

The final passage of the bill providing for the opening meant the passing of the pioneer cattlemen. The Indian lands were to be thrown open to the impregnating desecration of the plow and the hoe and made into homes for thousands of homesteaders with horses, cattle, children, and

²⁷ Statutes at Large, 59 Cong., 1 sess., XXXIV, part 1, 214.

²⁸ Ibid.

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the wherewith that would make the plains blossom as a rose. Within six months the tracks of the cattle kings, mavericks, broncos, and the myriad host of their chattels, with the tiny ash pile that marked the passing presence of the branding pen would be swept away for all time, and would be remembered with an abiding gratification for their absence. The ranchers realized from the opening of 1901 that the settling of these lands was inevitable and it was only a matter of time until the range would pass forever from their grasp.²⁹ The big herds that formerly roamed the plains in great numbers were no more to be seen. Their numbers had been diminished materially. All was in readiness for a quick evacuation on demand from the government. Many of the cattle and horses had drifted back across Red River to their former ranges.³⁰

For several months the pasture lands had been widely publicized by various methods. A considerable time before the President's proclamation, farmers from other states, who were eager to secure homes in the new country, were to be found around the confines of the Big Pasture. Tents of these early arrivals were pitched along Red River from Waurika to Davidson on the south, and in the vicinity of Rush Springs, Marlow, and Duncan along the line of the Indian Territory.³¹ Many of this vanguard brought all of

²⁹ Rucker, op. cit.

³⁰ Ater, Reminiscences.

³¹ The Daily Oklahoman, April 15, 1906.

their earthly possessions with them, determined to "stick it out." Early spring floods and storms caused much suffering among these people, but they remained undaunted, clinging to the hope that opportunity would yet pass their way.³²

³² Ibid.

Chapter IV. The Opening

The last reserve land which belonged to the Kiowas, Comanches, and Apaches, commonly known as the Big Pasture, was opened to settlement by a proclamation issued by President Theodore Roosevelt, September 19, 1906.¹

At the discretion of the Secretary of the Interior one of two methods was to be used in disposing of the land, viz., either by sealed bids or by public auction within six months from the passage of the act.²

Immediately much speculation and controversy arose over the procedure to be used for the sale. Many favored the lottery, the method used in opening the surplus lands of the above-named Indians in 1901, after they had taken their allotments. The lottery had its imperfections, and a great deal of dissatisfaction existed afterwards. It appealed mainly to the gambling element, here today and gone tomorrow. Large amounts of this land had fallen into the hands of those who used it for speculative purposes only.

The Indians favored the public auction in the beginning. Chief Ish-i-ti of the Comanches openly declared the land would bring a million dollars more by public auction. Quanah Parker agreed with Ish-i-ti. He feared that graft would enter into the sealed-bid plan, though he had much faith

¹ Statutes at Large, 59 Cong., XXXIV, part 3, 3233-3234.

² Ibid., 213.

in the officials of the Indian Department. Council meetings were held, and the members of the Kiowa and Comanche tribes even went so far as to petition Secretary Hitchcock of the Department of the Interior to adopt the public auction in preference to the sealed-bid plan.³

There were those calamity howlers who believed the sealed bids favored the capitalists, believing that they would out-bid the actual homeseeker when it came time to place their bids. They felt in this way the most attractive and desirable tracts would be "gobbled up" by those who had no intention of improving the land and making it their permanent home.

An argument advanced by a few who favored the sealed bids was that this plan did not require the presence of the bidder on the ground. A person living in another state or far removed from this locality could come here beforehand, drive over the country, select the tracts of land on which he wished to place his bids, and go home and harvest his crops, knowing that he would be notified of the results as soon as the awards were made. Others insisted the public auction would draw so many to Lawton and its vicinity that it would be impossible to maintain law and order. A certain amount of lawlessness had prevailed at the lotteries due to the enormous crowds that had gathered there.⁴

All arguments for and against the procedure were hushed

³ Lawton News Republican, September 12, 1906.

⁴ Ibid., September 27, 1906.

when on October 19, 1906 Secretary Hitchcock issued the regulations for the opening of the Big Pasture. The lands were to be sold by sealed bids.⁵

There was one exception made to the rule. This was in the method of disposing of the land in pasture No. 3. This land had been leased previously for agricultural purposes. Most of the land was being farmed and was in a fair state of development. There were altogether 288 quarter-sections in this reserve. By a special act of Congress the holders of these leases had a right to purchase them, providing they did not exceed one hundred and sixty acres, after they had been appraised by three men appointed by the Secretary of the Interior, one of which had been recommended by the Kiowas, Comanches, and Apaches. The purchaser had to pay at least as much as the appraised value and to make the purchase within sixty days from time of the appraisement. One-fifth of the purchase price must be paid at the time the land was bought and the rest paid in four equal annual installments.⁶

This ruling of the department did not please the Indians as many of them had looked forward to selecting allotments in this pasture for their children who had been born since the opening of 1901.

Persons entitled to make bids on the pasture lands

⁵ Decisions of the Department of Interior, Relating to Public Lands, XXX, 239.

⁶ Statutes at Large, 59 Cong., 1 sess., XXXIV, 550.

according to the regulations were those who could make an original homestead entry, a second homestead entry, or an additional homestead entry, but persons making second or an additional entry were to furnish evidence that they were entitled to do so. Foreign-born citizens were permitted to place bids, provided that they furnished evidence of their naturalization or intentions of same.⁷

Each bidder was permitted to make bids on as many separate tracts as he desired, providing that no single offer was for more than one hundred and sixty acres of land. Regardless of the number of bids that a person presented, the department would award but one tract to each individual. A check for one-fifth of the highest amount offered on any one tract must be enclosed with the bid or bids. It was necessary to present but one check. It was to be made payable to the Secretary of the Interior and certified to by the proper officials of some national bank. No person would be awarded more than one hundred and sixty acres, regardless of how much had been offered for other tracts.⁸

The bids were to be filed with the officer in charge at the Public Land Office at Lawton, Oklahoma Territory, from December 3 to December 8, inclusive.⁹

The form of the bid was to be as follows:

⁷ Decisions of Department of Interior, op. cit., 241.

⁸ Ibid., 240.

⁹ Ibid.

TO THE REGISTER AND RECEIVER,
United States Land Office, Lawton, Oklahoma

Sirs: I, the undersigned, being qualified to make entry under the homestead laws of the United States, hereby bid, under the act of June 5, 1906, and the regulations issued thereunder, for the separate tracts enumerated below the sum set opposite each tract, and deposit herewith my certified check for the sum of \$_____, drawn on the _____ National Bank _____, located at _____ post-office, THE SAME BEING ONE-FIFTH of the largest amount bid for any one tract. I agree and promise if any one of said bids is accepted I will apply to make entry of the tract awarded me on the day assigned to me for that purpose, and that the money collected on said check may be applied to the payment of the first installment of the purchase price of said tract so far as may be necessary to make said payment, and I further agree and consent that the said deposit may be forfeited to the United States in the event I fail, without sufficient excuse, to apply to make entry under said regulations.

My present post-office address is _____, and if I change my address before thirty days from the day which may be assigned to me for making entry I will notify you of that fact.

Tracts bid for

Schedule number of tract	Parts of section bid for	Section	Township	Range	Total

10

Much excitement was manifested in Lawton and nearby towns. Some of the more optimistic of the day believed that Lawton would be a substantial city of thirty thousand souls.

¹⁰ Ibid., 248.

Eager expectancy prevailed on every side. The stage was rapidly being shaped for Oklahoma's last land opening. The country had been flooded with maps, literature, and copies of the enacted bill, advertising this "New Eden."¹¹

All avenues of transportation were enjoying a tremendous increase in business. By dozens and by hundreds the visitors rolled into the Big Pasture. Wagons, hacks, carriages, buggies, automobiles, and trains were made available to these sight-seers. "To the Pasture" was a popular sign to be seen on big wagons and hacks as they trundled along the way.¹²

The presence of the "locator" was in evidence on all sides. His maps and descriptive literature were flowing in a steady stream. Many of these fellows were former cowboys and were thoroughly familiar with the topography of the land. Some, however, were typical swindlers, but, "locators" being in great demand, they quickly offered their services to those who demanded to be shown about. The locating business was a lucrative one; often as much as twenty-five or fifty dollars would be charged for locating a fertile tract in the choicest area.¹³ This business became quite systematic, for often large groups would be taken out to tour the pasture to select tracts which met

¹¹ Lawton News Republican, November 2, 1906.

¹² Ibid., November 15, 1906.

¹³ Lawton Constitution, November 18, 1906.

the fancy of the prospective buyer.

A common method used for locating lines and corner stones was to measure the circumference of a wagon or buggy wheel, tie a rag around a spoke, divide the circumference of the wheel into five thousand two hundred and eighty feet (one mile), and when the wheel had made the corresponding number of revolutions look for a marker. Another plan sometimes resorted to was to measure the stride of a pony, divide the distance into a mile, then count the number of strides to correspond to a mile.¹⁴

Many glowing reports were made of Oklahoma by visitors from other states upon their return home. Colonel W. L. Martin of Altoona, Kansas, paid to this new land a splendid tribute in which he said:

Oklahoma is a dandy. She is a peach of the Alberta variety. Entertaining, Majestic, Imperial Oklahoma where the lights of genuine civilization like Vestal Virgins hold their vigils unerringly and undying as the silver stars, and where under the soft and hallowed flame Progress, like the Hebrew giant is leaping forward in the great race for material wealth and glory, with bounding strides, unsurpassed in all the sister hoards of states.¹⁵

A complete list of Indian children born since June 6, 1906, was made by Chiefs Quannah Parker of the Comanches and Lone Wolf of the Kiowas. In due time these children were allotted their individual tracts of land. More judgment had been exercised in the selection of these allotments

¹⁴ George McHugh, Reminiscences.

¹⁵ Lawton News Republican, November 15, 1906.

than had been in the past. Invariably the land was selected along the streams, mainly Deep Red Run, where the land was the finest that the pasture afforded. An aggregate of twenty-four thousand acres was allotted to these Indian babies.¹⁶

After all reservations and allotments were made, 2,531 separate tracts were offered for sale by the Interior Department.¹⁷

Three hundred bids were filed the first day, December 3, at the land office. Thirty of these came by mail; the remainder were personally deposited. Guy Robertson, cashier of the First National Bank of Lawton, had the honor of depositing the largest number by any one individual. He filed twenty for the bank clientele.¹⁸

Every means possible was taken to insure fairness to every individual. Judge J. W. Whitten, head of the legal department of the General Land Office at Washington, was in charge of the sale. He invited a committee of three citizens from Lawton to sit at the receiving office to see that fairness was practiced by the Washington authorities in charge. To complete the precautionary measures, Major Taylor of Fort Sill detailed a force of cavalrymen around the First National Bank, where the land office was located for re-

¹⁶ Ibid.

¹⁷ Annual Reports, Department of the Interior, 1907, II, 113.

¹⁸ Lawton News Republican, December 6, 1906.

ceiving bids.¹⁹

A steady increase was shown in the number of bids received each day. Many waited until near the closing date to place their bids, thinking that the last deposited would be the first opened, thereby enhancing their chances. This belief came to nought, for the rules and regulations specifically stated how the procedure for opening bids was to be carried out, eliminating any possibility of favors being shown.

Before the expiration of December 8, Judge Whitten received a telegram from Washington extending the time for placing bids until December 15.²⁰ This caused considerable comment, and some threats of violence were made. Many felt that the influx of new bidders that the extension of time was sure to bring would lessen their chances of obtaining land. The report was circulated that the extension of time was given in order that a group of eastern capitalists who were on their way might have time to reach the pasture, select favorite tracts, and place their bids before the closing date. The extension of time was fair to all concerned, however, and no attempts at violence were made. Some who were en route to Lawton had been delayed by recent washouts on the railroads. To these unfortunate ones the extension was quite timely.²¹

¹⁹ Ibid.

²⁰ Lawton Constitution, December 9, 1906.

²¹ Ibid.

Galvanized iron boxes were used as receptacles for the bids. As fast as these were filled, they were properly sealed by Judge Whitten. The first one filled contained three thousand separate envelopes containing bids.²²

The date set for the opening of the bids was December 18, 1906, at 9.00 a.m. When the appointed hour came, tin-smiths came forward and with the aid of their instruments tore off the tops of the iron boxes without destroying the seals. They emptied the contents, which consisted of 7,621 envelopes, on the floor of the district courtroom. This stack was approximately three feet at the center and was spread out eight feet in diameter. A. G. Elton of the Indian Department came forward and shuffled them with a large pitchfork in the presence of a large group of interested spectators. The shuffling was done to prevent any possibility of the bids being opened in the order received.²³

Not until the first bids were opened and read was the tremendous task before Judge Whitten and his able assistants realized. The bids were to be opened and read aloud to the public. The number of the bid, the bidder, the tracts bid on, and the amount of the bid or bids were recorded in duplicate books.²⁴

Don C. Carr of the force opened the first bid, which

²² Ibid.

²³ Shawnee Daily Herald, December 19, 1906.

²⁴ Decisions of Department of the Interior, op. cit., 242.

was that of Daniel S. Gallup of Lawton. His envelope was marked No. 6,877. Monroe Harris of Duncan, Indian Territory, was the six thousand nine hundred and fortieth man to deposit his bid and the second man to have his bid opened. The largest amount he bid on any one tract was \$3,108.²⁵

The largest number of bids received at the land office from any one individual were those belonging to Adele French of McAlester, Indian Territory. She bid on 1820 different tracts. The paper upon which her bids were placed measured twenty-eight feet long, the bids being written in a double column. Had they been in a single column as the other bids were, the paper would have measured fifty-six feet. Her bids covered all available tracts except 710. There was no strife among the recording clerks as to who should have the honor of doing the recording. Her highest bid placed upon any one tract was \$860. This was only sixty dollars above the minimum price.²⁶ It was assumed that the lady stood a reasonable chance of being awarded a claim.

The opening and recording of bids went forward until the stupendous task was completed. The bids and the accompanying checks were forwarded to the General Land Office at Washington, where they were tabulated and recommendations made to Secretary Hitchcock, who made the awards to the successful bidders. In case two or more qualified

²⁵ Shawnee Daily Herald, December 19, 1906.

²⁶ Oklahoma Farm News, December 27, 1906.

bidders offered the same amount on any one tract, the bid was awarded to the one whose bid was opened first.²⁷

Theodore H. Best of Broken Arrow, Indian Territory, made the highest bid on any one tract of the pasture lands. He offered \$7,376 for a tract adjoining the proposed town-site of Randlett. So positive was he that he would receive the tract that he immediately began to improve it.²⁸

More bidders gave their addresses from Oklahoma and Indian territories than from any other one source. A large bulk was distributed through the East and the North, but practically every section of the country was represented.

The filing (making entry) by successful bidders took place in Lawton. Miss Alene ^{olive} Jones of Temple, Oklahoma, was awarded claim No. 1. She made entry at the land office February 18, 1907. She filed on the southeast quarter of Section 19, 2 south, 12 west of the Indian meridian. Tract No. 2 was awarded to Arthur F. Wilson of Walters, Oklahoma. His bid was \$1350 for the southwest quarter, Section 22, 4 south and 14 west of the Indian meridian.²⁹

An average of thirty to thirty-five bids was received from each bidder, with an aggregate of a quarter of a million separate bids. From the 396,139.88 acres scheduled to be sold, 175.16 acres were withdrawn after being scheduled. On

²⁷ Decisions of Department of the Interior, op. cit., 242-243.

²⁸ Daily Oklahoman, April 20, 1907.

²⁹ Shawnee Daily Herald, February 19, 1907.

6,337.34 acres no bids were received. Six hundred and thirty-eight acres were not awarded, apparently because bids were too low; 8,198.05 acres could not be awarded because the only bidders on these tracts had received other awards. The remaining 380,790 acres were sold for \$4,015,785.25 or an average of \$10.54 per acre or \$1686.40 per quarter-section. This meant approximately one thousand two hundred dollars per capita for the Indians, who received the proceeds from the sale.³⁰

Six townsites were selected in the Big Pasture reserves by the government. They were surveyed into lots and blocks. The government offered them for sale by public auction, a slight departure from methods of selling the pasture lands.³¹ These townsites were not all sold at the same time in order that bidders might attend sales at each place.

Randlett contained four hundred acres of land. It was named in honor of Indian Agent James Randlett. This was the first sale held, beginning May 13, 1907. The lots sold brought \$68,754. The appraised value had been \$29,699.³²

Esh-i-ti, named in honor of the old Comanche chief, contained 320 acres. This was the second sale held. The lots were appraised at \$15,222, but upon final tabulation at the auction it was found that they had brought \$50,907.³³

³⁰ Annual Reports, Department of the Interior, 1907, II, 113.

³¹ Statutes at Large, XXXIV, part 1, 80.

³² Department of the Interior, op. cit., 114.

³³ Ibid.

The lot sale at Quanah came third, beginning June 3, 1907. This site contained 320 acres having an appraised value of \$12,549. This auction proved disappointing, however, as only \$10,252 was realized from the sale. Five hundred and thirteen lots were unsold.³⁴

Isadore was named in honor of the good priest who worked so faithfully among the Indians. The fourth townsite sale was held here. The appraised value was \$10,195, but the lots brought only \$7,937.³⁵

Aphestone was named in honor of another ^{Kimo} Comanche chieftain. This site contained 320 acres of land. The sale began here June 23, 1907. The appraised value of the lots was \$7,973, but the total amount realized from the sale was only \$5,751.³⁶

Koonkazachy, the last townsite to be sold, contained 160 acres of land. Besides being the smallest of the townsites, it proved the most disappointing of all the sales. Its appraised evaluation was \$4,152, but only \$449 worth of lots was sold.³⁷

Much dissatisfaction was found among the people when it was known that the proceeds from the sale of the town-

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid. Of the six government townsites that were sold, only one exists today, that of the thriving little town of Randlett.

sites were to go for the benefit of the Kiowas, Comanches, and Apaches. Many were of the opinion that the money should have been expended toward the development of the towns, as had been done in the cases of Lawton, Anadarko, and Hobart when lots had been sold there.³⁸

A bitter controversy arose between the government and the owners of the Wichita Falls and Northwestern Railroad over the railroad survey. The six townsites had been laid out at random without any previous understanding with the railroad officials. After the sale of the lots the government endeavored to persuade the railroad to make its survey through the government towns. The officials of the company had plans of their own and made their survey accordingly. They had purchased tracts of their own and were establishing railroad townsites. The town of Kell was established less than two miles away from Esh-i-ti.³⁹ The two were later merged, forming the town of Grandfield.

The officials of the government were accused of graft by selling townsite lots where it would be impossible for a town to grow and develop without the benefit of a railroad. It was contended that the townsites were not advertised as being removed from the proposed railway survey.⁴⁰

The final disposition of the pasture lands found a few

³⁸ Lawton News Republican, May 15, 1907.

³⁹ Ibid., May 27, 1907.

⁴⁰ Ibid.

dissatisfied. Some of the successful bidders in the Big Pasture became discontented with their purchases. Many alibis were offered, but to no avail. A few wanted their money refunded and themselves relieved of any further obligation. The chief excuse offered was that certain tracts were not as good as the buyers had been led to believe. Several insisted they made mistakes and put down the wrong numbers; therefore, they did not receive the lands on which they thought they were bidding.⁴¹

The government remained stern and refused to refund the money or to relieve the buyer from future obligations. Department officials made it definitely clear that they could not be held at fault in the matter. They held that prior to the sale of the lands full and specific information was issued for the guidance of prospective buyers. General description of the land had been made, and every reasonable opportunity was presented the purchaser to acquaint himself with the land before the time to place his bids.⁴²

The sale of the reserve pasture lands was a rousing success as a whole. The totals reached far beyond the fondest expectations of everyone. Those who had been skeptical in the beginning had nothing but praise to offer now. It may perhaps be said that Oklahoma's seventh and

⁴¹ Lawton Constitution, May 26, 1907.

⁴² Decisions of the Department of the Interior, op. cit., 467.

last opening lacked some of the color and glamor that had prevailed in preceding openings, but none of the others had met with such whole-hearted success and approval as the opening of the Big Pasture lands.

Frank Frantz, the last territorial governor of Oklahoma, made this glowing report to the Department of the Interior:

In the seven months which have transpired since the opening of these lands a wonderful change has taken place. The settlers have taken up their residence on the farms and in the towns, and where seven months ago there was nothing but the waving grass of the prairie and a few scattered herds of cattle, there are now comfortable homes, farms planted to crops and growing towns.⁴³

⁴³ Annual Reports of Department of the Interior, op. cit., II, 687.

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Ater, T. C., a former cowboy, having worked for Dan Waggoner in the Kiowa, Comanche, and Apache Reservation.

Conway, W. M., a former trail driver across Oklahoma Territory.

Finley, Ira, a former cowboy, having worked for the Val Verde Cattle Company in the Big Pasture.

McHugh, George, a real estate dealer in Frederick, Oklahoma, who bought a tract of land in the Big Pasture.

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Typist

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