THE INDIAN CHIEFTAIN.

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THE BURNING QUESTION

Graphic Portayal of Existing Territorial Conditions

"What shall we do to be saved?"

From my earliest infancy I have heard this text thundered from every pulpit—from the old log country school house to the magnificent cathedrals of our largest cities, by the humblest circuit rider of a country district and the petted pastor in his clerical robes who numbered his congregation by the thousands. In fact, from the days of our Savior and his twelve apostles, this question has been the favorite theme of all divines to point the straight and narrow path to erring man, by which he might escape fr m Satan and his hosts, to the land of eternal happiness and peace.

But in no country on earth, and among no people of the millions who have inhabited this mighty globe has this text been fraught with so much significance and such tremendous consequences from a worldly, governmental standpoint, than at this hour, the burning question enfolded in this text presents to the people of the Indian Territory. The chaotic conditions here presented have never confronted any other people in the history of the world. The Indian governments have been practically overthrown by revolutionary measures—a bloodless revolution, yet nevertheless a revolution—and laws, customs, usages and traditions of centuries were swept away into one chaotic mass, and the death knell of nations, however imperfect they may have been in some respects, as proud as any the kindliest smile of Heaven has ever blessed, with traditions as dear to them as are the noblest traditions of the Anglo-Saxon race to their descendants. Vested legal rights have accrued to individuals under the powers vested in these governments by treaties and various acts of the congress of the United States. Absolute patents in fee simple have been given the various Indian tribes to the lands embraced in the geographical limits of the Indian Territory. And in the Cherokee nation towns have been laid out and sold under the laws of this nation, and millions of dollars have been expended in the purchase of lots, and handsome brick blocks erected theron by thr purchasers. Millions of dollars have been expended in opening up farms and improving the same, and in the erection of magnificent country homes, under the laws of the Cherokee nation, and valuable franchises have been granted and thousands of dollars expended in putting these franchises into operation.

The Indian appropriation act of 1897 transferred the jurisdiction over all civil and criminal matters in the Indian Territory from the tribal courts to the United States courts from and after Jan. 1, 1898 The act of congress of June 28, 1898, commonly known as the Curtis act, abolished the tribal courts and prohibited the performance of any duty by any officer connected with the tribal courts, and prohibited the United States courts from enforcing any tribal laws in any case, either in law or in equity, while it further provided that all suits and criminal prosecutions pending in the tribal courts should be transferred to the United States courts. Citizens were given a right to the surface of the earth, yet are threatened with fine and jail should they happen to use more than ther unascertained pro rata share of this surface; denied the right to cut timber for fencing or improving their lands. Their funds and resources have been arbitrarily taken to pay school superintendents and revenue collectors by rules hatched in the interior department; other rules are dug up that were made for the wild blanket tribes fifty years ago, and made applicable here among these Indians, who in point of intelligence and civilization will rank with any state along our borders. Residents of the territory without trial are summarily arrested and transported beyond the confines of the territory, and many other acts are committed in the name of the Curtis act and other acts of congress.

This territory has not had the advantage of advanced legislation that all the states and territories have found necessary to keep step with this progressive age. The Arkansas law, as found in Mansfield's Digest, adopted and put in force in the Indian Territory contains no law passed since the year 1883, and it can thus be seen that we are seventeen years behind the times with our antiquated statutes. Our affairs are administered in Washington, D. C., and questions involving our dearest rights are passed on there by some fifth rate clerk in one of the departments. There are no free schools for the education of the children of the United States citizens, except in the towns, and they are growing up without the benefits of an education.

The Cherokee nation, in order to settle these conditions, and in compliance with the settled policy of the government, as conveyed to them by her representatives sent here for the purpose, made, perfected and completed an agreement with the Dawes commission on January 14th, 1899, and ratified the same by an overwhelming majority of the popular vote of their people, the congress failed or refused to act upon it, and it died by limitation. The last session of the legislature of the Cherokee nation, by an act extended the time for its ratification by congress, but as yet congress is strangely silent.

Then in face of this startling state of affairs, the text occurs, "What shall we do to be saved?" I say first. Urge the speedy ratification of the treaty, and after its adoption rush its provisions to speedy effect, for this fixes land titles, and "all wealth springs primarily from the soil" Second. Organize a home government at the very earliest practicable moment. Third. Arrange our affairs so that no man shall govern us except by our consent. Fourth. Hurry up the time that may protect our political and property rights behind the bulwark of our ballot, for in this, and this alone, lies our safety Fifth. And then, as soon thereafter as possible, place our star in the blue field as a full-fledged state, as the last, best and most attractive of all our sisters.

RECTUS.

W. M. MELLETTE'S VIEWS

Schools for Non-Citizens the Greatest Need.

In speaking of needed congressional legislation for the Indian Territory W M. Mellete, of this city, said to a Springfield Republican correspondent:

"There has been much said about the educational advantages for non-citizen children in the Indian Territory, but the subject cannot be presented too strongly or too often. These people who imagine the white people of the Territory are inferior to their neighbors in the states, need light on the subject. I have never seen a people of more natural intelligence in their respective stations than those to be found here. But what will become of the white children now growing up? I am not a fanatic upon the subject of education, but I am depressed when I think of the white boys and girls in this country who cannot obtain an education for want of proper facilities. Neighborhoods by the score can be found where there is no school of any kind or description, and, as a necessary consequence, you find large boys and girls who can neither read nor write. I know this subject has been discussed over and over again, but it must grow in interest with each repetition.

"The boys and girls of today will be men and women tomorrow They cannot wait for schools as they can for other advantages and conveniences. Give them this boon now; not next week, not next year, not next congress; but at once, before our young people are young no longer.

"The Indians want title to their lands, without any string to it. They want to have a right to dig down deep and hold fast to what what they find. An allotment to the surface as provided by the Curtis bill is not a just or satisfactory conveyance. It only adds to the discontent which has for years prevailed. I heard an old Indian say the other day that he did want to feel before he died that everything over him and under him was his own. I have never been able to see any good and sufficient reason for withholding fee from the allottee The giving of this will certainly do more than anything else to fill the country with thrifty and permanent homes and farms, and make the occupants thereof good citizens for the coming state."

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WHAT VINITANS WANT.

Resolutions Passed at Third Mass Meeting.

Mass meeting No. 2 on "the good of the cause" was held at the mayor's office Thursday night with a small attendance. The committee on resolutions reported and was discharged. A motion to take up and pass upon the resolutions by sections was amended and carried adjourning the meeting until Saturday night on account of bad weather and small attendance.

The third meeting, on Saturday night, was held in the United States court room, and was well attended by representative men of all claeses. A motion to take up the resolutions by sections was carried. W P. Thompson offered an amendment to the first section providing that the followin words be stricken out: "and that in the event congress cannot ratify said agreement in its entireity, that congress will pass an act embodying so much of the said agreement as it will, and that saidact be submitted to a popular vote of the Cherokee nation to become a law upon its adoption by them." After considerable discussion this amendment was accepted. Other amendments are shown in body of resolutions in i alics.

After the resolutions were disposed of the election of delegates resulted in the choice of E. N. Ratcliff, W R Baigett, Dr Bagby, Edgar Smith, Preston S Davis and J S Davenport.

The Resolutions as Passed.

We, the committee appointed by the citizens of Vinita in mass meeting assembled on the night of February 13, 1800, to draft resolutions to be submitted to a mass meeting convening on the night of February 15, 1900, respectfully report as follows:

Be it resolved, first—That the ratification of the agreement entered into between the commission to the five civilized tribes and the commission appointed by the Cherokee nation, as modified by the national council of the Cherokee nation, is of supreme importance, and that it is the sense of this meeting that the proper resolutions be framed by the territorial convention calling the attention of congress to the necessity of imediate and proper action in the premises, * * to the end that property interests be finally settled in the Indian Territory, and that fee simple titles to the lands therein be vested in each individual Indian citizen as speedily as possible. It is further the sense of this meeting that an enforced allotment such as provided by the Curtis bill is worse than no allotment at all.

Resolved, second—That the undefined and arbitrary authority now exercised by the interior department of the United States paralyzes with doubt every interest and vocation in this country, and that congress be memorialized to define the powers of the interior department, and every branch or part thereof, and to limit the same to that scope which can properly be exercised and helpful to a country of more than five hundred thousand inhabitants, *composed of civilized and enlightened people capable of exercising and enjoying all the rights, privileges and imunities of good citizenship under a republican form of government*, and that said department shall have such powers, and such powers only as are delegated to it by express terms to the end that certainty my exist in the government of the people. It is further the sense of this meeting that it was never intended that *many of* the laws, rules and regulations, *some* of them passed many years ago and now sought to be enforced by the interior department here, were to be applied to the condition which now exist in the Indian Territory.

Resolved, Third — That inasmuch as *the act of June 7, 1897, provides that from and after Jan. 1, 1898, all persons, irrespective of race, resident in the Indian Terriory shall be subject to the laws of the United States, and* the 29th section of the Curtis act provides that the laws of the various tribes or nations of Indians shall not be enforced in the courts of the United States, either at law or in equity, it is the sense of this meeting that it was never the intention of congress that the revenue laws of the tribes should be enforced in any manner, much less by the interior department; that such taxation is unjust, inequitable, oppressive and un-American. It is further the sense of this meeting that any attempt upon the part of the interior department to enforce by force said taxation, which has no standing either at law or in equity, is a quibble, pure and simple, *and that it is further the sense of this meeting that the school funds of the tribes of the Indian Territory shall not be taken for the purpose of paying the salaries of employees of the interior department, but be used for the increase of the school funds for the education of these Indians*

Resolved, Fourth—That congress be asked to provide ample means and every possible facility to aid the commission to the five civilized tribes in making the allotments of the lands of the said tribes under the treaties heretofore provided, and the treaties contemplated for the Cherokee Nation, and that the people lend their hearty co operation and support to the said commission, to the end that the work of the said commission in the matter of making said allotments and the settlement of townsites, may be acomplished as early as possible. And further, that the membership of said commission to the five civilized tribes should be increased to that extent that three members thereof should be assigned to each nation, with a full complement of assistants, clerks and every other facility necessary for the carrying on and completion of the work in each of the said nations, and that said three members be specifically assigned to each nation, and that they be responsible for the work therein, and that they terminate the same as quickly as possible It is believed that the present number of commissioners composing the commission to the five civilized tribes could not complete the work in the several nations within a reasonable length of time.

Resolved, Fifth—That the citizens of the Indian Territory be requested to render such aid as possible to the delegations of the Indian tribes who have treaties now pending with the United States, to assist them in their ratification.

Resolved, Sixth—That it is the expression of this meeting that all questions pertaining to citizenship are res judicata, and that any effort to re open the matter in congress be strenuously opposed.

Resolved, Seventh—That it is of vital importance to the people of this country that some system of free schools be established, outside of incorporated towns therein, and that congress be urged to provide such schools as soon as practicable

Resolved, Eighth—That it is deemed by this meeting of high importance that some general law on the subject of sanitary regulations and health measures, such as are in force in Arkansas, be adopted for the Indian Territory.

Resolved, Ninth—That congress put in force in the Indian Territory the law on corporations, the estray, and the game laws of the state of Arkansas.

THE CHIEF RETURNS.

Will Appoint the Washington Delegation Soon.

Governor T M. Buffington returned from Tahlequah last night, where he has been for several days attending to his official duties as principal chief of the Cherokee nation. The delegates to Washington will be appointed soon, and will start for Washington in about ten days to confer with the Dawes commission and with the secretary of the interior with reference to the pending agreement and other matters concerning the Cherokee nation. The chief is not well pleased with the government's action in paying salaries of school supervisors, revenue inspectors, etc., out of Cherokee funds without authority of law, and without the consent of the Cherokee council. Twenty-five hundred dollars from the Cherokee school funds have been paid to Supervisors Benedict and Coppock for about four month service, and wothout the consent of the tribal authorities. It is believed the revenue inspectors will also be paid in full out of the tribal funds. As to the employment of Judge Springer, the chief says the law is specific in that all acts of the Cherokee council must be vetoed within thirty days aber their passage or they become laws by limitation. The act authorizing the chief to employ Springer was approved by the principal chief on December 5th, and was not disapproved by President McKinley till after the expiration of thirty days.

Foreman's Drug Store for prescriptions.

FOR A BAR ASSOCIATION.

Organization Proposed This Week at So. McAlister

Believing that there is great need for the organization of a bar association for the Indian Territory, and that the present is an opportune time for action, we, supported by what appears to be an almost universal approval and hearty co-operation and support of the members of the bar from every part of the Indian Territory, issue by this authority the the following announcement:

There will be a meeting of the members of the bar of the Indian Territory at South McAlister on the 23d of February, 1900, for the purpose of taking steps to effect an organization of a bar association for the Indian Territory. It is believed that a greater number of lawyers can be brought together at that time and place, owing to the territorial convention, and that the organization of a bar association can be so arranged as to in no way conflict with, or detract one whit from the convention mentioned. In the organization of the bar association the effort will be to perfect it upon a high professional plane, and to maintain it to the end that it may perform the legitimate functions of an up-to-date, high minded and truly professional association, serving no purpose save and except those which belong properly to law and lawyers.

While other professions are improving, should lawyers stand still? Evolution is the law of the universe; it should apply to the legal profession as well as every other calling. A judicial discussion is a great educator, not only of the lawyers, but of the community at large. It is believed that a good purpose could be served by bringing before such an association for discussion such legislation as affects the judiciary of the Indian Territory.

It is hoped by all of those who are interested in the matter that much good can be accomplished, a high standard of professional ethics maintained, and an advanced standard of legal attainments reached, and that degree of cordial relations brought about among the members of this association as will in after years add many incidents to the list of pleasant remembrances.

The newspapers of the Indian Territory will confer a favor upon the bar at large by copying this call, and it is hoped that the bar of every town will send one or more of its members to the meeting to represent it.

Signed at Ardmore by W. A Ledbetter, S T Bledsoe, J. C. Thomas.

Atoka—J G and G. T Rails

Claremore—J. M Lahay, W. M. Hall, E H Bessey.

Chickasha—Charles Fechheimer M M Beavers

Duncan—J. H. Wolverton, R. L. March. H F. Gilbert, W. I. Gilbert.

Eufaula—Walter T. Fears

Fairland—Lake Moore.

Muskogee — W. T. Hutchings, M. Wisdom, C. L. Jackson, Robt. Foomer, N. B. Maxey, Jas M. Givens, S. M. Rutherford, T. A. Sanson, Jr, Eck K. Brook.

Nowata—J. A. Tillotson, E. B. Lawson, P. H. Wilkinson, W. A. Chase.

Pryor Creek—J. H. Langley.

Pauls Valley — Albert Reney, Claude Weaver, J. B Thompson.

Purcell — Jas. E. Humphries, Dorset Carter, J F. Sharp.

South McAlister—G. B. Stuart, J. A. Hale, P. D. Bruster, W. J. Horton.

Tahlequah—E. G. Tollett, J. P. Buster.

Tulsa—Poe & Campbell, A. R. Query.

Vinita—W. H Kornegay, W. M. Mellette, Edgar Smith, J. B. Burckhalter, J. S. Davenport, L. F. Parker, Jr., J. B. Turner, W. P Thompson, W S Stanfield, H. E DonCarlos, D. H. Wilson, P. S. Davis.

Wagoner—DeRoose Bailey, H. Bradley, W. T. Hunt, Chas. T. Watts.

Coffeyville yesterday raised the quarantine against the Indian Territory on account of smallpox. For the last thirty days a strict quarantine has been maintained against Claremore and other points.

The citizens of the Quapaw reservation, in the northeast corner of the Indian Territory, are circulating a remonstrance against Flynn's bill annexing the reservation to Oklahoma.

MADE PEACE AT FAIRLAND.

Drs. Wimer and Hill Pour Oil Upon the Troubled Waters.

Dr. T. T. Wimer and Dr. G. R. Hill went to Fairland last Friday at the instance of the people of that town to make an investigation with reference to the existence of smallpox there and to advise them in the matter of quarantine as sought to be enforced by Dr Fortner of the Cherokee medical board. They express themseves as believing the family of Mr. Eden have not had smallpox, but they advised all parties to submit to vaccination and thus place themselves in line with the policy of the board in trying to stop the spread of the disease that does undoubtedly exist in some localities. Their mission was successful as they poured oil on the troubled waters, and quieted the disturbances occasioned by the clash between some of the people and the board.

CURTIS' LATEST MEASURE.

Penalty Provided for Returning After Ejectment from Territory.

Representative Curtis has introduced a bill in congress providing that the revised statutes be so amended that any person who has been removed from the Indian country under the provisions of section s 2147 or 2149 of the revised statutes, or under the provisions of any act of congress or treaty with the Indian tribe, and who shall return or be found within the Indian country shall be punished by imprisonment for not less than ninety days and by a fine of not less than $100. Mr. Curtis has also introduced a bill incorporating the Odd Fellows grand lodge in the Indian Territory.

SECOND THOUGHT BEST.

Wagoner Merchant Repents and Does Czar Wright's Bidding.

Groceryman Hill, of Wagoner, can testify that the collectors of revenue mean business, and he can testify also that he has paid his taxes and is now ready for business at the old stand. Mr. Hill, among others at Wagoner, refused to pay the tax, said he would not. Collector Cobb locked up the store at 10 o'clock Wednesday morning. Mr. Hill came down on the flyer at noon and returned on the next train. He settled up with the government and now has a legal right to sell groceries any old time within the next three months. Several other gentlemen in business up that way have been asked for the last time, and if they don't pay up the key will be turned in the lock, and like Orbell their occupation will be gone.—Muskogee Times,

THE FAIRLAND QUARANTINE.

The Town Must Act or the Indian Police Will.

Captain Jack Ellis came up on the Flyer Thursday afternoon intending to go to Fairland Friday to investigate the case of Eaton, the blacksmith, who stood off Dr Fortner and Policeman Bud Kell Monday when they went to his home to vaccinate his family and to establish quarantine. Captain Ellis' child was very sick, and he was compelled to return on the early morning train. His instructions, however, were for city of Fairland to take the proper steps to control the disease and to co-operate with the medical board, otherwise, a strict quarantine will be established and the town isolated, trains not being allowed to stop nor mails received. Bud Kell went to Fairland Friday to enforce the orders of Captain Ellis.

CATTLE WINTERING WELL.

Open Winter Has Greatly Improved the Average Steer's Appetite.

A gentleman who has handled cattle extensively in this country, and who feeds largely for the market and in wintering stock cattle, said a day or two ago that stock were eating more corn this winter than in any previous year of his experience. The weather generally has been fine and dry, and cattle have simply eaten more than usual. Nearly every man who is wintering cattle has made a miscalculation on the quantity of corn and hay needed. Cattle are wintering well and there are few poor ones, and the loss from present appearances will be the lightest ever known. A great deal, however, depends on the weather of the next six weeks.

Over 2,000,000 acres of land in the Choctaw nation have been surveyed into 40 acre tracts and appraisement made of the same by the four parties in the field under the supervision of Chief Kenyon.

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No. 205—160 acres creek bottom land best quality, 40 acres in cultivation, 95 acres in pasture, 35 acres in meadow; 40 acres timber in pasture, creek through pasture. Frame house 3 rooms, frame barn 14x30 with hay loft, good well at house, small orchard best bargain in county, $1600 cash, buyer with 800 could borrow balance on this land.

221—80a creek bottom land, 40a in cultivation, 60a prairie, 20a timber, creek through land, some good saw timber, best of soil, 2 1-2 miles from station, $800, 400 down.

109—160a one mile from Chetopa, good 6 room house, 20a in cultivation, 10a in pasture, 15a in hog pasture, 10a orchard, 8a in timothy meadow, best of fencing and cross fencing, hedges around outside, 37a in fall wheat, frame house 4 rooms and cellar, granary for 2000 bushels, frame stable for 6 horses, extra stables and pens, plenty of good water for house and stock, stone smoke house, fine shade trees and blue grass yard. $4000, 2500 down balance 4 years with 6 per cent.

250—Ten room brick veneered residence in Chetopa, Ks., two story and atic, mansard roof, house finished in cherry, walnut and red Georgia pine; stable and carriage house with slate roof, cistern and well, grounds 142x192 on high ground in residence center of city, east and north front, fine shade trees, main street, brick side walk, close to gas well; price 4000 in payments.

142—880 a, 2nd bottom land three miles from Chetopa, four hundred acres in cultivation, fifteen miles of fencing, one hundred and fifty acres in pasture, watered by two streams, forty acres timber, new frame house 8 rooms, water, 2000 bushel granary, cellar, tool house, large cribs and stabling for twelve horse, small house for tenant large fine orchard, forty acre fine grove of pecan trees, three hundred acres prairie meadow yielding 2 crops of hay annually, possibly the best stock and grain farm in Kansas, offered for the present for a short time in payments at $18 per acre, 6 per cent interest on deferred payments.

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