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SIDNEY SUGGS,
Proprietor.

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MUSKOGEE'S WATERWORKS

HOW MAYOR BYRNE INTERVIEWED SECRETARY HITCHCOCK.

Presented Muskogee's Claim so Simply That Mr. Hitchcock Attached His Signature, Adding He Had not Understood the Situation.

Special to the Ardmoreite.

Washington, D. C., Dec. 9.—Mr. P. J. Byrne, mayor of Muskogee, Indian Territory, in a fifteen minute interview with Secretary Hitchcock the other day succeeded in accomplishing that which the people of Muskogee have been petitioning the department for in vain during the last six months. Mayor Byrne is a candid, shrewd business man, and when the people of Muskogee could not secure the approval by the department of an act of the city council, providing for the issuance of bonds for water works for the town, they finally dispatched Mr. Byrne to Washington to overcome the difficulties in the way of the bond issue.

Last Friday morning Mayor Byrne called on Secretary Hitchcock. It was the case of the meeting of two keen business men alike in many respects in temperament and disposition. Mayor Byrne proceeded immediately upon his introduction to the secretary to unfold a large bundle which contained photographic views of the streets of Muskogee and pictures of the fine dwellings in the town. Secretary Hitchcock was much impressed with the views.

"Isn't it a shame," said Mayor Byrne "that such fine property should be exposed to the fires without any water facilities to quench the flames."

The secretary nodded his head in assent.

"Isn't it a greater shame that a town of 5,000 inhabitants, with such fine buildings cannot secure a system of waterworks?"

"What do you mean," inquired the secretary.

"I mean to say," said Mr. Byrne, in his characteristic way, "that Muskogee is a town of nearly 6,000 people that she has property, the assessed valuation of which is \$1,000,000 and within twelve months more, the assessed valuation will be doubled. The people are compelled to drink water that is not fit for animals, and pay a rate of insurance on their property in excess of any rates in existence in this country."

"What is the cause of that?" inquired the secretary.

"Because you won't approve of the issuance of bonds for the construction of a waterworks system for the town, which was authorized by the people at a recent election without almost a dissenting voice." It is to explain any objection you may have to the issuance of bonds for the construction of waterworks that I called on you," continued Mayor Byrne.

"Do you need \$175,000 for the construction of a waterworks system for Muskogee?" queried the Secretary.

"We need \$175,000 for the construction of a waterworks system, and a sewerage system for the city," replied Mr. Byrne. A water works system for Muskogee is a little more expensive than the same system for other towns. We cannot secure water from the bed of the Arkansas river, but on the contrary, must pipe across that stream to the Grand river, a distance of about five miles. In going across the Arkansas river we must drill through a solid ledge of rock so as to lay our pipes beneath the bed of the river to prevent their being washed out by floods."

"I did not understand the situation," replied the secretary, and after asking numerous other questions called for the council act, authorizing the issuance of bonds and attached his signature.

Mayor Byrne left the office highly elated. To the correspondent of the Ardmoreite he remarked as he left the department, "Secretary Hitchcock is a grand old man. All he desired to be assured of was that the money appropriated was not to be squandered. He is exactly right. It is honesty in municipal government that he is after and no straight forward man could object to the closest scrutiny of a proposition for municipal improvement in Indian Territory by him."

The bonds will be advertised and sold to the highest bidder, the rate of interest not to exceed six per cent. It is expected that they will sell at a premium.

PRAYER DID IT.

Little Girl's Petition for Burglars Cause Them to Drop Plunder.

Cleveland, Dec. 8.—The prayer of a little girl served to reform two burglars who broke into the home of Levi Golden, treasurer of the Vandora Iron company, night before last.

This little Editha in real life came upon the burglars in the diningroom. Her father and mother were away and the servants were in bed. She told the robbers it was wrong to steal and that God would not love them. She said they had no right to take the silverware which they were packing in a bag because it belonged to her father and mother.

This amused the burglars and one of them asked the child to pray for them. Not only did she pray, but she sang a hymn as well. Her pleading touched them and they decided not to take their plunder. They had broken a lamp shade in the diningroom, and one of the burglars gave the girl a quarter to replace it before going.

THE PAULS VALLEY COURT

COURT REFUSES WRIT IN THE DORSET CARTER CASE.

This Subjects Mr. Carter to Expulsion From the Indian Territory by the Indian Police—Will Appeal the Case—Civil Docket.

Special to the Ardmoreite.

Pauls Valley, I. T., Dec. 9.—Judge Townsend opened court this afternoon and arguments were made in the case against Shelby N. Slade, charged with larceny and is now in the hands of the jury.

The civil docket was sounded and the following proceedings were had: Marx vs. Blum vs. Mitchell et al., dismissed.

J. F. McKeel vs. J. E. Martin, settled and dismissed.

Wm. Stone vs. James Mays et al., motion of defendant filed to make the case in administrator's name, granted. Death of plaintiff suggested.

U. S. vs. Lewis Taylor et al., alias scire facias ordered.

Robert Florence vs. J. B. Smith, continued.

J. W. Eddington vs. — Johnson, continued.

Dixon Gibson vs. — Jernigan, continued by agreement.

Henry Hay vs. J. A. Farris et al., continued by agreement.

Gibson vs. Morrow, settled and dismissed.

Dixon Gibson vs. J. A. Farris, Ad'mr. et al., continued by agreement.

Buster vs. Fisher, continued.

The case of Henry Carson vs. Harriett Solomon is now on trial.

In the case of Dorset Carter, habeas corpus, the court refused the writ and this means that Mr. Carter is subject to expulsion from the Territory by the Indian police.

The applicant proved that he was a citizen of the United States and that he had never been arrested for any crime and that he did not know the reason that he was being removed from the Territory, also that he had a home and resided in Purcell, and was an alderman of the city. He presented an appeal to the United States court of appeals for the Indian Territory and asked for a suspension of the sentence for thirty days, but the court and the prosecuting attorney did not know whether he was entitled to it or not, so that question will have to be determined at some later time in the term.

TEN MILLIONS FOR EDUCATION.

Munificent Benefaction to America From Andrew Carnegie.

Washington, D. C., Dec. 9.—Andrew Carnegie is to give ten millions to the cause of university extension in the United States.

Announcement of this great gift to education will be made at the White House on Tuesday.

Mr. Carnegie was here a few days ago and took luncheon with the president, when the details were fully discussed.

Mr. Carnegie has thought best to create a national board to handle this munificent benefaction. President Roosevelt will probably name the board for Carnegie.

That hand-painted Utopian pottery is going fast at one-half actual cost. See the display in window, E. Noland.

HOMESTEADERS WIN OUT

SECRETARY'S DECISION ON MINERAL HOMESTEAD CLAIMS.

The Rights Vested in an Allottee or Homestead Cannot Be Affected. Lands Set Apart for a Specified Purpose, Exempt.

Washington, D. C., Dec. 9.—In response to a letter from the register of the Lawton land office, stating that numerous notices of mineral locations have been filed with the register of deeds of Comanche county, O. T., covering lots within the limits of Lawton, which were purchased from the government thus clouding the title of the same and greatly injuring the business interests of the town. The secretary of the interior today handed down an opinion covering the entire question of mineral entries in the Kiowa, Comanche and Wichita counties.

The secretary holds "that no mining location of land within the county seat townships of Lawton, Anadarko and Hobart, made after the special reservation of townships on June 24, 1901, is of any validity or effect whatever."

"When the lands in these townships were reserved they became appropriated and set apart for a specific purpose under the law and were therefore withdrawn from the operation of the mining and public land laws."

The secretary refers to a decision handed down by the assistant attorney general last October in which the application of the mineral land laws to the lands in the Kiowa country was fully covered, and adds: "It is clear that the mineral provision of the act of June, 1900, was not intended to operate as an exception to the settled principles applied by the land department in the administration of the public land laws generally."

"Controversies between mineral and agricultural or townsite claimants as to any of the lands over which the mining laws were extended by said provision are to be determined upon the same principles which apply to like controversies with respect to public lands situated elsewhere."

"Applications for patents to mining claims should not be received by local officers for any of the lands referred to which may at the time be embraced in an Indian allotment or in any existing entry under the homestead or townsite laws and no protest by a mineral claimant the object of which is to have the lands claimed determined to be subject to entry under the mining laws should be accepted as against any Indian allotment or as against any entry under the homestead or townsite laws where the entryman has complied with all of the terms and conditions necessary to entitle him to patent, unless the protest be accompanied by an allegation or averment properly verified and corroborated to the effect that the land was known to contain valuable mineral deposits at the time the Indian allotment was approved or as the case may be when the terms necessary to obtain title under the homestead or townsite laws were complied with."

"Lands not known to contain valuable mineral deposits at the time when in the absence of such knowledge the

rights of the allottee or of the homestead or townsite entryman became fixed and vested are not thereafter subject to exploration, location or entry by other parties under the mining law."

Rights once vested in an allottee or an entryman under the homestead or townsite laws or in a town lot purchaser cannot be affected by the subsequent exploration or location of the land for minerals."

The secretary then quotes the mining laws of the United States and points out that all surveys of mining claims must be made under the supervision of the surveyor-general.

Before a mining claim can secure a patent from the government he must file at the register of the land office a certificate of the surveyor-general showing that \$500 worth of labor has been expended or improvements made upon the claim by himself or grantors and that the plat is correct with such further descriptions as may be necessary to identify the claim. There being no surveyor-general for Oklahoma the commissioner of the land district is directed to appoint in each of the land districts containing mineral lands as many competent surveyors as shall apply for appointment to survey mining claims. The commissioner is directed to perform all duties performed by a surveyor-general.

Each register and receiver will be furnished blanks with the usual printed instructions.

PRESIDENT SITS DOWN ON FLYNN

Oklahoma Delegate Gets a Combing Down by Teddy.

Washington, Dec. 9.—Delegate Dennis T. Flynn is no longer an especial admirer of President Roosevelt. Mr. Flynn called at the White House today with F. M. Applegate of Hobart, Mr. Flynn wanted some presidential action on some Indian Territory matters. The president seemed nettled. "You should confine your business to your own constituency, Flynn," said the president. "And right here I want to say that there is to be a general change in conditions in Oklahoma. The secretary has given Governor Ferguson point blank orders. These orders must be carried out, or I shall appoint a man to do the work. You have no right to be dictatorial on appointments, Flynn, and I want to say that endorsements from the governor will have the call." Much more was said. Flynn was angry when he left the president. In fact so much so that he forgot to state the business Applegate had come on.

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