

The Daily Ardmoreite.

VOLUME XIV

ARDMORE, I. T., WEDNESDAY EVENING, JUNE 5, 1907.

NUMBER 10

MURRAY ISSUES

Historical Society
The Election

PROCLAMATION

To the Qualified Voters of the Proposed State of Oklahoma:

Whereas, An act of Congress entitled, "An act to enable the people of Oklahoma and Indian Territory to form a constitution and state government and to be admitted into Union on an equal footing with the original states; and to enable the people of New Mexico and Arizona to form a constitution and state government and to be admitted into Union on an equal footing with the original states;" approved the 16th day of June, A. D., 1906; and

Whereas, By the terms of said act "all male persons over the age of twenty-one years, who are citizens of the United States, or who are members of any Indian nation or tribe in and who have resided within the limits of said proposed state for at least six months next preceding the election," were authorized to vote for and choose delegates to the constitutional convention for said proposed state;

Whereas, said qualified electors, under the terms of said act, commonly known as the Enabling Act, were permitted to choose delegates from districts formed by the ordinance as provided by section two of said act in compliance with said act to form and frame a constitution and state government; and,

Whereas, In pursuance of the joint proclamation of the governor of Oklahoma Territory, together with the judge senior in service of the United States courts in Indian Territory, delegates were elected and convened in convention in the city of Guthrie, the seat of government for the Territory of Oklahoma on the twentieth day of November, A. D., 1906, pursuant to the terms of said Enabling Act; and,

Whereas, Said delegates composing said convention were duly sworn by the chief justices of the Territory of Oklahoma and organized by electing Wm. H. Murray, delegate from district No. 104, as president of said convention, and John McClain Young as secretary of said convention from the city of Lawton, Oklahoma Territory, and after said organization, said convention on behalf of the people of said proposed state did adopt by resolution the constitution of the United States as provided for by the terms of said Enabling Act; and also by ordinance on behalf of the people of said proposed state, did by ordinance irrevocably accept the terms and conditions of said Enabling Act, and did adopt a constitution and government for said proposed state of Oklahoma, republican in form, and in compliance with the Enabling Act in the formation thereof; and,

Whereas, In obedience to section four of said Enabling Act, the said convention, agreeable to the rules of said convention, and in compliance with said Enabling Act, did provide by ordinance for submitting said constitution to the qualified voters of said proposed state for ratification or rejection, at an election to be held at a time fixed in said ordinance, to-wit: August 6th, A. D., 1907, and at which election the qualified voters of said proposed state are permitted to vote directly for or against the proposed constitution and for or against any provisions separately submitted, and for officers for state, district, county and township government, and for members of the Legislature, and for five representatives to Congress, said ordinance being entitled "An ordinance providing for an election, at which the proposed constitution of the proposed state of Oklahoma, shall be submitted to the people thereof for ratification or rejection, and submitting separately to the people of proposed state of Oklahoma the proposed prohibition article, making the terms of the Enabling Act uniformly applicable to the entire state, for ratification and rejection, and for the election of certain state, district, county and township officers created by said proposed constitution and for the election of members of the Legislature, and five representatives to Congress," adopted by said convention on the 22d day of April, A. D., 1907, which said ordinance provides in express terms for the submission of said constitution in a man-

ner aforesaid, and for proclamation for said election to be issued within twenty days thereafter by the governor of the Territory of Oklahoma, together with such other machinery necessary for the submission of said constitution and the election aforesaid to form a state government, and did provide that upon failure or refusal of said governor to make proclamation within the twenty days from date of said ordinance, to issue said proclamation, that said duties, powers and responsibilities shall devolve upon Wm. H. Murray, as president of said constitutional convention; and,

Whereas, The governor of Oklahoma Territory has failed and refused and still fails and refuses, though demanded so to do, to exercise the powers, functions and duties devolved upon him by said ordinance, and to make proclamation aforesaid; and,

Whereas, A constitutional convention is a body with highest legislative functions, together with modified powers of the executive and judiciary, and that said conventions under the American law possess all legislative functions which are not denied by express terms or by necessary implication by the act creating said convention and by the constitution of the United States; and,

Whereas, said constitution has accepted all terms and conditions of said Enabling Act, and has formed a government republican in form in conformity with and agreeable to the terms of the constitution of the United States; and,

Whereas, No limitation exists upon the power of the convention to provide for an election of officers for the proposed state of Oklahoma, and for a custodian of records pending the holding of said election; and,

Whereas, There has not been created by Congress, any such or other officer of the proposed state; and,

Whereas, The said Wm. H. Murray, as president of said constitutional convention, was designated, in the absence, refusal or failure of said governor of Oklahoma Territory to exercise the duties and functions for the proposed state, and to make due proclamation; and,

Whereas, When in the course of events of a sovereign people, that their rights shall be denied by those in authority, and their rights are denied, under the laws of the state enacted by the Federal Congress exercising the attributes of national power, made for the protection of the rights of life, liberty, property and the pursuit of happiness, are trampled under foot by those in authority, sworn and entrusted with official duty correctly to construe the law and to administer the same impartially to all men;

Now therefore, I, Wm. H. Murray, as president of the constitutional convention, by authority in me vested by said constitutional convention, composed of the duly accredited representatives of the sovereign citizenship of the proposed state of Oklahoma, duly elected and qualified, agreeable to the terms and conditions of said Enabling Act and the constitution of the United States, do hereby make proclamation for an election to be held in all election or voting precincts in all the counties throughout the proposed state of Oklahoma, and to all the qualified voters thereof, on Tuesday the 6th day of August, A. D., 1907, between hours named by law, at which election the qualified voters of said proposed state of Oklahoma in manner pointed out by said election ordinance, and agreeable to the election laws of the Territory of Oklahoma, extended to and put in force in the Indian Territory and made a part of the laws of the proposed state of Oklahoma are hereby authorized to vote directly for or against the proposed constitution and for or against the article entitled "prohibition," separately submitted, and providing for state-wide prohibition and making the terms of the Enabling Act uniformly applicable to the entire state relative to the said prohibition question, and also to vote for and choose certain state, district, county and township officers created and authorized and made elective by

said proposed constitution and for the election of members of the Legislature, and for five representatives to Congress to form and constitute a full state government as contemplated and directed by said Enabling Act, and the county clerk and board of county commissioners in each county named in said election ordinance shall provide, agreeable to said election ordinance, for holding elections in each voting precinct in each of the proposed counties named in said constitution and make returns agreeable to said ordinance and the election laws of the Territory of Oklahoma, extended over the proposed state as aforesaid, in duplicate form, the original to be forwarded to the secretary of the Territory of Oklahoma at the seat of government thereof; the duplicate copy to be forwarded to John McClain Young at Lawton, Oklahoma Territory, as secretary of an advisory and additional state canvassing board. And the governor citizenship of the proposed state of Oklahoma are hereby called upon to exercise said citizenship and sovereignty in their right to frame and form local self government, as guaranteed to them by the treaty of France, ceding this territory to the United States, by the Declaration of Independence, by the constitution of the United States, and by the act and will of the American people as expressed through their representatives in the United States Congress, couched in terms of the said Enabling Act; and,

Whereas, There being no funds with which to print the ballots, purchase and provide election supplies, clerk hire or conduct said election, I, Wm. H. Murray, as president of said convention, do hereby call upon said citizenship to contribute to the said expenses by forwarding same to B. R. Brundage of Tishomingo, I. T., whom the undersigned has appointed treasurer and caused to execute a good and solvent bond conditioned that he will account for all funds coming into his hands from this source, and simultaneously with the transmittal of such funds to such treasurer, forward to the undersigned, a statement of the amount forwarded to the said B. R. Brundage, that I may correctly check and audit said accounts. All boards of county commissioners and county clerks elected by the convention and named in said election ordinance agreeable to the terms of the election laws of the Territory of Oklahoma, extended to and put in force in the proposed state aforesaid, and the county clerks and boards of commissioners of the organized counties of the Territory of Oklahoma (and recognized by the constitution), are authorized and directed as named in said election ordinance to perform the duties as designated in said election ordinance agreeable to the terms of the election laws of the Territory of Oklahoma aforesaid and to make returns thereof.

Given under my official signature, as president of the constitutional convention, on this 3d day of June, A. D., 1907.

WM. H. MURRAY,
President of the constitutional convention for the proposed state of Oklahoma

At the Jail.
W. L. Lapsley, was placed in the federal jail yesterday on a writ of removal from Colorado. The prisoner was arrested on a charge of being implicated in securing money on some cattle by false pretense.

John E. Shelton charged with three crimes was placed in jail. Shelton is charged with grand larceny, false pretense and forgery.

R. P. McKinney charged with false pretense, was removed to the central district today.

Bob Holman, Dock Holman and Albie Holman, brothers, were released on \$500 bond each. They are charged with assault on a rob.

Ben Parker charged with grand larceny and Mrs. W. B. Neal charged with adultery both made bond and were released.

It is the intention of the International Photo-Engravers' union to establish a fund to aid consumptive members. This is in keeping with the policy outlined at the Pittsburgh convention of the American Federation of Labor, but the photo-engravers are the first to take active steps in the matter.

Good Words for McKnight.

To the Voters of Carter County:

At the present time, when the one important subject in our minds is that of the coming election, and who shall be the first officers of the coming new state of Oklahoma and especially in Carter county, I desire to say a few words in behalf of my friend, Geo. N. McKnight, who is an aspirant for the office of Register of Deeds or Carter county, and I feel that it is just to him, when I say that I know of no one who is more capable or better fitted for the office than he, nor do I say this with the aura of flattery or "smooth talk," neither have I any "ax to grind," but am perfectly sincere and honest in what I say, and when the people to whom he is yet unknown come to know him as I do myself, I have no hesitancy in saying that I feel confident they will hear me out in all I say.

Mr. McKnight has been in my employ for the past two years and the time has yet to come when he has not ever been faithful and loyal to his duty and his work, ever ready to respond to any call for service at any hour in the twenty-four; the night was never too dark, nor the storms too severe when he has not willingly responded to any call that might be placed upon him, and I have always felt my business was as safe and secure under his management, as if I myself were present, and such a record as this I feel he will conscientiously bear out in his office, should he be elected to that honorable position, and which he rightfully deserves.

My personal acquaintance with him dates back for a number of years and I have always seen him take an active interest in all public affairs that might tend toward the improvement and upbuilding of the public good, either local, state or national. His walk and life as a citizen, both public and private, are exemplary and above reproach.

I have given the political questions of the day, especially as to those in Carter county, serious and thoughtful consideration and feel it to be my duty to express my views thus openly for Mr. McKnight, and am assured in my convictions that he will fill the office of register of deeds with dignity, honor and trust. In giving the above endorsement for him I feel that I have said but very little in his behalf, as compared to what I might have said, but trust that these few words may have the desired effect of drawing the attention of many to him, and when you shall have investigated his merits and ability for the office that you will become thoroughly convinced that he is the proper one to manage the affairs of said office.

Again, I heartily and gladly endorse him.

Yours for the good of Carter county,
F. J. RAMSEY Druggist.

A LITTLE HEROINE

Although Fatally Burned by Gasoline, a Girl, Aged Eleven, Rescues Her Smaller Sisters and Brothers.

Hammond, Ind., June 4.—In a gasoline explosion at the home of Elmer Warner here today Bertha Wagner, aged 11, was burned to death while she was trying to save her four little brothers and sisters. Lillian, aged 5, and Oswald, aged 6, were fatally burned. Raymond, aged 7, and Grace, the baby, were seriously burned, but will recover.

The mother of the children died a few months ago, and Bertha, who was the eldest of the children, instilled herself as "mother" to the others, doing the cooking and keeping house.

The father's work required him to leave home early and he prepared his own breakfast. The children arose later and Bertha was getting breakfast for them, when the gasoline stove exploded throwing the burning fluid over all the children. Bertha received the full force of the explosion, but her care was for her brothers and sisters, despite her own fatal injuries. She smothered their burning garments with blankets and succeeded in saving two of them, but gave up her own life.

The Irish labor conference held at Belfast some time ago rejected by a vote of 35,990 to 90,000 a proposition to recognize socialism as one of the objects of the labor movement.

HARRY ORCHARD ON THE STAND

By Associated Press.

Boise, Idaho, June 5.—Harry Orchard, the witness who will lay the foundation for the case of statement against W. M. Haywood, was called to the stand half an hour after court opened this morning.

Previously J. M. Brunsch, a hotel keeper, testified to the presence of Orchard and Simpkins in Nampa, in the summer of 1905. This was corroborated by A. Hinkley, another Nampa hotel keeper.

Haywood's mother came into court while Hinkley was under examination. John C. Connors, hotel keeper of Silver City, identified the register to show the presence of Simpkins at Silver City, November 8, 1905.

There was intense excitement in the court room when the report that Orchard was the next man expected to occupy the witness chair, the crisis caused being reached with his testimony, the testimony of the confessed slayer of Steunenberg and the accuser of Haywood, Moyer, Pettibon, Simpkins. A few minutes later Orchard entered the court room in company of the jailer and a number of guards. He was brought up by a back stairway used by the jury.

Orchard looked cool and collected and was well groomed.

J. P. Hawley at once commenced direct examination. Witness said he was known as Orchard for eleven years. His real name was Alfred Hanksley. As the examination proceeded Orchard became steadier and his voice increased in volume. Haywood kept his eyes fixed on Orchard, who kept his gaze to the front. Haywood evidently tried to get Orchard's eye, but except for an occasional glance, Orchard did not look toward Haywood.

Hawley took Orchard through a close examination, looking up to the Cour de Alene mining trouble, in 1899. He had located at Gem Wallace and Wardner. It was at Wardner where the first trouble occurred.

The defense objected to the introduction of evidence bearing on the Cour de Alene trouble, as having no bearing on the case against Haywood, but Judge Wood admitted the testimony, and said that the court could easily see that it might be important. This appeared to settle the question as to the extent to which Orchard's testimony would be admitted.

Orchard proceeded in narrative form to tell the story of blowing up the concentrator at Wardner, in April, 1899, when two men were killed. Defense objected continually.

Orchard said he had joined Burke (Idaho) local of Western Federation of Miners, this was in Cour de Alene district.

"State what unusual occurrence there was at Burke on the morning of April 29, 1899," commanded Hawley of the witness, after the

court had overruled an objection by the defense.

Orchard said: "I was told there was a special meeting of the union, and every body was expected to be present. I went to the meeting. The meeting was called to order by the secretary, who said it had been decided that day to go to Wardner to blow up the mill at Sullivan and Bonanza Hill mines, and hang the superintendant."

Defense objected again, but for the prosecution said it was necessary to go into the Cour de Alene trouble, which was suppressed by Steunenberg, to show the motive for hatred of Steunenberg. The objection was overruled.

Orchard continuing said the motion to go to Wardner was carried by a small majority and finally nearly every man decided to go. He said arrangements were made to cut the wires along the railroad and take possession of the Northern Pacific train at Gam, they to be joined by Gam union and together all proceeded to Wardner. "Paul Cochran," said Orchard, "and six other members of the union took charge of the train. He went to Gam and took forty boxes of slant powder. There were about one thousand men on the train. At Wardner we were told by W. F. Davis, who was in command, to line up. The men with long guns were told to take the front ranks, followed by men with six shooters. We were told to fire upon the mill as we approached. This we did and the fire was returned by the guards. It soon developed, however, that there were no more men in the mill and we took possession. Powder was placed at three places about the mill and it was blown up."

"Who set fire to the fuse?"
"I lit one; I don't know who lit the others."

Orchard said two men were killed in the affair. Four or five died later. United States troops then came to Cour de Alene. Steunenberg was then governor of the state.

"Was his name mentioned at the meeting you have described?"

"Yes, Cochran said he did not believe we would have any opposition from the governor, that we had always supported him and could control him." Soon after this Orchard left the state, and after going into several states reached Cripple Creek soon after July 4, 1902, where once more he went into the union, joining the union of which W. F. Davis, the same man mentioned in connection with the Wardner affair, was president.

Orchard said he blew up the Vinclator mine on promise of \$500 from Davis. Later Moyer gave him \$200 he said for blowing up the mine, and Haywood gave him \$300.

Recess was then taken until after noon.

GAINESVILLE HAS BIG FIRE

LIGHTNING STRIKES OIL TANK CAUSING CONFLAGRATION.

Contained 75,000 Bushels of Wheat, Large Amount of Coal, Machinery and Other Property Destroyed. Loss Will Reach \$100,000.

Gainesville, Texas, June 4.—During a severe electric storm here this morning, which frightened many people into their storm houses, lightning struck the big oil tank of the gas company, which contained about 7,000 gallons of oil, exploding it, causing it to burn high in the air. From this fire the big grain elevator of Keel & Son, which contained over 75,000 bushels of wheat, caught fire and, being saturated with oil from the oil tank, which exploded, it soon developed into one of the fiercest fires which ever occurred in this city.

A large amount of coal and all sheds belonging to a coal dealer were burned, together with a string of freight cars on a Santa Fe siding.

Many thousands of dollars' worth of machinery was destroyed; all the out-houses, stables, fences and everything in the vicinity of the fire was consumed. The fire department fought the fire for several hours, but could not check it until it made a clean sweep of everything in the block.

The loss will reach at least \$100,000 with \$75,000 insurance. The Gainesville Gas Company, J. Z. Keel, J. C. Whaley and the Santa Fe Railroad company are heavy losers. Kemp & Kell of Wichita Falls are also losers several thousand dollars.

J. T. Roberts of Whitewright, Texas, is a business visitor to the city.

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