

# CHARGE CONSPIRACY

## TAMS BIXBY ONE OF THE DEFENDANTS IN ACTION.

### STURTEVANT SPECIAL ATTORNEY

#### A Large List of Prominent Men Made Defendants.

Muskogee, I. T., June 10—Willard L. Sturtevant of St. Louis, who has been appointed special townsite attorney by Secretary Garfield, to act in connection with M. L. Mott, national attorney for the Creek nation, arrived here Saturday and gave out a statement of the suits which will be filed immediately on the part of the government, acting for the Creek nation, charging conspiracy to defraud the government. The suits are against Commissioner Tams Bixby, Leo E. Bennett, United States marshal; the Commercial National bank, the First National bank, Dr. B. F. Fite, N. F. Hancock and a score of citizens of Muskogee, Tulsa and Wagoner.

The charge is that the defendants had lots scheduled to dummies, that is they had lots scheduled to other persons and that the defendants paid the appraised government valuation and then had the lots deeded back to them by the dummies without consideration. The lots scheduled in this way cost those who secured them only 50 per cent of the regular appraisement, and the fraud comes in the practice of thus scheduling lots in excess of what the law allowed the defendant to hold.

Dr. Fite and N. F. Hancock are charged with scheduling lots to their children and then having lots deeded back without consideration.

Commissioner Tams Bixby is charged with illegally securing title to the block on which is now located the printing plant of the Muskogee Phoenix. Van Smith, who is jointly charged with Bixby, was disbursing agent for the Dawes commissioner at the time the lots were scheduled.

James Parkinson is made the defendant in the suit at Wagoner and Tulsa; the following are defendants in similar suits: B. F. Cooley, G. D. Blakely, Ed. Calkins, Will Vance, G. W. Egglefield, R. P. Elliott, W. H. Rogers, A. W. Wilhoit, W. E. Halset, W. W. Cline, H. H. Cline, J. N. Cline, J. O. Mitchell, A. B. Morton, R. C. Elder, S. M. Kelly, William Fewell, Thomas Baird.

The defendants in Muskogee are: F. B. Fight, N. F. Hancock, Mrs. F. B. Fite, Van Smith, Mrs. Van Smith, Commercial National bank, J. Hart, W. H. Jordan, S. F. Mann, M. R. Williams, Louise F. Dunkin, C. W. Turner, Chief of Police Porter, Leo Bennett, Mr. and Mrs. A. H. Sharun, Tams Bixby, A. W. Robb, L. F. Parks, Jr., federal judge northern district; Patterson Mercantile company, First National bank, Eugene B. Smith, H. E. Ketchum, Eliza Criswell, Lena B. Earl, Sallie P. Jackson, J. L. Switzer, Enterprise Oil and Gas company.

In addition to these are the Farm Home & Loan company of St. Louis, W. F. Fite of Tahlequah and W. B. Lessig of Pottstown, Pa.

## JUDGE WRIGHT HEARS DEMURRERS IN TWO CASES

Washington, June 9—Judge Wright of the Supreme Court of District of Columbia today heard argument on demurrers filed by attorney Kappler and Merrilat and James L. Jones of Washington to answers filed by the government in the mandamus case where John E. Gossby and Dr. Clay McCoy of Choctaw and Chickasaw Nations and Ida, George, Johnnie and Frankie Allison of the Cherokee Nation ask the court to compel Secretary Garfield to restore their names to citizens rolls. Secretary Hitchcock having cancelled their enrollment March 24th last. After argument by C. H. Merrilat for petitioners and William Parr for the department of justice the court took the case under advisement.

## TERRITORY FLOODED WITH DEFUNCT STATE BANK NOTES

Muskogee, June 8—It appears that the whole northern part of the Indian Territory is being flooded with the notes of the defunct state banks. The note that the negro porter, Brown, tried to pass at Cumberland and English's drug store Wednesday night, was one of these notes, being the \$10 currency of the Merchants' and Planters' bank of Savannah, Ga., of which institution D. A. Bator was president and Augustus Bank cashier.

W. A. Baker, of Wacumpla, also had a \$5 note from the same bank and Ban Reeves said he came near taking the same sort of money at Choiska a few days ago.

When you tell the need of a pill take a De Witt's Little Early Biscuit. Sold by McHarney & Meyers and People's Drug Store.

# 6,000,000 A YEAR NEGRO IS CONVICTED

## Missouri Roads Decide Not to Contest the Law Compelling Two-Cent Fares.

St. Louis, June 7—Although anticipating, they say, a loss of more than \$6 million dollars a year, passenger officials of Missouri and Illinois railroads have decided not to enjoin the enforcement of the laws reducing fares from three to two cents a mile which becomes effective in Missouri June 14 and in Illinois July 1. They say that after a short trial of the law, they will be able to show that it is confiscatory and therefore unconstitutional. Legal redress, however, will not be sought unless passenger earnings show a substantial decrease.

This is the chief result of the all-day session of traffic managers and passenger agents at the Jefferson hotel today, which will be resumed in Chicago next week.

Railroad managers controlling 150,000 miles of railroad discussed the attitude of the railroads these states that had passed two-cent fare laws. One of the principal questions determined was that no rate concessions should be made for conventions or other gatherings within Missouri or Illinois which would be lower than two cents a mile.

The exception to this rule will be day excursions between local points, which will be continued at the usual reduced rates. Several officials asserted that while these excursions were in the interest of the public, the railroads derived handsome profits from them.

## TO CONTINUE MOYER

### Western Federation of Miners Faithful to Haywood—Won't Elect a New Official.

Denver, June 10—The annual meeting of the Western Federation of Miners is to begin here today and last two weeks. In the absence of President Charles H. Moyer, who is in prison in Idaho, pending trial for the Steunenberg murder, Vice President C. E. Mahoney will call the convention to order. That Moyer will be continued as president and William D. Haywood as secretary-treasurer of the organization is the belief of the delegates who have arrived. The charter prohibits the election of officers not upon the floor of the hall, but provides that officers shall hold over until their successors are chosen. The election of president and secretary-treasurer, it is agreed, will be passed again this year as it was last year.

The delegates already here are unanimous in asserting that Harry Orchard's statements connecting the federation officers with the crimes he committed are a network of lies. Eugene V. Debs, the socialist leader, is in Denver and will attend the convention.

According to an announcement in the last issue of the Miners' magazine a movement will be inaugurated at the convention for the consolidation of all labor unions. About 200 delegates are expected to attend the convention. Delegates are coming from Alaska, British Columbia and Mexico and all the Western states in which the union is mining.

## OFFICERS ATTACKED BY CHICKASHA GAMBLERS

Muskogee, I. T., June 9—William E. Johnson received a telephone message here yesterday asking that men be sent to Chickasha to the assistance of T. D. Lee, one of Johnson's assistants, whose life is reported to be threatened by the gamblers of Chickasha. Johnson's information is that while Lee was smashing the paraphernalia in a gambling house the gamblers who had fled returned and attacked him and beat and cut him terribly. They further threatened to kill him if he made a move to get assistance from officers elsewhere. Johnson requested that officers be sent from McAlester to Chickasha.

If you will make inquiry it will be a revelation to you how many succumb to kidney or bladder troubles in one form or another. If the patient is not beyond medical aid, Foley's Kidney Cure will cure. It never disappoints. For sale by all druggists.

## CORRESPONDENTS WANTED

The CHIEFTAIN wants a correspondent in every neighborhood in the county.

Paper, Envelopes and Stamp Furnished at once.

## Man Who Attempted to Drown Boy After Robbery Pleads Guilty at Tulsa.

Tulsa, I. T., June 8—In the federal court here Thursday, Joseph Smith a negro, pleaded guilty to the charge of robbery and was sentenced to Leaveworth prison for ten years. Smith is the man who, a month ago, robbed a boy at Janks, after which he tried to drown him. After committing this crime he fled. The boy soon revived and spread the alarm. A posse quickly formed and the negro was trailed for 20 miles, being captured in the stream, where he had concealed himself beneath a bush, about four miles north of this city.

Jim Turner, a shuffling colored boy who "disremembered" his age, pleaded guilty to larceny and was sentenced to the boy's industrial school at Washington, D. C.

"Jitz," said Judge Lawrence humorously in pronouncing sentence on the boy, "I am going to send you to the capital of our country where all the senators and representatives go and I hope it will make a better man of you."

"Well," said Jim, "I thought you was going to give me a chance to be honest."

"Jim" took his sentence philosophically for a youngster.

## TORNADO KILLS 29

### Eastern States Swept by Destructive Storms—Damage Amounts to Thousands of Dollars.

Chicago, Ill., June 10—Twenty-nine known dead and forty persons injured constitute the list of casualties resulting from storms of tornado severity which swept over southern Illinois, Indiana and central Kentucky Friday night and Saturday.

These fatal visitations came in the shape of cloudbursts, high winds and electrical disturbances.

The property loss will reach many thousands of dollars. Houses were demolished, bridges swept away, and thousands of acres of growing crops destroyed.

Gradyville, Kentucky, was the worst sufferer. A cloudburst deluged that village of 175 people shortly after midnight and twenty-one persons were drowned.

At New Minden, Ill., a tornado this morning killed five people and injured half a dozen others.

At York, Ill., on the Wabash river, three persons were killed and thirty injured by a tornado which descended upon the town last night.

At Duquoin, Ill., many houses were blown down around the outskirts of the town and four persons were injured.

## Tornado At Quanah

Guthrie, O. T., June 9—The new government townsite of Quanah, in the "big pasture," was laid waste yesterday by a tornado which did much damage in the territory between Quanah and Frederick. The country home of G. D. Gilmore was completely destroyed and both Mr. and Mrs. Gilmore were quite seriously injured. The home of L. E. Weidrop was also destroyed, but none of the family seriously injured. At Quanah, where the government lot sale is still going on, the tents which compose the townsites were all blown down and the occupants forced to find protection from the heavy rain and hail which followed under bedding of anything that could be picked up.

## SECRETARY TAFT TO VISIT BOOKER T.

Washington, June 8—Secretary Taft expects to leave Washington today for Philadelphia at the invitation of Booker T. Washington, to attend a meeting of the trustees of the fund of \$1,000,000 donated by a wealthy Philadelphia woman to aid in rudimentary education in the south.

The secretary has consented to serve as a trustee in this philanthropic work. He will return to Washington Friday night or Saturday morning to close up a few matters of urgent official business and will leave this city Saturday night on his western trip which will extend as far as Fort Meade, S. D.

DeWitt's Kidney and Bladder Pills are unequalled for Backache, weak kidneys, inflammation of the bladder and all urinary troubles. A week's treatment for 25 cents. Sold by McHarney & Meyers and People's Drug Store.

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# DESTROYS THE DEED

## And Then Nancy Grasshopper, a Night Hawk, Asks the Indian Agent For Another.

Muskogee, I. T., June 8—Nancy Grasshopper, an Indian woman who lives near Tahlequah, was in the city Wednesday to get the second deed to her allotment. Nancy is a member of the Night Hawk society and when she received her patent a year ago tore the papers up and threw the fragments away. She has since learned the error of her ways and now asks the United States Indian agent to give her another deed. This will be done in the usual way. Many of the Night Hawks who opposed allotment are now coming in and asking for their rights.

Nancy was accompanied by Mrs. Lizzie Stover and Lottie Robbins, Indian women of Tahlequah.

## THE TRUSTS ARE IN THE BALANCE

Washington June 8—"There was a good deal of discussion about routine matters, but we saved the trusts until tonight," said a member of the cabinet today as he was leaving the White house after the usual Friday cabinet meeting. There were three absentees, Messrs. Cortelyou, Taft and Metcalf.

"Tonight's conference is to cover several aspects of the Harriman case which are badly in need of discussion, the so-called Harvester trust and the charges against the bituminous railroads, said one of the officials who is to participate in the meeting at the White house tonight.

"In fact," he added, "the meeting is to be a general symposium on the subject of the trust prosecutions. The president wants to clear up the matter as far as practicable and reach a definitely settled programme on this whole subject before he goes away for the summer."

In addition to members of the cabinet, there will be present several officials from the Department of Justice and members of the interstate commerce commission.

## GOVERNOR FRANTZ ISSUES FLAG DAY PROCLAMATION

Guthrie, Okla., June 10—Governor Frantz has issued the following Flag Day proclamation:

June 14, 1777: the congress of the United States of America enacted: "That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation." Following congress fixed the shape of the star to be the thirteen stripes and one star for each state. Thus the anniversary of the birth of our flag falls on June 14. Therefore, I do hereby designate Friday, June 14, 1907, as Flag Day. I earnestly request that the municipal officers of our towns, cities and villages cause the municipal buildings to be decorated that all territorial institutions be also decorated and that our citizens display from the homes and places of business the flag of our country.

"I suggest that our newspapers make editorial comment, and publish articles of historical interest on the flag, and where schools are in session that the teachers will conduct appropriate exercises.

"Patriotic societies will lend their aid in a general celebration of this day. The story of our flag, its years of history, what it has cost in blood, and what it now represents, can not be too often told nor too deeply impressed upon the present generation, and the coming one. It impresses us with our duty to our state, to each other and to the republic. The foundation of our nation rests on the patriotism of our citizens.

"In testimony whereof, I have hereunto set my hand and caused the great seal of the Territory of Oklahoma to be affixed at Guthrie, this 5th day of June, One Thousand Nine Hundred and Seven."

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## CONSTITUTION OF OKLAHOMA

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Chiefain Publishing Co., Vinita, I. T.

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### Scott Building, VINITA, OKLAHOMA.

## INHERITED LANDS

### Listed for Sale With the Indian Agent at the Union Agency, Muskogee

Notice is hereby given that the following described tracts of land allotted to deceased citizens of the Five Civilized Tribes have been listed for sale by their heirs, and sealed bids will be received therefor at this agency on each separate allotment of land described up to 2 o'clock p. m. of the date when said bids are to be opened, as indicated below:

CHEROKEE NATION. Listed for sale April 22, 1907; bids to be opened June 21, 1907. No. 5. Allotment of John Gritta, deceased.

The (nw) of (sw) and (e) of (nw) of (sw) sec 20, tp. 28 N., rge 21 E.; the south 20 acres of the west 21 1/2 acres of lot 4 of sec. 5, tp. 28 N., range 21 E.; net 9/16 of (sw) of sec. 15, tp. 17 N., range 22 E., containing 90 acres.

All bids must be accompanied by a duly certified check on some solvent bank, payable to the Commissioner of Indian Affairs, for 20 per cent of the amount of the bids.

All bids should be deposited with the United States Indian agent, Union Agency, Muskogee, Indian Territory, and enclosed in a separate sealed envelope, upon which must be written "Bid for Inherited Indian Lands," and the date when the bid is to be opened. The envelope must not disclose a description of the land.

All information pertaining to heirship and proofs furnished by petitioners is on file at the Union Agency and may be examined by any prospective bidder.

Until further notice official lists of Creek lands will be advertised in the Muskogee Phoenix, Cherokee lands in the Vinita Chieftain, Choctaw lands in the Evening News, McAlester, and Chickasaw lands in the Chickasaw Express.

Further information and copies of the regulations governing these sales will be sent upon application.

DANA H. KELSEY, United States Indian Agent.

## INDIAN LAND SALE.

TOWNSITE ADDITION. Application has been made to the Secretary of the Interior by James Terrapin, a Cherokee citizen, for permission to sell part of his allotment which lies adjacent to the town of Bartlesville, Indian Territory, which land is described as follows:

South half (sw) of the northwest quarter (nw 1/4) of the southwest quarter (sw 1/4) and the north half (nw 1/2) of the southwest quarter (sw 1/4) of the southwest quarter (sw 1/4) of section 12, township 30 north, range 12 east, less 5.00 acres railroad right of way, containing 34.40 acres.

In accordance with my instructions, public notice is given that sealed bids for the above described tract of land will be received at this office until 2 p. m., on Friday, June 21, 1907.

All bids must be accompanied by a duly certified check, payable to the Commissioner of Indian Affairs, for 20 per cent of the amount of the bid the remainder of the purchase price to be paid within ten days if bid is accepted.

This land will be sold for townsite purposes, reserving absolutely to the Indian allottee all oil, gas or mineral rights in or under said land, and no bid will be accepted for less than a valuation to be fixed by the government.

Bids should be mailed to the undersigned, enclosed in a separate sealed envelope upon which must be written, "Bid for James Terrapin allotment."

At the hour and date given above all bids received will be publicly opened.

DANA H. KELSEY, United States Indian Agent Union Agency, Muskogee, Ind. Terr. April 19, 1907.

Pineoles are for the Kidney and Bladder. They bring quick relief to backache, rheumatism, lumbago, tired worn out feeling. They produce natural action of the kidneys, 30 days treatment \$1.00. Money refunded if Pineoles are not satisfactory. Sold by A. P. Owens. jsm



### Duke of France

#### Sired by Taiti

Is direct descendant of the French government approved stallions. Brilliant 1871 and 1872 champion. Brilliant 1873 and 1874 champion. Brilliant 1875 and 1876 champion. Brilliant 1877 and 1878 champion. Brilliant 1879 and 1880 champion. Brilliant 1881 and 1882 champion. Brilliant 1883 and 1884 champion. Brilliant 1885 and 1886 champion. Brilliant 1887 and 1888 champion. Brilliant 1889 and 1890 champion. Brilliant 1891 and 1892 champion. Brilliant 1893 and 1894 champion. Brilliant 1895 and 1896 champion. Brilliant 1897 and 1898 champion. Brilliant 1899 and 1900 champion.

Taiti, the sire of Duke of France, won championship of his class and unchampionably as a breeder at Missouri state fair in 1894 and championship in same year of state of Kansas.

The dam of France was a prize winner at Missouri state fair in 1894 as an individual and brood mare, also championship at Kansas state fair.

He will make the season at my barn South Wilson street Vinita, two blocks from court house and one block south of Warren & Lewis Improvement store, at \$50 to insure a living colt. He has established himself as a sure breeder.

In the fall of 1908 we will pay \$50 for the best colt foaled that year the got of Duke of France. Patrons of horse will decide on date and place.

One bay Morgan & Hamiltonian all purpose horse, 18 hands high and weighs 1500 pounds, will stand at same place. He is of the most noted family ever owned in the Cherokee nation. Never was defeated on exhibition Terms \$10 to insure living colt.

Five Jacks will stand at same place. Three sired by the great Missouri Jack. Two Jacks, one 15 1/2 hands high and one 16 hands high, and 4 years old out of Big Missouri Jack that was IT 1st hand high, and prize winner at World's Fair in St. Louis in 1894.

The best three Jacks will be bred at \$10 to insure living colt; the last two at \$15. Money due if mare is about to be mated with or removed from neighborhood.

## D. S. Warren

So. Wilson St Vinita, I. T.

(First Published June 2, 1907.)

Notice of Sale of Real Estate. By virtue of an order of the United States Court sitting in and for the Southern District of the Indian Territory at Vinita, I. T., the undersigned administrator of the estate of James H. Baker, deceased, will offer for sale at public auction at the first day of the United States court term at Vinita, I. T., on the 22nd day of June, 1907, at the hour of 1 o'clock in the afternoon, the following described land, the property of said estate, to-wit:

The (sw) of the (sw) of the (sw) of section 15, range 12, tp. 30 north, r. 12 east, less 5.00 acres railroad right of way, containing 34.40 acres.

A man who is in perfect health, so he can do an honest day's work when necessary, has much for which he should be thankful. Mr. L. C. Rodgers, of Branchton, Pa., writes that he was not only unable to work, but he couldn't stoop over to tie his own shoes. Six bottles of Foley's Kidney Cure made a new man of him. He says, "Success to Foley's Kidney Cure." For sale by all druggists.