

Oklahoma Territory

LAND OF THE RED MAN. In 1866, when the *Reconstruction* treaties were signed between leaders of the Five *Civilized* Tribes and the United States Government, Choctaw Chief Allen Wright coined the word “Oklahoma” from two Choctaw words meaning “Land of the Red Man.” Wright meant that the name should apply to the eastern half of Indian Territory, the home of the five tribes. In later years, however, “Oklahoma Country” became the common name for the Unassigned Lands, and when the government was *established* for that area, the western half of the old Indian Territory became officially the “Territory of Oklahoma.”

PROVISIONAL GOVERNMENTS. Official government was not provided for Oklahoma Territory until the Oklahoma Organic Act was passed on May 2, 1890, almost thirteen months after settlers rushed into the area to establish homes. The people recognized the need for some kind of government, and on April 23, 1889, the day immediately after the Land Opening, meetings were held in Oklahoma City and Guthrie. The first public officials were elected and temporary governments *established*. Other towns followed suit, and soon all the towns on the prairie boasted some type of skeleton government, usually headed by a mayor.

Also selected were town marshals, arbitrating committees for settling land claim disputes, and school boards. Schools were *established* and supported by *subscription* (parents had to pay for students to attend). Street surveys were made in Guthrie and Oklahoma City that were later disputed as the unofficial work of an unofficial government. The surveys were eventually declared legal and remain the basis for land titles in those cities today.

The temporary or *provisional* governments were indeed unofficial, and they were successful only because the majority of people consented to their authority. Not everyone consented, however, and crime could not adequately be controlled by unofficial governments. Federal troops from



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Fort Reno were frequently called upon to close the gap between unofficial authority and lawlessness. The presence of the army suppressed violence in the young territory to the extent that living conditions were at least tolerably safe.

Within a few weeks, most of the new towns had several permanent buildings which housed banks, cafes, and other businesses. The tent cities were disappearing, and permanent homes were replacing them.

RURAL LIFE. The Territory's rural residents found life more difficult than did their city neighbors. The prairie's natural lack of timber and the absence of commercial building supplies made permanent housing impossible. Instead, families lived in "*dugouts*," shelters dug from a hillside and covered with log and earth roofs, and "*soddies*," homes made from blocks of turf which were stacked like bricks.

The virgin prairie required preparation before crops could be planted, and it was too late in the year to plant most crops. Many settlers ran out of money before their land could support them, and they had to accept aid from the federal government. The pioneers were hard-working people of hardy stock, and before many years most of them prospered.

By , 1889, settlers recognized the legal disadvantages of living in a territory without an official government. Conventions were held at Guthrie and Frisco for the purpose of discussing the problem. The group at Guthrie voted to organize a territorial government immediately, while the people at Frisco favored waiting for authority from Congress. The Guthrie group later reconvened and sent a statement to Congress outlining the problems the people were having because of the lack of a common government.

THE ORGANIC ACT. President Benjamin Harrison signed the Organic Act on May 2, 1890, establishing a government for Oklahoma Territory. The official title of the bill was "An Act to Provide Temporary Government for the Territory of Oklahoma, to Enlarge the *Jurisdiction* of the United States Court in the Indian Territory and for Other Purposes." This was the first time the area had been officially referred to as the Territory of Oklahoma.

The Organic Act designated the Unassigned Lands as Oklahoma Territory and provided that, as soon as the various Indian land areas were opened to white settlement, they would each be added automatically to the Territory. This included all Indian lands except the land designated



for the Five *Civilized* Tribes, the unoccupied portion of the Cherokee Outlet, and the lands belonging to the Indians under the administration of the Quapaw agency. It provided for the inclusion of the Cherokee Outlet as soon as the Cherokee interest could be eliminated.

NO MAN'S LAND. The Organic Act also included the Public Land Strip, or No Man's Land, in Oklahoma Territory. The eastern boundary of the land strip had been *established* by the Adams-Onis Treaty in 1819, and the western boundary from the Treaty of Guadalupe Hidalgo *negotiated* at the end of the Mexican War in 1848. The Compromise of 1850 set the northern boundary of Texas at 36° 30' N. *Latitude*. The southern boundary of Kansas Territory was set at 37° N. *Latitude* in 1854. These negotiations had left the Public Land Strip ungoverned. It was not a part of any state or territory prior to the Organic Act of 1890 and had never been declared a territory by itself.

Because of its orphan status, it became known as No Man's Land. Because the Cimarron River ran through it, it was also called Cimarron Territory, and because it became a haven for gamblers, cattle rustlers, and virtually every kind of outlaw, it was also called Robbers' Roost. During

Seven members of an early Oklahoma family dressed in their finest "Sunday" clothes were photographed by J. V. Dedrick in 1909 in front of their dugout home.

the quest for pasture land in the 1880s, cattlemen moved into the area. “Nesters” soon followed, and both groups found themselves and their property in constant danger from the lawless element in the region.

By 1886, there were 3,000 settlers in the Public Land Strip. They formed a *vigilante* committee to protect themselves and to drive the outlaws from the country which they considered theirs. By 1887, the population had grown to 6,000, and a convention was held to establish an unofficial government. In a petition to the United States Government, the people of the Land Strip asked that the area be made an official territory of the United States. Instead of designating it as a territory, however, Congress made it a county in the Territory of Oklahoma, subject to the laws and courts of that territory.

TERRITORIAL GOVERNMENT. There were seven counties designated in the Oklahoma Organic Act, which were not named but numbered. They became Logan, Oklahoma, Cleveland, Canadian, Kingfisher, and Payne Counties. No Man’s Land became Beaver County. Guthrie was named as the capital of the territory, and the President appointed George Washington Steele, an attorney from Indiana, as first territorial governor.

The Organic Act *established* a Supreme Court of three judges, who were to serve as District Judges, and a *bicameral*, or two-house, legislature consisting of thirty-nine members. The twenty-six house members and the thirteen council members were to be elected by the people, along with one delegate to the U.S. Congress. The District Attorney, the Secretary of the Territory and other territorial officials were to be appointed by the President. The governor was empowered to appoint local county and township officials until elections could be held to fill those posts.

An election was held to select legislative assembly members on August 5, 1890, and the first legislature met on August 29. Legislators passed bills designating the establishment of the Territorial University at Norman, the Territorial Agricultural and Mechanical College at Stillwater, and the Territorial Normal School at Edmond. A taxation system was *established*, and laws were passed controlling commerce and industry. On December 25, 1890, an act was passed which *established* the public school system. However, most of the legislature’s time was spent in arguing over the location of a territorial capital. Bills were passed establishing first Oklahoma City and then Kingfisher as capitals, but the governor vetoed both of them. Congress passed an act in 1891, that prohibited removal of the territorial capital but which also prohibited the construction

of a capital office building. Therefore, territorial business was conducted in rented rooms in business buildings owned by private citizens for the duration of the territorial period.

The first territorial legislative session lasted 120 days and completed the organization of county, city, and territorial governments.

TERRITORIAL GOVERNORS. During Oklahoma's territorial period, nine men served as governor. Seven were appointed as governor and two were serving as Secretary of the Territory when a governor resigned. They served as acting governor in the *interim*. Eight of the territorial



governors were Republicans.

George W. Steele served from May 22, 1890, to October 18, 1891. By his vetoes of the territorial capital bills, he alienated several legislators and found himself without the necessary support to *implement* his legislative programs. He resigned his governorship in frustration and returned to Indiana, where he continued in public service. He had served as a congressman for six years before his appointment as governor of Oklahoma Territory.

Robert Martin, Secretary of the Territory, became the acting governor until Abraham Jefferson Seay (pronounced *See*) took office on February 1, 1892. Seay was a self-educated attorney from Missouri, who had been serving as an Associate Justice of the Territory's Supreme Court.

Cowboys "chow down" after a hard day on the cattle drive in Oklahoma's No Man's Land.

Territorial Governors



G. W. Steele, 1890-1891



R. Martin, 1891



A. J. Seay, 1892-1893



C. Renfrow, 1893-1897



C. M. Barnes, 1897-1901



W. M. Jenkins, 1901



C. W. Grimes, 1901



T. B. Ferguson, 1901-1906

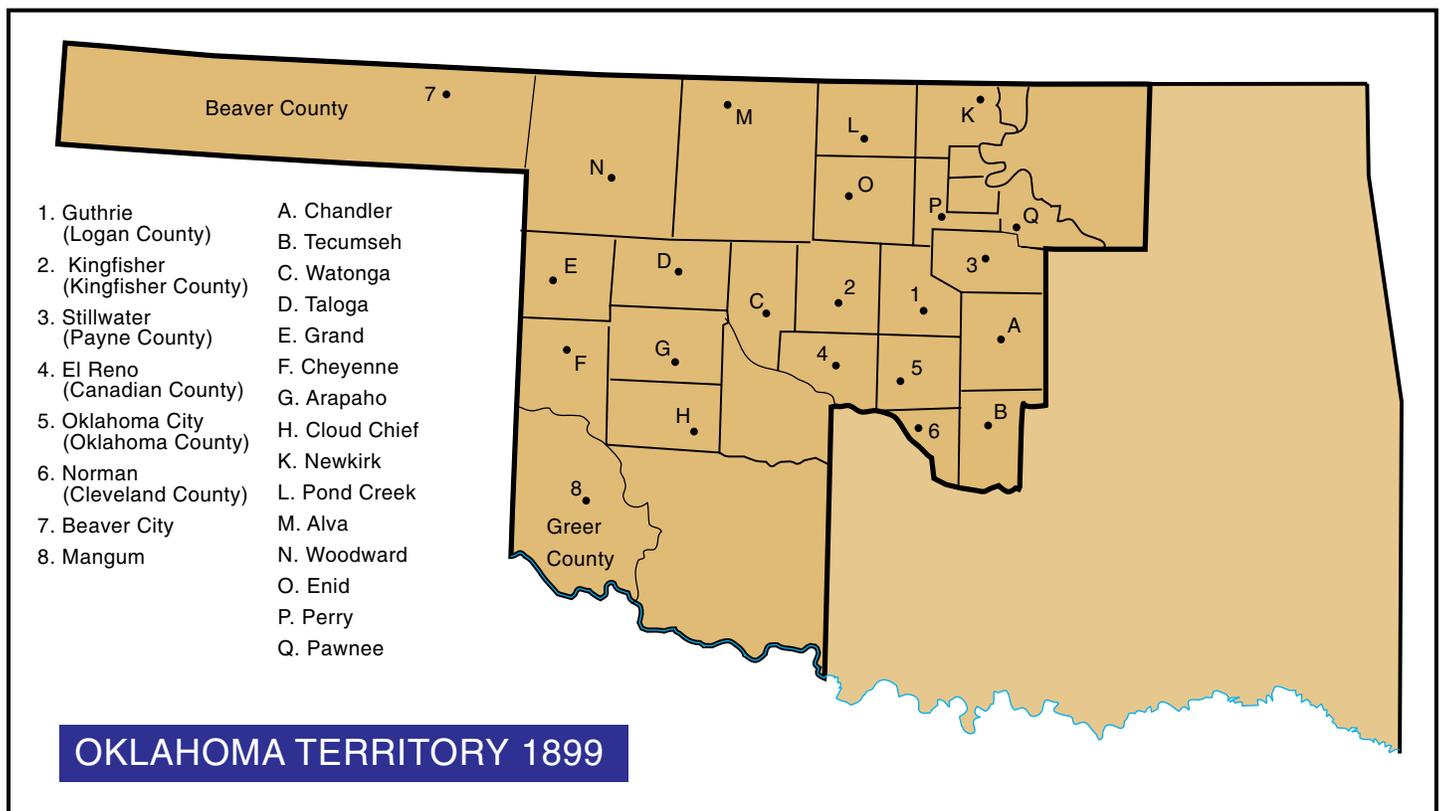


F. Frantz, 1906-1907

President Harrison appointed Seay in answer to a plea from residents for a local appointment. However, Seay had come to Oklahoma Territory only after he was appointed to its Supreme Court. He was considered an outsider by residents, some of whom called him a “*carpetbagger*.” (A “*carpetbagger*” is a dishonest politician. The name comes from the luggage of people who took advantage of the South after the Civil War.) Disagreement continued among territorial Republicans, but Seay, with permission from the President, called a second legislative session, which met in January, February, and March, 1893. Seay urged economical government, public school improvements, and statehood. His term ended in May 7, 1893.

William Cary Renfrow took office on May 7, the only Democrat among the territorial governors. A Confederate veteran and former county official in Arkansas, Renfrow was in the banking business in Norman at the time of his appointment. The Democratic governor replaced Republican officeholders with Democratic appointees, but the new regime was no less divided than the old. Despite the fact that Renfrow was from North Carolina and had served with the Southern army during the Civil War, many territorial citizens claimed that *carpetbagger* government still existed and that the only way to eliminate it was through statehood.

During Renfrow’s term as governor, bills were passed establishing





One-room schools were where children went to learn in rural Oklahoma. A single school might have several grades.

eran and former Chief Deputy United States Marshal in Arkansas, Barnes had served in the Third and Fourth Territorial Legislatures. He was appointed governor by President William McKinley.

Republican factionalism intensified while Barnes was governor. Although there were many people who felt he was a good official, at least one very active Republican group opposed his actions in office and his reappointment at the end of his term.

During Barnes's term in office, bills were passed establishing the Southwest Normal School at Weatherford and the University Preparatory School at Tonkawa. A board was created with Barnes as chairman for the leasing of *school lands* and control of the funds received from those leases.

Barnes vetoed a public building bill, which would have provided for the construction of a territorial penitentiary, schools for the deaf and blind, reform schools, and an institution for the insane. The bill also would have provided for construction of a Supreme Court building in Guthrie, which would probably have permanently *established* that city as the capital, even after statehood.

Because of pressure from territorial Republicans, Barnes was not reappointed. His term of office ended in 1901, but he remained in the terri-

the Agricultural and Normal University at Langston for blacks and the Northwestern Normal School at Alva. Another bill was passed approving care of the mentally ill at a Norman sanitarium. Renfrow's term of office ended in May, 1897, when the Republicans were again in the White House.

On May 24, 1897, Cassius McDonald Barnes became the fifth governor of Oklahoma Territory. A Union vet-

tory and later served as mayor of Guthrie.

William Miller Jenkins, appointed by President McKinley, became territorial governor on May 12, 1901. An attorney from Louisiana, Jenkins had practiced law in Arkansas City, Kansas, before making the Run into the Cherokee Outlet. He secured a homestead in Kay County and served as Secretary of the Territory from June, 1897, until he became governor.

As governor, he secured an additional 105,000 acres of school land from the Kiowa-Comanche lands before they were opened, and he developed an improved system of appraising and leasing *school lands*. However, he became controversial when he tried to remove various people from the boards and offices of schools and institutions in the territory. In October, 1901, he was charged in Washington with improper conduct. It was *alleged* that he owned stock in the sanitarium at Norman. His political friends abandoned him, and President McKinley, his main source of support, had been assassinated. Theodore Roosevelt, the new President, removed him from office in November, 1901.

William C. Grimes, Secretary of the Territory, served as acting governor until the new governor, Thompson Benton Ferguson, took over the office on December 9, 1901.

Ferguson cleaned up the method of contracting the care of the mentally ill and accepted the gift from the federal government of the Fort Supply buildings and land area. This property was to be *converted* for use as an institution for the care of the mentally ill, which would eliminate the need for the contracted care at Norman.

Ferguson had been a teacher, a Methodist minister, an editor, and an author outside the Territory. At the time of his appointment, he was publishing a newspaper at Watonga. He was the least controversial of all the governors to that time, and he was the first governor of Oklahoma Territory for whom the people urged reappointment. Washington officials had different plans, however, and Ferguson's term ended on January 13, 1906.

Frank Frantz, once a "Rough Rider" (soldier on horseback) in the Spanish-American War, was appointed by his former commander, Teddy Roosevelt, as the last territorial governor. At thirty-four, he was the youngest of the Oklahoma territorial governors. He had previously served as postmaster in Enid and as an Osage Indian agent.

At the time of Frantz's appointment, statehood was imminent, and most of his duties consisted of aiding the transformation from territory to state. His term of office ended on November 16, 1907, without a legislative session.

TERRITORIAL SCHOOLS. Legislation in 1889 provided nothing for the establishment of schools in the territory except the *reservation* of Sections 16 and 36 for “*school lands.*” *School lands* are sections of property which are set aside for the support of public schools. The government leases the lands to citizens or businesses, and the lease *revenue*

is used for the schools. About 100,000 acres were set aside in the Unassigned Lands for this purpose. *School lands* could not be sold by the government but had to be maintained until statehood.

Early settlers *established* schools by “*subscription,*” this meant that “subscribers,” usually parents, paid in order to send their children to



The first rural school building in Oklahoma was located 10 miles southwest of Stillwater. Construction was completed on October 15, 1889.

school. The Organic Act of 1890 gave \$50,000 for the temporary support of public schools, and the Territorial Legislature *established* a public school system on Christmas Day of that year. District schools were to be *established* under county superintendents, and city schools under city superintendents.

When the Osage, Ponca, and Oto-Missouri lands were divided into *allotments*, there was no land remaining and no *school lands* were set aside. To compensate for this, areas were selected in the Kickapoo territory and in Woodward County and were called “*indemnity* lands.” Some *indemnity* lands were substituted for the sections originally set aside for *school lands* in the Cherokee Outlet, the Kiowa-Comanche country, and

the Wichita territory.

In addition to *school lands*, Sections 13 and 33 were set aside in the openings of the Cherokee Outlet and the Kiowa-Comanche and Wichita lands. These were for *endowments* for higher education and for *revenue* with which to pay for the construction of public buildings.

All these lands were leased and controlled by the School-Land Board, which consisted of the governor, the Secretary of the Territory, and the territorial Superintendent of Schools. The business of the board became voluminous and the sums it handled were large. In 1898, provisions were made for hiring a secretary and several other employees, and a department was created for handling the business of the School-Land Board.

DISCUSSION QUESTIONS

1. Trace the status of “No Man’s Land” from the time that Indian tribes were removed to Indian Territory to the time of statehood.

2. (a) Explain how *provisional* governments work and why they are not completely effective. (b) How does government by the consent of the people in the operation of Oklahoma Territory’s *provisional* government compare with government by consent of the people in the present United States?

3. Compare and contrast the nine territorial governors and their accomplishments.

4. How did the Organic Act of May 2, 1906, affect Oklahoma?

5. What is another name for the Public Land Strip and where was it located?

6. How did the settlers in the Public Land Strip protect themselves from outlaws?

7. What are “*school lands*?”