

RECOLLECTIONS OF APRIL 22, 1889.

By Frank J. Best.

Looking back to that bright, sunshiny, moderately warm, slightly windy day in April, 1889, the day of the opening for settlement of Oklahoma, I am amazed that I only partially realized how great a privilege was mine, that I was to view this historic event from the inside. To me then it seemed only an over publicized passing event, and not, perhaps, the most momentous day of my life.

I was in the employ of the Santa Fe Railway, and had been transferred from their service in Topeka, Kansas to Guthrie more than a week before the date of the opening. The freight shipments were pouring in with such volume that neither the facilities nor the working force could handle it, and in a short time a blockade resulted, and shipments for Oklahoma stations, congested all sidetracks from Wichita, Kansas to Gainesville, Texas. This condition obtained for more than two months. Food, stocks of merchandise to establish stores, and building material were sorted out, and brought in preference. This was my first experience in "priority." We were not able to secure newspapers nor did we have time to read, if we could secure them, so we were somewhat in the dark as to what was transpiring on the outside, though passing trainmen, told us of the massing of homeseekers along the border.

Until the morning of the opening, we were somewhat lonesome, only the bare prairie to be seen, other than a photographer's tent and the Santa Fe employees. Carpenters were building the depot building and men were building sidetracks, nearly all of the latter were termed "Bohunks," southern European emigrants, who did not speak or understand our language.

Early on the morning of the opening day, there appeared to be considerable activity in what is now the business part of the townsite, about 100 men were on the ground, and the number grew until it looked like about 300 before the legal opening hour, high noon. These men were what was later given the status of being "sooners."

Out of curiosity, I walked up to where the crowds were. While they were scattered over a wide space, yet there were three or four men standing in the rear ends of wagons used for platforms, who had groups about them approvingly listening. There was little difference in these talks. Their argument seemed to agree that this was already Government land, subject to entry, therefore the general land laws were applicable, and that it needed no act of Congress to open it for entry, and the proclamation was not necessary, and no set time for the opening needed. That each of the listeners were within their legal rights by being on the townsite or farms, and were advised to go get them. A question was raised as to what

size a "town-lot" was? Some thought a 50 feet front, some 100, and some thought they should have a business lot, also an ample residence lot. Stakes were being driven, strings tied to stakes to mark the boundaries, and the presumed owner spread out his meager personal effects, and mentally braced himself for the rush that was coming.

While I went among them as a curious onlooker, but after listening to the talks, I thought perhaps they "have got something there," so I joined the lot grabbers. I found I had waited until the "grabbing" was poor, as everything at all desirable was already taken, it was necessary, even before the opening hour, to go completely outside the business part. The lot was "down the hill" with a depression through it.

Before the noon hour, I was back at my work.

The first passenger train that came into Guthrie after the noon hour was a train from the south. The coaches were either empty or were carrying only one or two persons, the trainmen stated they had dropped off "all along."

Shortly after two o'clock trains from the north began to arrive. They were much behind schedule, the reason being that men were jumping off continuously, necessitating running slow to avoid injuring them. To watch them approach, being plainly visible for more than two miles, the homeseekers could be seen to throw off their personal effects, then to jump off. A small cloud of dust was created by the sprawling landing, from which would quickly emerge the man running his best, going for a claim and a hoped for future home. All too many of them found each claim taken, not only by one man, but usually from two to a half dozen. Those who could get no land drifted into the towns so that by nightfall the town had a population of vigorous citizens, though there was only the bare land. They had the population, nothing else, not even food or water, except such as they may have brought with them.

When the noon hour arrived, from the timber along the streams emerged hundreds of horsemen, wagons, buggies and others on foot, going pell-mell in all directions. I had been within a few hundred yards of them, but the trees and bushes so concealed them that I was much surprised indeed. Years of litigation grew out of the contests, though many of them sold their "rights" to each other, especially after the courts handed out severe penalties for any proved perjured testimony.

Very few, if any of those entering illegally, won out advantageously, for it was necessary to prove where they were on and prior to the opening date.

For my own town lot adventure, the final outcome netted me exactly nothing.

After sleeping on the lot at nights for a week, sleeping as much as a person could without any covers in frosty night air, a man told me he knew I did not make the legal run, that he intended jumping the lot, but rather than have a controversy, he would pay me thirty dollars for my alleged rights, the deal was consummated, most satisfactory for both of us. When the survey was made, establishing streets, this plot of ground was in the street, so he lost it. A man named Ragsdale had started a bank with no legal standing at all. I deposited my thirty dollars; Ragsdale, the bank money and my thirty dollars left town without a forwarding address. Thus was the cycle completed.

Just before noon hour, the opening day, a man dressed in a blue Civil War uniform, rode up to me, asking my name, and where he could find me. He told me he had served 4 years for the U. S. A. in that war, that he was entitled to land, and was here to get it. He pointed to a nice claim adjoining the townsite to the south, and asked me if I would not watch him go on it, which I did. Dismounting, he began driving stakes and digging for foundation.

Every day for a week thereafter he hunted me up, and was most cordial, and refreshed my memory as to seeing him enter the land. I asked him if he did not have contestants. He advised he had none. Knowing there were two to a dozen contestants reported as being on similar situated claims, I thought it somewhat strange. He was most friendly. About a week after the entry, I met him in one of the narrow paths leading uptown. He looked me squarely in the face as we met, and although I was smiling and spoke to him, he did not show the least sign of recognition, and passed on. I turned and called to him, thinking he did not recognize me, being away from my usual location. He turned, still a cold stare at me. I asked how he was making it on his claim. He said but two words, "D—ed School-land," and passed on his way, passed out of my life. He had found it was reserved school land, not open for entry, dashing his hopes. Thus ended what had had the promise of a beautiful friendship.

The act of Congress, passed in the very last days of the Cleveland administration and vitalized by proclamation in the first few days of President Benjamin Harrison's administration, contained the bare authorization. Except fixing the day of the opening, and providing settlers must not enter the boundaries prior to that time, and reserving for townsites certain lands for several towns, no other vital or necessary provision was provided. Not a single law was applicable, either civil or criminal, except the Federal laws, and they only covered such cases as prohibition of liquor under the Indian Territory provisions, and on such criminal cases as were committed on land reserved in the Federal Government's name, such as the acre space reserved for land offices, and a few other minor reserved spaces. There was no law provided for settlement and setting up

townsite government, no provision for streets, nor for dividing the space in lots, no way ownership could be established, no way to get deeds, no way a person holding a lot could show rights or get legal protection, no way to legally arrest for criminal acts ranging from theft to murder, except such as were committed against the Federal Government or on its small reservations, no sanitary or health arrangements, no provision for food, water and ordinary requirements, and no places that they could be obtained. It is true, that a stream of water was near, but it was bitter with salt, alkali and was red muddy. Those coming by train had little or no provisions, and the wagons arriving next day with provisions for themselves, were soon cleaned out, if they could spare it at all.

The principal towns had from 5,000 to 20,000 people within 24 hours, and not a toilet facility and on the open prairie. It has been to me a wonder that we were so fortunate as to escape an epidemic of typhoid or such diseases. Here was a general condition, not only for hardships, but that legally unrestrained people might take advantage of to the detriment of others. It tested their citizenship and love for the right.

Left to their own resources, the American democracy and love of self government, in just a day or two, the leaders among them came together and formed an organization. Not a single law backing them, the citizens gathered, and elected officers, speeches were made assuring these officers loyal support. A survey of the town was made, streets and alleys were established, blocks and lots provided for. Here was the real test, for in opening the streets and changing the boundaries of the blocks and lots, deprived very many of their lots, or threw several on the same lot, and at times the protests were more than verbal, requiring force in making the changes and removing the claimants. A board of three was appointed to hear testimony and to establish the rightful owner of lots, and to issue them a certificate in lieu of a deed. There was no law authorizing such actions but the board acted as best it could, and its decisions seemed fairly satisfactory. A year or more later, when laws were made, these unauthorized certificates, were considered as prima facie evidence of ownership, and deeds were issued to those where no contest existed.

In cases of contest, new hearings were held, but the work of the original board had been done well, and practically all holding certificates got deeds. There were no laws to provide for taxation or to pay any expenses or for the most needed maintenance and upkeep. By the same common consent, satisfactory provisions were made, and order was established with the minimum of friction. Here was a large collection of settlers, almost everyone strangers to each other, coming together and establishing a working arrangement for the common good, and doing a splendid job of it.

Historically, Oklahoma is young; very many living today witnessed those stirring times, yet apparently much has been written, probably to touch up the story glamorously. That is wrong and some of it really defames those sterling homeseekers. This has been augmented by many delegations visiting conventions, and by our own parades, dressed in fantastic costumes that allege to represent these early settlers, also that they were a lot of drinking, gun-toting, tough outfits. These are not a fair representation of facts or conditions. They are glamorous but not historical or representative.

There were no cattle and no cow-boys within miles of that part of Oklahoma. People were dressed just the same as those found today on our streets or about their shops or farms, except a small change in styles. No one carried a revolver, at least, not exposed. There were no saloons for at least 15 months after the opening. The new country came under the Federal Indian laws, and absolute prohibition existed, and a large force of U. S. marshals and deputies saw it was enforced. It was about the only law they had, and their main source of revenue, so it was rigidly enforced. On the whole, there was absolutely no saloon or liquor sales, and no drunkenness. The writers who have described church services as being held in saloons, or that boards for seats at church were supported by beer kegs, the pulpit being a liquor barrel, wholly are a disregard for facts. Yet these statements are fast becoming to be accepted as representative.

These early settlers were homeseekers in the truest type. They were looking for, hoping for a home and land to provide them a living. They were peaceful, and as well behaved as any assembly that we have today.

It is true there was sharp competition as always exists where the prizes to be won were so great as these lands. There were isolated cases of friction among those contesting for the same land, but in the early days this was slight. Much bitterness did exist a year or more later when these contests came up for adjudication, but these are not a part of the opening story.

Certain harmless friction has grown up around certain watches, that are contended to be the watch that governed the exact time the run was started, or that a certain revolver is the one discharged to announce that time. When one considers that the boundary around these lands to be opened ran for more than two hundred miles, and that no watch or revolver could possibly govern over one mile, and that while these articles might be considered historical for that limited space, there are probably two hundred of them which with equal justice could be claimed as being thus historical.