

NOTES AND DOCUMENTS

BIBLIOGRAPHY OF GEORGE E. FOSTER'S PUBLISHED WORKS ON THE
CHEROKEE, IN THE J. B. MILAM HISTORICAL COLLECTION

A bibliography of the published works of George E. Foster, one of the early popular writers on Indian history in Oklahoma, is found in a leaflet in the historical collection owned by J. Bartley Milam, Principal Chief of the Cherokee Nation and a member of the Board of Directors of the Oklahoma Historical Society. Mr. Milam's collection is one of the most complete and finest on the history of the Cherokee, in this country, his interest in the history of Oklahoma and, particularly, in that of the Cherokee Nation, having continued over a long period of years. His collection assembled in his library at Claremore contains up into the thousands of both modern and rare out-of-print volumes on Cherokee history, some magazine articles (original prints) dating back to publication in England in the 1750's. The leaflet titled "Literary Introduction" is especially interesting to Oklahomans, in that it presents a resume of the works of George E. Foster, writer and lecturer, who did much in publicizing the Indian Territory in the 1880's, pointing to the development and advancement of the Cherokee people.

George Everett Foster was born on August 27, 1849, in Milford, New Hampshire, the son of John Everett and Sophie Phelps (Farley) Foster. He was educated at Milford High School, New London Literary and Scientific Institution, and Cornell University. A visitor to the Indian Territory and well known in the field of journalism, Mr. Foster worked on the staff of a number of newspapers, conducted a weekly newspaper in New Hampshire for about thirteen years, and managed a publishing house in Ithaca, New York. He was the writer of articles on Indian life and history in well-known newspapers and magazines, including *Frank Leslie's Illustrated Weekly*, *Magazine of American History*, *Frank Leslie's Popular Monthly*, *Woman's Magazine*, and *Century*. His published books included: *Se-quo-yah*, *The American Cadmus and Modern Moses* (Philadelphia, 1885); *Literature of the Cherokees: Also Bibliography and Story of their Genesis* (Ithaca, N. Y.). The "Literary Introduction" in the Milam Historical Collection gives many other titles of his writings, published and in preparation.

His wife was Mary Lord Burritt, the daughter of the Reverend Charles David and Jerusha Webster (Lord) Burritt, of Skaneateles, New York. From her interest in literature, art, and music, Mrs. Foster gave much in assisting in her husband's work. She died in 1932, at Muscotah, Kansas, in the home of their son, the Reverend Jesse W. Foster. George Everett Foster died on April 23, 1917, and was buried in East Hampton Cemetery, Hampton, Virginia, where he and his wife had made their home during his last years.

LITERARY INTRODUCTION.

GEORGE E. FOSTER, ITHACA, N. Y.

[P. O. Box 822.]

PUBLISHED WORKS.

SE-QUO-YAH, THE AMERICAN CADMUS AND MODERN MOSES. Illustrated. 12mo.; pp 262. Philadelphia, 1885. Price \$1.50.
LITERATURE OF THE CHEROKEES; ALSO BIBLIOGRAPHY AND STORY OF THEIR GENESIS. 12mo., Cloth; pp. 110. Ithaca, N. Y. Price \$1.00.

In preparation : } History of Indian Territory.
 } John Ridge; a Cherokee Romance.
 } The Convention of the Flowers.

EDITORIAL.

Reporter of Binghamton (N. Y.) *Times*. 1872-3.
Founder and Editor of : } Milford (N. H.) *Enterprise*. 1874-87.
 } Wilton (N. H.) *Journal*. 1875-87.
Editorial Staff of *Daily Journal*, Ithaca, N. Y. 1887-88.
City and News Editor of *Democrat*, Ithaca, N. Y. 1889-9-

SPECIAL CORRESPONDENT

Boston (Mass.) *Daily Herald*. 1875-77.
Boston *Daily Globe*. 1885-87.
New York *Tribune*. 1888-90.
New York *Times*. 1890-91-
Chicago *Times*. 1891-
Chicago *Mail*. 1891-

SERIAL STORY

NED, THE FARMER BOY. Ithaca *Democrat*. 1889.

Boston Evening Transcript Specials :—

Education Among the Cherokees. 1888.
Education Among the Arapahoes. 1888.
A Story of the Cherokees. July 23 and 25, 1889.

Frank Leslie's Illustrated Weekly :—

A Contrast. Illustrated. 1887. "Indian Progress."
A Zigzag Journey through the Indian Territory. (Illustrated with original lead pencil sketches.) Aug. 11, 1888.

Frank Leslie's Popular Monthly :—

Among the Cherokees. Illustrated. Feb., 1888.
Fishing Party in the Creek Nation. May, 1889.
Pottawatomie Traditions of Gen. W. H. Harrison. May, 1890.

Magazine of American History :—

Journalism Among the Cherokees. July, 1887

Woman's Magazine :—

A Rose of Long Ago. 1885.
Origin of First Cherokee Hymn. 1885.
Our Cherokee Sister. 1886.
About Women, by a Man. Oct., 1886.
About Women, by a Man. Nov., 1886.
Through the Cherokee Nation. 1888.
Robt. B. Thomas and his Almanac. 1888.

The Century :—

The Cherokee Emancipation Proclamation. Open Letter 1888.

Souvenir of Journalism :—

Infelicities of Rural Journalism. Illustrated. 1886.

Leaflet from the Historical Collection of
Hon. J. B. Milam, Claremore, Oklahoma.

VALUABLE MANUSCRIPTS ON OKLAHOMA INDIAN HISTORY IN THE
BUREAU OF CATHOLIC INDIAN MISSIONS, WASHINGTON, D. C.

The following report to *The Chronicles*, from Doctor B. B. Chapman, Associate Professor of History, Oklahoma A. and M. College, who is on sabbatical leave to do research in Washington, D.C., will be of special interest to researchers in the field of Oklahoma Indian history:

Valuable, unused manuscripts on the history of the St. Louis School at Pawhuska, and the St. John's School at Hominy Creek are in the Bureau of Catholic Indian Missions, 2021 H. Street, N. W., Washington, D. C. These manuscripts are letters and reports made by persons connected with the schools. Their chief value is in showing problems of the early schools.

The manuscripts are in substantial cases and are well housed. The following periods and letters therefor are illustrative: 1865-74, 40 letters; 1885-86, 6 letters; 1887-88, 100 letters; 1890-91, 80 letters, 1891-93, 25 letters. The period for 1875-84 contains some material dealing with the administration of Agent Laban J. Miles, as well as with the schools. For 1890 there are about 40 letters dealing with the Sacred Heart School, and a half dozen dealing with the St. Elizabeth's School.

While these manuscripts are somewhat scanty, there are bits of interesting information. For instance, in 1890 one school was farming 50 acres. The papers are of sufficient importance to merit the attention of any searcher doing extensive work on the history of Catholic missions in Oklahoma.

These manuscripts are not public property. They should not, and will not, be available to persons who have not demonstrated an intense interest in the subject, as well as proficiency and honesty in research. With supplementary material available, a master's thesis could be written on the history of the St. Louis and St. John's Schools, or perhaps there is sufficient material for a thesis on one school. There is always the possibility of having records of this kind microfilmed, when owners are sufficiently assured that efficient and proper use will be made of them.

—B. B. Chapman.

ORIGINAL LETTER WRITTEN BY THE "LOST CAPTAIN"
OF OLD FORT GIBSON

The original of what is the second oldest letter now known, postmarked within the boundaries of Oklahoma, was written by J. L. Dawson, Assistant Quartermaster, at Cantonment Gibson, "Arkansas Territory," on November 1, 1828, addressed to Brig.-General Thomas S. Jesup, Quartermaster General, Washington City. The postmark of this letter was written and dated November 5, 1828. The romantic story of J. L. Dawson, titled "The Lost Captain," by Dr. James H. Gardner, appeared in *The Chronicles of Oklahoma*, Vol. XXI, No. 3 (September, 1943), pp. 217-49. This rare, original letter from the collection of Dr. Carroll Chase is as follows:

Cant Gibson, A. T.
1st Nov. 1828

Sir.

The influence of this climate has so much impaired the state of my health during the last year, that a temporary removal to a more northern position is indispensably necessary for its restoration. My liver has been for a considerable length of time, very much inflamed and as I have been recommended to visit the North in the course of the ensuing year, as the means best calculated to produce a salutary change in its action, I will be very thankful if the interests of the Dept. will admit of my being furloughed for 6 months, commencing on the 1st April next.

The duties connected with my office at this Post, will be very limited in the next year as the Cant. is now very nearly as complete as it is proposed to make it, and if in your view of the subject my absence for a short period will not be attended with injury to the service in this quarter, I should be much pleased to receive from you the favor now solicited.

I have the Honor to be Sir
very respectfully
Your obt. Servt.
J. L. Dawson
Afst. QrMr
U.S.A.

To (s)
Brigd.Genl.Th.S.Jesup
QrMr General
Washington City

“SENATORIAL DIRECT ELECTION COMMISSION OF THE
STATE OF OKLAHOMA”

The move to secure an amendment to the Constitution of the United States to provide for the direct election of United States Senators by the vote of the people was given immediate attention by the State Legislature after the admission of Oklahoma on November 16, 1907. Soon after the First State Legislature convened at Guthrie on December 2, 1907, State Senator William D. Franklin of District 26 (Love and Marshall counties) introduced a joint resolution providing for the appointment of a legislative commission of eight members, to be known as the “Senatorial Direct Election Commission of the State of Oklahoma,” to urge Congress to call a convention of the States for the purpose of proposing amendments to the Constitution of the United States. The resolution further provided that the State of Oklahoma in this convention should propose particularly an amendment for the direct election of United States Senators. In his “Twenty-Second Special Message” to the Legislature, dated January 6, 1908, Governor Charles N. Haskell stated (*House Journal*, 1st State Legislature, p. 81):

Election of Senators.—The joint resolution introduced by Senator Franklin, with certain amendments, which he has submitted, is in my judgment the only practical way likely to lead to an amendment to the Constitution of the United States, authorizing the election of United States Senators by direct vote of the people of the State, the same as we elect the Governor and other State officials.

I sincerely hope that you will pass Senator Franklin's amended joint resolution as the earliest possible date. . . .

The resolution passed by the Legislature and approved on January 9, 1908 (Oklahoma *Session Laws*, 1907-1908, pp. 776-78) was as follows:

J. R. No. 9

RELATING TO THE CALLING OF A CONVENTION OF THE STATES TO PROPOSE AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR THE ELECTION OF UNITED STATES SENATORS BY THE DIRECT VOTE OF THE PEOPLE, AND FOR OTHER PURPOSES, AND PROVIDING FOR THE APPOINTMENT OF A SENATORIAL DIRECT ELECTION COMMISSION OF THE STATE OF OKLAHOMA.

Whereas, a large number of state legislatures have, at various times, adopted memorials and resolutions in favor of the election of United States Senators by direct vote of the people of the respective States; and

Whereas, the National House of Representatives has, on several different occasions, in recent years, adopted resolutions in favor of the proposed change in the method of electing United States Senators, which were not adopted by the Senate, therefore,

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIONS OF the State of Oklahoma

Section 1. That the Legislature of the State of Oklahoma, in accordance with the provisions of Article V. of the Constitution of the United States, desires to join with other States of the Union to respectfully request that a convention of the several States be called for the purpose of proposing amendments to the Constitution of the United States, and hereby apply to and request the Congress of the United States to call such Convention, and to provide for submitting to the several states the amendments so proposed for ratification by the legislatures thereof, or by convention therein, as one or the other mode of ratification may be proposed by Congress.

Sec. 2. That at said convention the State of Oklahoma will propose among other amendments, that section 3 of article 1 of the Constitution of the United States shall be amended to read as follows:

"The Senate of the United States shall be composed of two senators from each state, chosen by the electors thereof, as the governor is chosen for six years; and each senator shall have one vote. They shall be divided as equally as may be into three classes, so that one third may be chosen every second year; and if vacancies happen by resignation or otherwise the governor may make temporary appointments until the next regular election in such state. No person shall be a Senator who shall not have attained the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an elector of the state for which he shall be chosen. The vice president of the United States shall be President of the Senate, but shall have no vote unless they be equally divided. The Senate shall choose their own officers, and also a president pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States."

Sec. 3. A legislative commission is hereby created to be composed of the Governor, and eight members, to be appointed by him, not more than four of whom shall belong to the same political party, to be known as the Senatorial Direct Election Commission of the State of Oklahoma. It shall be the duty of said Legislative Commission to urge action by the legislatures of the several states and by the Congress of the United States

to the end that a Convention may be called as provided in section one hereof. The members of said commission shall receive no compensation.

Sec. 4. That the Governor of the State of Oklahoma is hereby directed forthwith to transmit certified copies of this joint resolution and application to both House of the United States Congress to the Governor of each state in the Union, and to each of our Representatives and Senators in Congress.

Approved January 9, 1908.

On January 11, Governor Haskell appointed the following members to the newly created Senatorial Direct Election Commission: C. B. Douglas, Muskogee; Thomas H. Doyle, Perry; Jno. Threadgill, Oklahoma City; George H. Evans, Chickasha; Thompson B. Ferguson, Watonga; Jesse J. Dunn, Alva; D. L. Sleeper, Tulsa; J. J. Quarles, Fairfax. Governor Haskell was elected Chairman, and Thomas H. Doyle, Vice-President, of the Commission (later, William H. Murray served as a member). With this move, Oklahoma was in the van for election of United States senators by direct vote, Judge Doyle leading out in the work that finally resulted in the ratification of the 17th Amendment to the Constitution of the United States, certified by the Secretary of State at Washington on May 13, 1913.

The first duty of the First State Legislature after its organization in 1907 had been the election of the two United States senators from Oklahoma. Since Robert L. Owen, a citizen of the Cherokee Nation, and Thomas P. Gore, of Lawton, had been chosen as the nominees of the Democratic Party in the state primary election, they were duly elected as Oklahoma's first United States senators by the First State Legislature in which the Democratic members were in the majority.

Oklahoma was admitted in 1907, the odd numbered year, and the regular election followed the next summer, 1908. For this reason, the first terms for United States Senator were of unequal length. The "long term" would expire on March 3, 1913; the "short term," on March 3, 1909. To decide which of the two senators should hold these terms, lots were drawn. Senator Gore had the "short term," and was re-elected by the Second State Legislature for the term 1909-15. In the election of 1914, the people of Oklahoma voted for United States Senator for the first time under the 17th Amendment. Senator Gore was again the Democratic nominee and was elected for his third term (1915-21), the first Senator from Oklahoma elected by direct vote of the people. He was elected for his fourth term (1931-37) as the Democratic nominee in 1930. Senator Robert L. Owen drew the lot for the "long term" in 1907. He was re-elected as the Democratic nominee by the Fourth State Legislature in 1913, for the six year term as Senator from Oklahoma, ending March 3, 1919. In 1918, he was again the Democratic nominee and was elected by direct vote for his third term as United States Senator (1919-25).
(M.H.W.)

LIFE OF JUDGE ROBERT LEE WILLIAMS, 1868-1948

By special request of Doctor Fred S. Clinton, of Tulsa, the following factual statement on the life of Judge Robert Lee Williams is presented here:

Born at Brundridge, Ala., Dec. 20, 1868; son of Jonathan and Sarah Julia (Paul) Williams; M.A. Southern University Alabama, (now Birmingham Southern College, Greensboro, Ala.) 1894, L.L.D., 1913; L.L.D., Tulsa University, 1934; Admitted to the bar, 1894. Began practice in Troy, Ala.; went to Atoka, I.T. 1896 and six months later to Durant. City Attorney, Durant 1899; member Ind. Ter. Democratic Comm. 1902-04; Dem. Nat. Comm. 1904-08; member Oklahoma Constitutional Convention 1906-07; Chief Justice Supreme Court of Okla. 1907-08; reelected for term 1909-15; resigned March 10, 1914; Governor of Oklahoma, term 1915-19. U. S. Judge Eastern District of Okla. 1919-1937; became U.S. Circuit Judge Tenth Circuit, April 26, 1937; retired March 31, 1939, but continued to serve. Member, a director and President of the Oklahoma Historical Society; the American Bar Association, Alpha Tau Omega (Ala. Beta Beta Chapter). He was unmarried, a Methodist, a 32 degree Mason, and author of *Constitution and Enabling Act of Oklahoma, Annotated*.¹ (Died April 10, 1948. Interment Highland Park Cemetery, Durant, Oklahoma.)

The Oklahoma Capitol Building, the University Hospital, and the Historical Building each will serve as a living monument and lasting memorial to Judge Williams' rugged honesty and perseverance. He had the valuable aid and cooperation of Mr. Edward P. Boyd of the staff of Supervising Architect of the U.S. Treasury, as superintendent of construction of the Capitol.² The Judge was instrumental in planning and securing the locations and funds to build the University Hospital³ and Historical Building.

Oklahoma has lost a most distinguished and useful citizen; an able jurist and a learned and fearless judge.

—Fred S. Clinton, M.D., F.A.C.S.

¹ *Who's Who in America*, 1940-41 (Chicago: The A.N. Marquis Company), p. 2779.

² *Oklahoma: A History of the State and Its People* by Joseph B. Thoburn and Muriel H. Wright (New York: Lewis Historical Publishing Company, Inc., 1929), Vol. II, pp. 654-59.

³ "University of Oklahoma Medical School Crisis Averted" by Fred S. Clinton, M.D., F.A.C.S., *The Chronicles of Oklahoma*, Vol. XXV, No. 4 (Winter, 1947-48), p. 342.