

## UNCLE SAM'S HORSE-RACE FOR LAND: THE OPENING OF THE "CHEROKEE STRIP"

By J. S. Wade\*

Yes, I was there! I saw it! It was nearly sixty-three years ago, and I was then a lad of only thirteen years. But the memory of it is like that of yesterday. It stands out over the years, from the perspective of a long life-time, as the most intensely dramatic single happening in real life that I have ever witnessed.

The *event* was the opening to settlement of the Cherokee "Strip." It was one of those remarkable actions which the conditions in no other country in the world make possible—the migration of a huge population on a given day into a wild and hitherto unsettled district.

The *Place* was at the border line between the State of Kansas and the old Indian Territory, now Oklahoma Territory, and was some two and a half miles directly south of the once frontier town of Caldwell, Sumner County, Kansas.

The *Time* was high noon, September 16th, 1893. It was an hour that had been anticipated, with varying emotions of hope and promise, by countless thousands—their rush for settlement being far greater because our country in 1893 was at the depth of one of the very worst depressions it had ever known.

The *background* was that this was almost the last remaining of the large blocks of government land in the United States. One after another, blocks of land in other parts of the country acquired by the Government in previous years had been opened to the public for homestead settlement, the Indian tribes that had formerly occupied them having been removed to other and generally smaller reservations. There were many openings of such lands to homestead settlement in Oklahoma, beginning with the run into the Un-

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assigned Lands in 1889, yet the largest tract of all in Oklahoma Territory was the six and a half million acres popularly known as the "Cherokee Strip," ceded to the Government out of the old Cherokee hunting "Outlet." This great tract, with the Tonkawa and the Pawnee reservations adjoining, lay south of the south border of Kansas and west of the Osage Reservation. Presidential proclamation gave notice of the date of the opening of the Cherokee Strip and the Tonkawa and Pawnee lands several weeks before the time, and great masses of people—farmers, speculators, adventurers including women—gathered on the border all that summer, some from far distant places, to await the moment of admission for a possible land claim. So, this "run" for farms and town lots became one of the most dramatized episodes in the history of the West.

On that day, from very early in the morning, nearly all the forenoon had been spent by our party in making the drive by spring wagon and two horse team, from our farm homes located between the towns of Wellington and Mayfield, to Caldwell. We had proceeded as rapidly as conditions permitted down the road, much of which had been part of the old Chisholm Trail, a distance due south of some twenty-two miles. Our party consisted of my older brother, two of our neighbors, and myself. Our objective was not to participate in the race, but merely to act as spectators. It was nearing noon by the time we had arrived, watered our team, and had found not far behind the border line a suitable location for observation. Once there, we remained seated in our spring wagon and looked with greatest interest at the strange scene about us.

All along the line in front and on each side of us was an almost solid mass of people that stretched as far as we could see both to right and to left. It was indeed a cosmopolitan assemblage of widely varying types, and almost all ages of humanity appeared to be represented. There were tiny children peeping in wonder from behind the partly raised coverings of the prairie schooners; there were those in the prime of life, and there were those in advancing years. Quite a number of the men were armed, either with one or more revolvers in their belts or with Winchester rifles or double barrel shot guns. There were a few in the colorful costumes of the old West. Almost every kind of conveyance of that time appeared to be represented, horse-back riders, covered wagons, surries, buckboards, go-carts, and even a few bicycles. Perhaps the majority were on horse-back, and perhaps the next in number were the covered wagons. Away to our right, there was waiting a single train on the track of the Chicago, Rock Island and Pacific Railroad having forty two cattle cars, and we could see that the open doors and the tops of all cars were crowded solidly with human freight. Men could be observed hanging feverishly by every available hold. The day was clear and hot, and there was a south breeze.

Either through design or accident some one a few days before had permitted a fire to run through the dry grass over several miles of the nearby prairie south of the Caldwell area, and the ashes were being taken up by the wind and turned into a fine black dust that blew indiscriminately over everything and everybody, and added considerably to our discomfort.

As we looked about us, we could appreciate the correctness of the rumors that had reached our farm homes in past months that the once wild cattle town of Caldwell was living again for a little while a life that was almost a return to the hectic days of the 1870's. Then it had been the tough "Border Queen" of the old Chisholm Trail, with its lore of armed cowboys in high boots tramping up and down Caldwell's main street amid the hoof clatter of restless animals. Some of the deep ruts along the old Chisholm Trail, formed years before by the feet of the estimated five to six million weary cattle on the northward march from the Red River country of Texas to Abilene, Kansas, now again were being marked and deepened by endless processions of south bound, slow moving prairie schooners. So long had the old Chisholm Trail been used that a great body of tradition already had grown up around it, and there was a hot controversy, after trail driving had become history, as to the exact route of its wide-spread rutted paths still visible in places here and there, and as to the identity of the men for whom it should have been named. Yes, for a few months that summer of 1893 the pages of history were indeed being turned back for Father Time along the Chisholm Trail. In the town of Caldwell, there before our eyes were conditions not greatly unlike the rowdy gunsmoke days so vividly depicted today by our writers of "Westerns."

At all events there were gathered along the borders of the "Strip" on that memorable day no less than two hundred thousand men and women. Some had waited in or near other small towns near the border. but perhaps most were living in their wagons or camps nearby. Long before the 16th, the day legally fixed for admission into the new lands, some of these people and their neighbors had suffered severely. They had found it difficult to get food, and water was scarce; robbers and ruffians had mixed with the temporary settlements, and some few, in sheer desperation, had tried to force their way into the new area ahead of time. Such people, termed "sooners," had been removed by United States soldiers. On the whole, sensational in background and in action, the situation as we viewed it around us was one that would have fairly outrivaled in effect, had it been possible, some of the most picturesque of the modern melodramas of the West.

As the hour of noon drew near, the suspense took on an intensity that was almost breath-taking. Then came the supreme moment.

At 12 o'clock sharp, blue coated U. S. Calvarymen galloped along the line and discharged revolvers into the air—the pre-arranged signal. Puffs of smoke from these weapons carried the signal to those who could see but were located beyond earshot, and pandemonium began. With shouts and wild cries the long line plunged ahead, and the "Government horse-race" was on. The faster horses soon gained the lead, then came wagons, buck-boards, and all the rest, making increased speed through the choking clouds of dust mingled with black ashes. All sorts of mis-haps and accidents took place before our eyes, running animals stumbled into prairie-dog holes and threw riders over their heads, and some times broke the animal's legs, vehicles broke down or passengers fell or jumped from their conveyances. The eager shouting land-seekers on the slow moving special train dropped off impatiently one by one and rushed on afoot. But the mass of humanity moved relentlessly onward, only a few making stops here and there to stake down claims on the land over which they were going. Most pressed ahead for Pond Creek or beyond. The accepted procedure had been made clear beforehand to the public. Once the homeseeker located a tract of land to his liking, he was to drive down a stake as evidence of possession, and then to hold the land as best he could against other claimants. Thus all were trying to outstrip their fellows in the scramble for claims.

It was a matter of only a few minutes after the go-signal that we were left behind comparatively alone, and the throngs that only a short time before had been teeming around us were farther and farther away to the south, and were becoming smaller and smaller before our eyes, and there remained only the more slowly moving covered wagons and other like heavier equipment. Only a few stragglers were bringing up the rear, or like ourselves were deliberately remaining behind, not participating at all in the race.

Presently, after the dust had somewhat settled and the greater number of the people had rushed onward, we, too, drove slowly over the boundary line into the new land, and proceeded slowly in the rear of the crowd for some five or six miles before turning back. During all this time we were viewing with intense interest and commenting to each other about the spectacle taking place there before our eyes. We could not understand why so few people stopped and staked out claims on the perfectly good farming land over which they were rushing so frantically—for most were still dashing onward. It was a matter of regret to some of the older members of our party that they had not previously registered and conformed to necessary legal regulations to file a claim. It would have been so easy to have done so.

Just a little way ahead of us we chanced to notice that a man, spade in hand, had jumped from one of the moving wagons, and

was busy digging in the soil at the spot where he had alighted. He then stuck in the freshly turned sod a slender wooden switch on which he had tied a bit of white cloth. This was one of the numerous improvised signals, or methods of temporary marking possession of a given claim until proper legal claims could be filed by the new owner at the nearest Government Land Office. He was slender, elderly man, in working attire, without coat, and having only the spade in his hand. As we drew up alongside, greetings were exchanged and we paused briefly for a few words with him. Not at all robust in appearance, and obviously hard-working, none-too-successful farmer, handicapped by poor health, he pictured to us in words few and brief "the short and simple annals of the poor," a life-time background of poverty and hardship, none the less poignant because endlessly repeated in the lives of other millions like him.

"All my life," he concluded, "I have been a poor man on rented land, and never able to own land of my own. And now, in the Providence of the Good God," and his face lighted up, "at last I have a farm."

Just as he had uttered these words, there dashed up a rough looking man of giant size on horseback, who shouted to him:

"What you doin' on my claim? Get the ..... off here!"

"This is not yore claim. I staked it out first. Get off it yourself."

"You did not. I was here first. Get goin' and get you a claim afore they're all took."

This was the beginning of an interchange that continued for some time, with increasing vigor, louder shouting, more violent language and more vigorous gesticulations on part of the horseman.

"But," said the man with the spade, "I know I did stake it out first, and I ain't goin' to be bluffed out by you or anybody else. This here is my farm and I am goin' to keep it. I can prove I was here first. These gentlemen were here and they saw me stake it out. They can testify as to the truth about it. Won't you gentlemen?"

"Well," shouted the horseman, as he turned to ride away, "Don't say I didn't warn you. This is my land, and I'm goin' to hang on to it. Again, I warn you, get goin' or you gonna be sorry!" So saying, he spurred his horse and dashed away across the prairie. He turned in his saddle and shouted back "An don't say I didn't warn you."

The older man obviously was deeply disturbed by the incident. As soon as mention had been made of witnesses, we had all spoken up immediately in confirmation of his assertion of being there

before arrival of the horseman. However, as the seriousness of the situation grew upon us, it became more clearly realized that it had possibilities far reaching in aftermath, that might require our presence before the law later on in witness as to the validity of the claim. So names and addresses began to be exchanged. Thereupon a quandary arose: There was not a pencil or a scrap of paper in the party. How would we be able to take down our respective names and addresses for later use? One dare not trust entirely to memory in a matter so important, yet there appeared no other way. After some discussion of this unexpected phase of the matter, the elderly man hit upon the idea, at last, that he would scratch our addresses on the leather forming the tops of his dusty shoes and on the wooden handle of his spade. So, taking the only pocket knife in the party, this was slowly and painfully done by him, the act taking considerable time, as he obviously was not wholly literate and needed help from us again and again while doing it.

By the time his task was completed, we decided not to drive farther southward into this new country, so turned back homeward. It was a long dusty drive and we were all very tired and very dirty and our team likewise very weary, and we did not reach our destination until late that night. But what a day it had been! Before that day had ended over six million acres had become a land of homesteaders. In this country no other equal area of land ever before had been settled with such speed and completeness. What a day it had been!

If this were typical Western fiction, the scene depicting the disputed claim ownership would be just the beginning of a long series of stirring adventures. But, since this is only a narration of cold fact, I can merely add that we never again heard another word from any one about the disputed claim. I do not know to this day how, when, or by whom it was settled. It is needless to add that although all of us waited for months thereafter in lively anticipation of further developments, it is still speculation to this hour as to whether the elderly man was quietly liquidated in the lonely blackness of that night by his burly antagonist or whether a kindly Providence permitted him to remain on, develop and enjoy the home he had so long waited and longed for. The only fact of absolutely certainty is that no use ever was made later by any one of the addresses he had so painfully inscribed on the top of his shoes and on the handle of his spade. "The rest is silence!"

Of course, after the race and the day were over and conditions had begun in a degree to return to something like sanity and normality, there was still much ahead: For the first few days the new mushroom towns were mere collections of tents and camps and huts. Real houses were being built but slowly. Such town governments were rude and were hastily formed. Criminals found easy means to work, and murders became unpleasantly common inci-

dents. Food was expensive, and water not always available as needed. Claim dwellers sometimes had to go considerable distance to get necessities, and under hurried and difficult arrangements for transportation, and from small supplies. Fortunately, however, President Cleveland and Interior Secretary Hoke Smith had been given broad discretionary powers by Congress in dealing with the many situations that arose, and ultimately law and order were to a degree restored. In a marvelously short time the waste lands began to take on the aspects of settled communities. Before much time had passed, towns of considerable population had sprung up where previously there had been only prairie dog mounds, buffalo wallows and Indian wigwams, and almost a dozen towns of one thousand or more inhabitants each had suddenly arisen from the wilderness.

Later on in life when I became a man it was my destiny to spend over thirty-seven years as a scientist in official work for the United States Government in the Department of Agriculture, and in performance of these duties there were various travel assignments around over what by that time had become the State of Oklahoma. At long last I had opportunity to perform travel over this area of my long ago boyhood experiences, and it was with keen interest that I endeavored, as nearly as I could, by estimate of probable distances from the Rock Island Railroad track from the Kansas State Line, to relocate the exact tract of land where this incident had taken place. When this was done, it was gratifying to find thereon a large attractive white farm house, near by a big red barn, and around these were other smaller out-buildings, and there were fences and trees and all the other essentials needful to make up a comfortable, prosperous looking farm home.

On the whole, the event here considered was one of those unique bits of history which this old world will probably never witness again. It was the last great spectacle of mass settlement of the last frontier. Some years ago I saw in a film of Edna Ferber's "Cimarron," in the Capital Theatre in Washington, a screen reproduction of this scene, and it was depicted vividly, realistically, and so true to fact and to my memory, that in my enthusiasm, I could not resist the temptation to jog my elbow into the ribs of some perfect stranger seated next to me, and, probably to his annoyance, exclaim to him: "I was there! I saw it!"