

SIXTH OF AUGUST.

President Names Date for Opening New Indian Lands.

Those Who Wish to Enter Must Register—Order of Applications to Be Determined by Drawing—No Transference of Certificate Allowed.

Washington, July 8.—The proclamation of President McKinley opening to settlement the lands ceded by Indians in the territory of Oklahoma was given to the public yesterday. It is as follows:

By the President of the United States of America—A Proclamation:

Whereas, by an agreement between the Wichita and affiliated bands of Indians on the one part, and certain commissioners of the United States on the other part, ratified by act of congress approved March 2, 1896 (28 Stat. 876, 894), the said Indians ceded, conveyed, transferred and relinquished forever and absolutely, without any reservation whatever, unto the United States of America, all their claim, title and interest of every kind and character in and to the lands embraced in the following described tract of country now in the territory of Oklahoma, to-wit:

"Commencing at a point in the middle of the main channel of the Washita river, where the ninety-eighth meridian of west longitude crosses the same, thence up the middle of the main channel of said river to the line of 98 degrees 00 minutes west longitude, thence on said line of 98 degrees 00 minutes due north to the middle of the channel of the main Canadian river, thence down the middle of said main Canadian river to where it crosses the ninety-eighth meridian, thence due south to the place of beginning."

And, whereas, in pursuance of said act of congress ratifying said agreement, allotments of land in severally have been regularly made to each and every member of said Wichita and affiliated bands of Indians, native and adopted, and the lands occupied by religious societies or other organizations for religious or educational work among the Indians have been regularly allotted and confirmed to such societies and organizations, respectively;

And, whereas, by an agreement between the Comanche, Kiowa and Apache tribes of Indians on the one part, and certain commissioners of the United States on the other part, amended and ratified by congress, approved June 6, 1890 (31 Stat., 678, 679), the said Indian tribes, subject to certain conditions which have been duly performed, ceded, conveyed, transferred, relinquished and surrendered, forever and absolutely, without any reservation whatever, expressed or implied, unto the United States of America, all their claim, title and interest of every kind and character and to the lands embraced in the following described tract of country now in the territory of Oklahoma, to-wit:

"Commencing at a point where the Washington river crosses the ninety-eighth meridian west from Greenwich; thence up the Washita river, in the middle of the main channel thereof, to a point 20 miles, by river, west of Fort Cobb, as now established; thence due west to the north fork of the Red river, provided said line strikes said river east of the one-hundredth meridian west longitude; if not, then only to said meridian line, and thence due south, or said meridian line, to the said north fork of Red river; thence down said north fork, in the middle of the main channel thereof, from the point where it may be first intersected by the line above described, to the main Red river; thence down said Red river, in the middle of the main channel thereof, to its intersection with the ninety-eighth meridian of longitude west from Greenwich; thence north, on said meridian line, to the place of beginning."

Set Aside for the Indians.

And, whereas, in pursuance of said act of congress ratifying the agreement last named, allotments of land in severally have been regularly made to each member of said Comanche, Kiowa and Apache tribes of Indians; the lands occupied by religious societies or other organizations for religious or educational work among the Indians have been regularly allotted and confirmed to such societies and organizations, respectively; and the secretary of the interior, out of the lands ceded by the agreement last named, has regularly selected and set aside for the use in common for said Comanche, Kiowa and Apache tribes of Indian, 480,000 acres of grazing lands;

And, whereas, in the act of congress ratifying the said Wichita agreement it is provided:

"That whenever any of the lands acquired by this agreement shall, by operation of law or proclamation of the president of the United States, be open to settlement, they shall be disposed of under the general provisions of the homestead and townsite laws of the United States; provided that in addition to the land office fees prescribed by statute for such entries the entry man shall pay \$1.25 per acre for the land entered at the time of submitting his final proof; and provided further, that the rights of honorably discharged union soldiers and sailors of the late civil war, as defined and described in sections 2304 and 2305 of the revised statutes, shall not be abridged; and provided further, that any qualified entry man having lands adjoining the lands herein ceded, whose original entry embraced less than 160 acres, may take sufficient land from said reservation to make his homestead entry not to exceed 160 acres in all, said land to be taken upon the same conditions as are required of other entry men; provided that said lands shall be opened to settlement within one year after said allotments are made to the Indians."

That the laws relating to the mineral lands of the United States are hereby extended over the lands ceded by the foregoing agreement."

And, whereas, in the act of congress ratifying the said Comanche, Kiowa and Apache agreement it is provided:

"That the lands acquired by this agreement shall be opened to settlement by proclamation of the president within six months after allotments are made and be disposed of under the general provisions of the homestead and townsite laws of the United States; provided, that in addition to the land office fees prescribed by statute for such entries the entry man shall pay \$1.25 per acre for the land entered at the time of submitting

his final proof; and provided further, that in all homestead entries where the entry man has resided upon and improved the land entered in good faith for the period of 14 months he may commute his entry to cash upon the payment of \$1.25 per acre; and provided further, that the rights of honorably discharged union soldiers and sailors of the late civil war, as defined and described in sections 2304 and 2305 of the revised statutes, shall not be abridged; and provided further, that any person who, having attempted to, but for any cause failed to, secure a title in fee to a homestead under existing laws, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon said lands; and provided further, that any qualified entry man having lands adjoining the lands herein ceded, whose original entry embraced less than 160 acres in all, shall have the right to enter so much of the lands by this agreement ceded lying contiguous to his said entry as shall, with the land already entered, make in the aggregate 160 acres, said land to be taken as are required of other entry men; and provided further, that the settlers who located on that part of said lands called and known as the 'neutral strip' shall have preference right for 30 days on the lands which they have located and improved."

That should any of said lands allotted to said Indians or opened to settlement under this act contain valuable mineral deposits, such mineral deposits shall be open to location and entry, under the existing mining laws of the United States, upon the passage of this act, and the mineral laws of the United States are hereby extended over said lands."

And, whereas, by the act of congress approved January 4, 1901 (31 Stat., 727), the secretary of the interior was authorized to extend, for a period not exceeding eight months from December 6, 1900, the time for making allotments to the Comanche, Kiowa and Apache Indians and opening to settlement the lands so ceded by them.

Land for County Seats.

And, whereas, in pursuance of the act of congress approved March 3, 1901 (31 Stat., 1003), the secretary of the interior has regularly subdivided the lands so as aforesaid respectively ceded to the United States by the Wichita and affiliated bands of Indians and the Comanche, Kiowa and Apache tribes of Indians into counties, attaching portions thereof to adjoining counties in the territory of Oklahoma, has regularly designated the county seat for each county, and has regularly set aside and reserved at such county seat land for a townsite to be disposed of in the manner provided by the act of congress last named, and has regularly caused to be surveyed, subdivided and platted the lands so set aside and reserved for disposition as such townsites;

And, whereas, by the act of congress last named it is provided:

"The lands to be opened to settlement and entry under the acts of congress ratifying said agreements respectively shall be so opened by proclamation of the president, and to avoid the contests and conflicting claims which have heretofore resulted from opening similar public lands to settlement and entry the president's proclamation shall prescribe the manner in which these lands may be settled upon, occupied and entered by persons entitled thereto under the acts ratifying said agreements, respectively; and no person shall be permitted to settle upon, occupy or enter any of said lands except as prescribed in such proclamation until after the expiration of 60 days from the time when the same are opened to settlement and entry."

Two Additional Land Offices.

And, whereas, by the act of congress last named the president was authorized to establish two additional United States land districts and land offices in the territory of Oklahoma to include the lands so ceded as aforesaid, which land districts and land offices have been established by an order of even date herewith;

And, whereas, all of the conditions required by law to be performed prior to the opening of said tracts of land to settlement and entry have been, as I hereby declare, duly performed;

The Lands Executed.

Now, therefore, I, William McKinley, president of the United States of America, by virtue of the power vested in me by law, do hereby declare and make known that all of the lands so as aforesaid ceded by the Wichita and affiliated bands of Indians, and the Comanche, Kiowa and Apache tribes of Indians, respectively, saving and excepting sections 16, 33, 13 and 33 in each township, and all lands located or selected by the territory of Oklahoma as indemnity school or educational lands, and saving and excepting all lands allotted in severally to individual Indians, and saving and excepting all lands allotted and confirmed to religious societies and other organizations, and saving and excepting the lands selected and set aside as grazing lands for the use in common for said Comanche, Kiowa and Apache tribes of Indians, and saving and excepting the lands set aside and reserved at each of said county seats for disposition as townsites, and saving and excepting the lands now used, occupied or set apart for military, agency, school, school farm, religious, Indian cemetery, wood reserve, forest reserve, or other public uses, will, on the 6th day of August, 1901, at nine o'clock a. m., in the manner herein prescribed and not otherwise, be opened to entry and settlement and to disposition under the general provisions of the homestead and townsite laws of the United States.

Concerning Registration.

Commencing at nine o'clock a. m. Wednesday, July 10, 1901, and ending at six o'clock p. m. Friday, July 20, 1901, a registration will be had at the United States land offices at El Reno and Lawton, in the territory of Oklahoma (the office at Lawton to occupy provisional quarters in the immediate vicinity of Fort Sill, Oklahoma territory, until suitable quarters can be provided at Lawton), for the purpose of ascertaining what persons desire to enter, settle upon and acquire title to any of said lands under the homestead law and of ascertaining their qualifications so to do. The registration at each office will be for both land districts, but at the time of registration each applicant will be required to elect and state in which district he desires to make entry. To obtain registration each applicant will be required to show himself duly qualified to make homestead entry of these lands under existing laws and to give the registering officer such appropriate matters of description and identity as will protect the applicant and the government against any attempted impersonation. Registration cannot be effected through the use of the mails or the employment of an agent, excepting that honorably discharged soldiers and sailors entitled to the benefits of section 2304 of the revised statutes of the United States, as amended by the act of congress approved March 1, 1901 (31 Stat., 847), may present their applications for registration and due proofs of their qual-

ifications through an agent of their own selection, but no person will be permitted to act as agent for more than one such soldier or sailor. No person will be permitted to register more than once or in any other than his true name. Each applicant who shows himself duly qualified will be registered and given a non-transferable certificate to that effect, which will entitle him to go upon and examine the lands to be opened hereunder in the land district in which he elects to make his entry; but the only purpose for which he may go upon and examine said lands is that of enabling him later on, as herein provided, to understandingly select the lands for which he will make entry.

No Settlement Before Opening.

No one will be permitted to make settlement upon any of said lands in advance of the opening herein provided for, and during the first 60 days following the opening no one but registered applicants will be permitted to make homestead entry of the lands opened hereunder until they are opened hereunder by drawings for both the El Reno and Lawton districts publicly held at the United States land office at El Reno, Ok., commencing at nine o'clock a. m., Monday, July 23, 1901, and continuing for such period as may be necessary to complete the same. The drawings will be had under the supervision and immediate observation of a committee of three persons, whose duty it shall be to make their control of the drawing a guaranty of its fairness. The members of this committee will be appointed by the secretary of the interior, who will prescribe suitable compensation for their services.

Cards for Identification.

Preparatory to these drawings the registering officers will, at the time of registering each applicant who shows himself duly qualified, make out a card, which must be signed by the applicant, stating the land district in which he desires to make homestead entry, and giving such a description of the applicant as will enable the local officers to thereafter identify him. This card will be at once sealed in a separate envelope, which will bear no other distinguishing label or mark than such as may be necessary to show that it is to go into the drawing for the land district in which the applicant desires to make entry. These envelopes will be separated according to land districts and will be carefully preserved and remain sealed until opened in the course of the drawings as herein provided. When the registration is completed all of these sealed envelopes will be brought together at the place of drawing and turned over to the committee in charge of the drawing, who, in such manner as in their judgment will be attended with entire fairness and equality of opportunity, shall proceed to draw out and open the separate envelopes and to give to each included card a number in the order in which the envelope containing the same is drawn. While the drawings for the two districts will be separately conducted they will occur as nearly at the same time as is practicable. The result of the drawing for each district will be certified by the committee to the officers of the district and will determine the order in which the applicants may make homestead entry of said lands and settlement thereon.

Notice of the Drawings.

Notice of the drawings, stating the name of each applicant and number assigned to him by the drawing, will be posted each day at the place of drawing, and each applicant will be notified of his number by a postal card mailed to him at the time of registration. Each applicant should, however, in his own behalf, employ such measures as will insure his obtaining prompt and accurate information of the order in which his application for homestead entry can be executed as fixed by the drawing. Applications for homestead entry of said lands during the first 60 days following the opening can be made only by registered applicants and in the order established by the drawing. At each land office, commencing Tuesday, August 6, 1901, at nine o'clock a. m., the applications of those drawing numbers 1 to 125, inclusive, for that district must be presented and will be considered in their numerical order during the first day, and the applications of those drawing numbers 125 to 250, inclusive, must be presented and will be considered in their numerical order during the second day, and so on at that rate until all of said lands subject to entry under the homestead law, and desired thereunder, have been entered. If any applicant fails to appear when the number assigned to him by the drawing is reached his right to enter will be passed until after the other applications assigned for that day have been disposed of, when he will be given another opportunity to make entry, failing in which he will be deemed to have abandoned his right to make entry under such drawing.

Concerning Soldiers and Sailors.

To obtain the allowance of a homestead entry each applicant must personally present the certificate of registration thereto and file with him, together with a regular homestead application and the necessary accompanying proofs, and with the regular land office fees, but an honorably discharged soldier or sailor may file his declaratory statement through the agent representing him at the registration. The production of the certificate of registration will be dispensed with only upon satisfactory proof of its loss or destruction. If at the time of considering his regular application for entry it appears that any applicant is disqualified from making homestead entry of these lands his application will be rejected, notwithstanding his prior registration. If any applicant shall register more than once hereunder, or in any other than his true name, or shall transfer his registration certificate, he will thereby lose all the benefits of the registration and drawing herein provided for, and will be precluded from entering or settling upon any of said lands during the first 60 days following said opening.

The Lands in "Neutral Strip."

Because of the provision in the said act of congress approved June 6, 1890: "That the settlers who located on that part of said lands called and known as the 'neutral strip' shall have preference right for 30 days on the lands upon which they have located and improved," the said lands in the 'neutral strip' shall for the period of 30 days after said opening be subject to homestead entry and townsite entry only by those who have heretofore located upon and improved the same, and who are accorded a preference right of entry for 30 days as aforesaid. Persons entitled to make entry under this preference right will be permitted to do so any time during said period of 30 days following the opening without previous registration, and without regard to the drawing herein provided for, and at the expiration of that period the lands in said 'neutral strip' for which no entry shall have been made will come under the general provisions of this proclamation.

The Intended Beneficiaries of the Provision in the said act of congress, approved, respectively, March 2, 1885, and June 6, 1890, which authorizes a qualified entry man having lands adjoining the ceded lands, whose original entry embraced less than 160 acres, to enter as much of the ceded lands as will make his homestead entry contain in the aggregate not exceeding 160 acres, may obtain such an extension of his existing entry, without previous registration and without regard to the drawing herein provided for, only by making appropriate application accompanied by the necessary proofs, at the proper land office at some time prior to the opening herein provided for.

Townsite Regulations.

Any person or persons desiring to found, or to suggest establishing, a townsite upon any of said ceded lands at any point not in or near vicinity of either of the county seats therein heretofore selected and designated as aforesaid, may, at any time before the opening herein provided for, file in the proper local land office a written application to that effect describing by legal subdivisions the lands intended to be affected, and stating fully and under oath the necessity or propriety of founding or establishing a town at that place. The local officers will forthwith transmit said petition to the commissioner of the general land office, with their recommendation in the premises. Such commissioner, if he believes the public interests will be subserved thereby, will, if the secretary of the interior approve thereof, issue an order withdrawing the lands described in such petition, or any portion thereof, from homestead entry and settlement and directing that the same be held for the time being for townsite settlement, entry and disposition only. In such event the lands so withheld from homestead entry and settlement will, at the time of said opening and not before, become subject to settlement, entry and disposition under the general townsite laws of the United States. None of said ceded lands will be subject to settlement, entry or disposition under such general townsite laws except in the manner herein prescribed, until after the expiration of 60 days from the time of said opening.

Attention is hereby especially called to the fact that under the special provisions of the said act of congress, approved March 2, 1901, the townsites selected and designated at the county seats of the new counties into which said lands have been formed cannot be disposed of under the general townsite laws of the United States, and can only be disposed of in the special manner provided in said act of congress, which declares:

"The lands so set apart and designated shall, in advance of the opening, be surveyed, subdivided and platted, under the direction of the secretary of the interior, into appropriate lots, blocks, streets, alleys and sites for parks or public buildings, so as to make a townsite thereof, provided that no person shall purchase more than one business and one residence lot. Such town lots shall be offered and sold at public auction to the highest bidder, under the direction of the secretary of the interior, at sales to be had at the opening and subsequent thereto."

An Admonition.

All persons are especially admonished that under the said act of congress, approved March 3, 1901, it is provided that no person shall be permitted to settle upon, occupy, or enter any of said ceded lands except in the manner prescribed in this proclamation until after the expiration of 60 days from the time when the same are opened to settlement and entry. After the expiration of the said period of 60 days, but not before, any of said lands remaining undisposed of may be settled upon, occupied and entered under the general provisions of the homestead and townsite laws of the United States in like manner as if the manner of effecting such settlement, occupancy and entry had not been prescribed herein in obedience to law.

Must Respect Indian Fences.

It appearing that there are fences around the pastures into which, for convenience, portions of the ceded lands have heretofore been divided, and that these fences are of considerable value and are still the property of the Indian tribes ceding said lands to the United States, all persons going upon, examining, entering or settling upon any of said lands are cautioned to respect such fences as the property of the Indians and not to destroy, appropriate or carry away the same, but to leave them undisturbed so that they may be seasonably removed and preserved for the benefit of the Indians.

The secretary of the interior shall prescribe all needful rules and regulations necessary to carry into full effect the opening herein provided for.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 6th day of July, in the year of our Lord one thousand nine hundred and one, and of the independence of the United States the one hundred and twenty-sixth.

WILLIAM M'KINLEY.

Still Too Much Revenue.

Washington, July 8.—In spite of the fact that the new revenue law, which went into effect on July 1, will probably reduce the revenues by about \$40,000,000 annually, the government probably will suffer an abnormal income unless further reductions are made by congress next winter. Treasury experts estimate that at the present rate of federal receipts the surplus above expenses and interest charges will approximate from \$35,000,000 to \$50,000,000.

Kansas City's Population.

Kansas City, Mo., July 8.—The Kansas City directory, which will be out in a few days, gives Kansas City a population of 229,145, an increase of 17,703 over 1900. Kansas City, Kan., shows a population of 59,505, an increase of 3,700 over last year. The combined population of the two Kansas Cities is 288,650.

Suit Against Kansas City Ice Trust.

Kansas City, Mo., July 7.—The newspaper war on the local ice trust broke into court when Charles Hollingsher, a retail ice dealer, sued the trust in the federal court under the Sherman anti-trust law for \$30,000.

THESE ARE DISQUALIFIED.

Commissioner Hermann, of the General Land Office, Tells Who Cannot Get Land in the New Country.

Washington, July 9.—Commissioner Hermann, of the general land office, has issued a general circular specifying the persons who are disqualified from making homestead entry in the Wichita and Kiowa, Comanche and Apache ceded lands. Those disqualified are as follows:

Any person who has an existing homestead entry or, after June 6, 1900, abandoned or relinquished such entry; a married woman, unless deserted or abandoned by her husband; those not citizens or who have not declared such intention; anyone under 21 years of age, not the head of a family, unless he served in the army or navy 14 or more days in actual war; proprietors of over 160 acres of land anywhere; anyone who has perfected title to a homestead of 160 acres by proof of residence and cultivation for five years or under section 2, act of June 15, 1890; anyone whose title acquired and now being acquired by him under the public land laws, in pursuance of entries made since August 30, 1890, with the tract now sought to be entered, will make an aggregate of over 120 acres of non-mineral land.

Dissatisfaction Over the Proclamation.

Guthrie, Ok., July 9.—There is general dissatisfaction over the president's proclamation providing for the opening of the Indian lands. The regulation compelling all the applicants to register at Fort Sill or El Reno will, it is believed, cause much suffering. The railroad is still a number of miles from Fort Sill. It will be impossible for the city of El Reno to care for the great crowd drawn there and people will be compelled to stand in line for days unless they come prepared to camp out. Only 16 days are allowed for registering, which will necessitate the registration of two or more thousand per day at El Reno, which is claimed to be impossible even with four times the number of clerks provided. It is also declared by every one familiar with land office work that it will be impossible to complete filing in 60 days.

MUCH WHEAT BURNED.

Roughly Estimated, 300,000 Bushels in Stack Are Destroyed by a Fire Caused by a Discarded Cigar.

Great Bend, Kan., July 9.—Fifteen thousand acres of wheat went up in flames here yesterday afternoon. The fire was started by an unknown man throwing a lighted cigar into a field of wheat stubble. Everything was as dry as tinder and soon a destructive fire was in progress from the small beginning. The inhabitants all left their work and exhausted all the methods they knew for fighting fires, but to no avail, and it was late yesterday evening before the fire was under control. Roughly estimated the loss in wheat will aggregate 300,000 bushels, nearly all of which was in stack.

CORN CROP A FAILURE.

Hot Winds and Unprecedented Drought Wipe Out Prospects in Kansas—Temperature Over 100.

Topeka, Kan., July 9.—This has been a day of unprecedented temperatures in Kansas. In Topeka for two hours yesterday afternoon the mark reached was 104. In Marysville 108 degrees was the record made. Fort Scott reports 106 degrees. Reports from numerous Kansas counties last night indicated that the corn crop is practically a failure. Hay is selling at enormous prices and the indications point to almost a famine in feed for animals unless rain comes within a day or two.

Greater New York's Deaths from Heat.

New York, July 9.—The official reports to the bureau of vital statistics of deaths from heat for the week ending July 6 show that the actual number in the five boroughs of the Greater New York was 989. For the boroughs of Manhattan and the Bronx the number was 699; for Richmond, 12; for Queens, 24; for Brooklyn, 264.

Ambassador White's Son Suicides.

Syracuse, N. Y., July 9.—Frederick D. White, son of Andrew D. White, United States ambassador to Germany, committed suicide at 5:30 o'clock yesterday afternoon at his home in this city. Prolonged illness and a persistent and exhausting nervous disease is given as the only possible explanation of his act.

Money Paid to States and Territories.

Washington, July 9.—The treasury department yesterday drew warrants aggregating \$1,200,000, or \$25,000 each for 45 states and two territories, being the maximum amount provided for congress in the act of August 30, 1890, for the endowment and maintenance of colleges for the benefit of agriculture and mechanical arts.

A New Missouri Railroad.

Jefferson City, Mo., July 9.—The secretary of state has chartered the Arkansas, Missouri & Kansas Railroad company, with a capital stock of \$2,000,000. The road is to extend from the south state line in Stone county, Mo., to the west state line of Missouri in Jasper county, 100 miles.