Buffalo, a "Place" Designated County Seat by the Constitution of Oklahoma

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BUFFALO, A “PLACE” DESIGNATED COUNTY SEAT
BY THE CONSTITUTION OF OKLAHOMA

By Blue Clark

CITATION: “The word ‘town’ as herein used, shall be construed to mean town, city, or place.”
—Constitution of the state of Oklahoma, Article XVII, Section 6.

When the districts in Oklahoma Territory were defined for the November 6, 1906, election of delegates to the Constitutional Convention, the 3,600 square miles of Woodward County comprised three districts, and a part of a fourth. Out of District 2 except for an area extending north and east across the Cimarron River, the Convention created Harper County.

When the Cherokee Outlet was opened for settlement in 1895, few homesteaders settled in the northern tier of townships of Woodward County bordering Kansas and the Oklahoma Panhandle, called Beaver County, Not until after 1900 did settlement progress. Even as late as 1907 the United States Bureau of the Census listed no town in the area as with as many as 75 inhabitants. Nevertheless, post offices were established in the area, usually in the home of the postmaster. Below Beaver Creek, which cuts across the southwesterly lower third of Harper County, post offices were designated at May (1897), LaVerne (1897), Speer (1901), Kingsley (1903), and a few miles above the Beaver from May, Capitul (1895) and Wyanets (1902). Across the center portion of the area, from west to east, were Redwater (1902), Murray (1902), Stockhold (1901), Kirby (1901), Balaure (1901), Brule (1897), Pern (1902), Palace (1902) and Charleston (1902). Near the Kansas border were Kemhali (1901), Wyanet (1905), Iris (1901), Yelton (1902), Willard (1903), and Parame (1903).2

1 A special census for Oklahoma was made in 1910. This lists 8,568 inhabitants in the area of Harper County, towns, and settlements with more than 75 acres, are listed by counties of Harper County. The regular census of 1910 counted the county with 2,589 inhabitants, and Buffalo, with 94, is the only listed town. See Thirty-third Census of United States, in 1910, Supplement for Oklahoma, Annual of Statistics, Statistics for Population, p. 577 (Government of Commerce and Labor, Bureau of the Census, Washington, 1913).
2 George H. Shirk, “Post Office Within the Boundary of Oklahoma,” Chemistry of Oklahoma, Vol. XXII, 459 (1953), (Nutting, 1953)). An excellent portrayal of living conditions and community activities can be found in the户口簿《Old Buffalo》in the area before settlement and community activities can be found in the户口簿《Old Buffalo》in the area before settlement and community. Also available are the notes of Elizabeth Parker Sohier, “Former Communities in Harper County, 1875-1945.”
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The listing indicates there were only four post offices established before 1900 in the region later to be Harper County. Two were below Beaver Creek, one just north of Beaver Creek, and the fourth was Brule, which served a larger area including farms and ranches along the drainage area of Buffalo Creek. This last post office was established in the home of Oscar Greene Harper who was appointed postmaster on June 15, 1899. Two years later a homesteader, E. M. Bost, put up a store building on his place about three and one-half miles east of the Harper farm and the Brule post office was moved to the store building.

In September of 1898, O. G. Harper had selected a claim in the fertile valley of Buffalo Creek at a time when there were but four neighborships within a radius of 5 miles. The nearest town was A什ook, Kansas, more than 30 miles north, while the county seat was 45 miles away to the southeast at Woodward. There were no roads to either place from the Buffalo Creek area except those uncharted ones made by setters and visitors picking the easiest routes around hills and across ditches, creeks, and the prairie. When Harper staked his claim, there were probably fewer than fifty homesteaders in all the whole area that later became designated a county in the new state. But during the period 1900 through 1904 this number, including settlers buying up relinquishments, increased thirty-fold.

The Harper home was a convenient stopping place for home seekers and their families moving toward locations in Beaver County or the northwestern part of Woodward County. During the first two years, before star routes were established for rural mail delivery and while Harper’s home served as post office for the surrounding area, he or anyone in the neighborhood who had business in A什ook took the mail to that point on the A什ook, Togola, and Santa Fe Railroad, and brought back mail for distribution from his home. During this period the usual, short “three months in the year” school terms were held in his home.

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These community activities made him well known in that end of Woodward County and he deserved the tribute paid him some years later by William H. Murray: “He was well-qualified, intelligent, a farmer with a fair education.” He was an active Democrat serving as secretary of the Woodward County Democratic Party when the election of delegates to the constitutional convention was held. By the time the constitutional convention met, Harper’s place was known as the “Gloverdale Stock Farm” where he bred fifteen acres in alfalfa and was engaged in stock raising.

Republican party delegates met in county convention at Woodward on August 25, 1906, to register their approval of a nominee for Governor and to pass resolutions on party policy. The county convention also designated the number of precinct delegates to attend district conventions to select nominees for the office of delegate to the constitutional convention. District 3 precinct representatives met at Supply September 19 and considered four candidates for a place on the ballot: R. B. Daly of Palace, N. B. Rogers of Standing Rock, Paul Yelton of Jackson precinct and Thomas A. Sibert, the local candidate. On the fourth ballot, Sibert of Supply won the nomination, defeating Judge Daly by one-half vote.

Sibert was editor of the Ft. Supply Republican and well known in the southern part of District 3, having taught in several schools of the district. Other weeklies of the district—the May Monitor, the Spermatrix Advocate, the Palace Weekly, and the Brule Post were also Republicans in sentiment as were the principal papers mailed into the district, such as the Oklahoma State Capital of Guthrie, the Wichita Beacon, and Eagle, and the Weekly Kansas City Steer. Sibert’s party, too, had won all the Woodward County offices in the election of 1904 against candidates of the Democratic, Prohibition, and People’s parties.

On September 22, Democrats from precincts within District 3 met at Brule to select their candidate for the November 6 election. This community was the principal trading center for settlers along the Buffalo Creek valley. The owner of the site, E. M. Bost, had expanded his original wooden building into a two-story structure. Nearby was a hardware store owned by J. T. Hoy, a blacksmith shop operated by D. G. Rogers, and a small wooden structure housing the Post, the weekly newspaper published by William Forster which was first issued on June 16, 1906. The following February W. H. Temple built a sheet-iron building for his windmill and farm implement business. Not far from Bost’s General Merchandise Store


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down the road less than 200 yards was the old house of William Clark where board and room were available to occasional visitors. The assembled Democrats wanted to nominate O. G. Harper, but he declined the honor by explaining that farming and ranching operations would demand much of his time during the short campaign. He pointed out, however, that someone should be nominated with leanings toward Populism. He should be a strong advocate of prohibition, in order to keep minority party candidates from entering the race and taking votes that would otherwise go to his party's nominee. Harper pledged active support to the nominee selected who later proved to be Reverend E. R. Williams of Stocktown. Williams was a member of the Baptist Church and held services for that denomination in various communities of the area, preaching at Brule the third Sunday every month. The nominee was well known in the central and northern parts of the district, and a correspondent from the Stockton community to newspapers of the county. Williams had qualifications suggested by Harper: As a Baptist preacher he was an outspoken advocate of prohibition and looked forward to the closing of the saloons in Oklahoma Territory. The People's Party, in flood tide during the early 1890s, was waning in political power in Mid-America but there still existed a strong spirit of revolt against the economic plight of farmers. With the collapse of the People's Party, two splinter movements appeared as outgrowths of Populism: the American Society of Equity and the Farmers' Educational and Cooperative Union. Both groups had active locals in District 3 and many of the locals established by the American Society of Equity came into being in 1905 through the efforts of Mr. Williams. Because of his known anti-saloon sentiment and organization work for the Society of Equity, neither the Prohibition Party nor the People's Party (Populists) entered a candidate for the office of delegate.

The Republican editor of the Brule Post used his newspaper to further election prospects of Selbert:

1 There is no way to estimate the population of Brule in 1906. William H. Murrey's memorandum that it had only 7 inhabitants is obviously an underestimate. See Murrey's Memoirs, Op. Cit., II 89.

When the author visited Buffalo for information relative to this study in May 1973, Mrs. Jean McPherson, Town Clerk, accompanied him on a visit to the old house of Mrs. Paul Clark Down, built in 1826 immediately back of the old house. The oddly mentioned above was described in 1890 as "The old house of the Democratic Party" during the campaign.

The Post (Brule), June 1, 1906.
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The editor wrote in support of his candidate in the November 3 issue: Selbert, the Republican candidate for delegate in his district, does not rant and swell with pretended antagonism to saloons and whiskey, but when it comes to fact he is the only candidate in this district with the boldness and honesty of purpose to run on a platform which presents a practical and even a possible way for the people to decide the question of prohibition. Let us vote for more business and less gab. . . . The great election comes next Tuesday. This is a critical time in the birth throes of a great state. Let every patriot go to the polls with a vote and a prayer for Oklahoma—especially every Republican patriot.

In the election Selbert and Williams each carried eight of the sixteen precincts, but Williams was the winner by a margin of eighteen votes, 578 to 554. In the precinct where Harper voted, Selbert received 31 votes; Williams, 79.6 The editor of the Brule Post reserved his comment on the election for the November 23 issue: "It is evident now that the Lord intended the Democrats should control the constitutional convention. He moves in mysterious ways His wonders to perform. Is it possible the Lord has only given the old negative party an opportunity to destroy itself? Let us watch and see." Harper accompanied Williams to Guthrie on the weekend before the opening of the constitutional convention on Tuesday, November 20. They met with Charles N. Haskell, Muskogee delegate busy with organizational plans, and with other delegates. Harper and Williams let it be known they would favor a division of Woodward County, William H. Murray, the Tishomingo delegate, arrived in Guthrie on Sunday, November 18, and was quoted as favoring the division of larger counties in Oklahoma Territory. After he was chosen president of the convention, he was accorded the privilege of appointing clerks and stenographers and other personnel such as the chaplain, the janitor and pages. One of Murray's first appointments was that of O. G. Harper to be minute clerk. Harper was present, therefore, and a witness in December to the heated and sometimes acrimonious discussion by delegates on counties and county boundaries, and, in January, the designation of temporary county seats.

President Murray, in his opening remarks to the convention, asked delegates to submit first, second and third choices for committee assignments.

6 Election returns from the 16 precincts were certified November 9 by the Woodward County Commissioners, G. W. Ellsberry, John S. Lott, and Manus Clofther, and the County Clerk, C. C. Hong. They are included in "Oklahoman Returns," official votes on the election of delegates, printed in the Archive of the State Library, State Capitol, Oklahoma City.


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"because I have understood that nearly everyone wants to be appointed to the Committee on County Boundaries," The following morning Robert L. Williams, Durante, delegate from District 108, announced for the Committee on Rules and Procedures that each standing committee would consist of fifteen members. E. R. Williams of Stockton was assigned to the following committees: Public Institutions, Legislative Department, and Primary Elections, and was named chairman of the Committee on Public Debt and Public Works. A week later the hand-picked membership of the committee on counties was announced, eight of the members from Indian Territory, seven from Oklahoma Territory, under the chairmanship of Royal J. Allen, District 93 delegate from Duncan. All were members of the Democratic Party.72 Committee work on county boundaries had proceeded at such a slow pace by mid-December that remedial action became necessary by the leadership if a report were to be considered by the delegate assembly before adjournment for the Christmas holidays. "Like a bolt out of a clouded sky came the appointment of Delegate C. N. Haskell to a position on the Committee of Counties and County Boundaries to take the place made vacant by the resignation of Delegate D. P. Wills." The promotion of Haskell to the committee on counties was a signal to districts on county boundaries in Oklahoma Territory that the leadership would not be persuaded from its intent, and a rumor circulated that President Murray, before he appointed members to the committee, had them take an oath to report a map already prepared. There was some feeling expressed that division of counties would cause a Democratic Party split and bring disastrous results in future elections. Some of the party leaders in Oklahoma Territory spoke out in criticism of the report that larger counties were to be divided. Roy Hoffman of Chandler, a member of the Democratic Central Committee and already an announced candidate for nomination to a seat in the United States Senate, resigned the party post in protest to division. Blind Thomas P. Gore, Lawton, a Democratic leader who had served in the territorial legislature, was in Guthrie to lobby against

72 Ibid., see Journal entries for November 20, 21, and December 4 on pages 54, 55, and 71 respectively.
73 Wichita Eagle-Buffalo, December 19, 1906. The December 19 issue of the Wichita Eagle noted Haskell was put on the committee because he was the real backbone of a 46-county movie district. If Haskell left the committee he would be in better position to fight for the adoption of the report on the floor. In reported things were getting in bad shape on the committee so its "inner hand" was needed to straighten things out. For Haskell's version, see the article "Governor Haskell Tells of Two Conventions," with introduction by Paul Niblett, in Chronicles of Oklahoma, XXVIII, 216-217, particularly pages 215-216 (Summer, 1956). Niblett described the press bunch for the Democrats in the campaign for delegates to the convention and, later, served as governor to Governor Haskell.

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division of Comanche County. And Jesse Dunn of Alva who, as chairman of the Democratic Party led it to overwhelming victory in the November 6 election of delegates, was outspoken in opposition to the division of Woods County. 14

The parliamentary move by the leadership on the morning of December 19 to make consideration of the county boundary committee report a special order of business ahead of scheduled reports invoked spirited and, at times, sharp-angled debate, and members of the convention, after adjournment, recalled this session as the most tempestuous. The Wichita Eagle used the following highlighted in its report of the morning session:

"Murray a Caesar in His Rulings: Are Beyond All Precedents and Tyran-
nical." The article included these statements: "Beyond all precedents were the rulings of President Murray; members of the opposition being frequently ruled out of order and, also, those rising to ask for information while the point of order that it requires a two-thirds vote to make the matter a special order was "not well taken." The Republicans did not partic-
taxticipate in the debate." Other newspaper accounts of the morning session, as well as the typed transcription of the debate indicate the presiding officer was not overly tolerant of the opposition. 15 Murray was on the floor as the roll call on the motion progressed, looking each delegate directly in the eyes as his name was called to vote. The motion narrowly passed 54 to 52. E. R. Williams was one of those who cast a favorable vote. 16

The committee report, considered by the Committee of the Whole House, was hastily drawn and incomplete in details. Counties were presented by numbers; each numbered county had boundary descriptions. Numbers 1-90 pertained to proposed counties to be created in the Indian Territory; 41-56 pertained to revised or newly created counties in Oklahoma Territory; 59 was the county to be created from the Ouche Reservation, and under number 60 were grouped the sixteen counties in Oklahoma Territory which were to retain existing boundaries: Kiowa, Cleveland, Grant, Kay, Garfield, Pawnee, Dewey, Blaine, Kingfisher, Logan, Lincoln, Cun-

14 Wichita Daily Beacon, December 15, 1906; Wichita Eagle, December 15, 1906. In the November 6 election of the 124 delegates, 96 were listed Democrat and 28 were Republican. Of the two elected on an Independent ticket, one (F. J. Hopkins of Muskogee) was a Republican, the other (J. B. Stone of Wewoka) was a Democrat. A. L. Holstein of Custer ran on the Farmer's ticket. He ran as a Democrat, as was C. N. Haskell of Muskogee, winner on the delega-
tion, Green Muskogee ticket. Haskell, the following spring when he sought nomination for the office of governor, in referring to the constitutional convention after misconduct audiences they had "sent 60 Democrats to Galtier and 15 witnesses to watch them." New York Tribune (Muskogee), May 15, 1907.

15 The typed transcription of the session, housed in the Library, Oklahoma Historical Society, indicates the leadership was in no hurry to tolerate a postponement of the report. When W. J. Goodell announced because his special committee report was being replaced, Haskell asked him if he would shock his ears to have the County report read after his Geographical Survey report was read, and after a colloquy in which J. F. King raised a point of order to remark by Goodell, the latter asked Murray: "Now, what do you want me to do?" Murray's reply: "It is immaterial what the Chair would want me, Goodell, to do, for he wouldn't do it anyw.

16 Goodell had made available 250 spectators, with a special section reserved for Negroes, had been added to the assembly room and the offices of the Mayor, City Clerks, Water Commissioner, Attorney, Engineer were vacated and designated committee rooms.

The gallery was packed with onlookers at this, the most crisis-ridden session of the con-

cessation. The report who was present caught some of the tension of the moment in his con-
tsuffering which appeared in the Wichita Eagle December 24, 1906: "Murray pounded with his gavel while opposition members spoke, . . . . He ordered Captain Bedley, a local (white) Re-

11 buffalo public waiting to the Speaker that his_Column, 1906. The youngest of sixty-two children of Mr. and Mrs. John W. Bols, a native of the state of New York, had been born on the farm of his parents near the town of Mounds, Indiana, on July 24, 1906. He received his primary and secondary education in the public schools of his native town, and attended the State Normal School of Muncie, Indiana, from which he graduated in 1924. In 1925 he entered the law school of the University of Michigan, where he received his LL.B. degree in 1928. He was admitted to the bar of the State of Michigan in 1929 and began his practice in the field of law at that time. He has been active in the bar association of the state and has served as a member of the Board of Bar Examiners of the state. He is a member of the American Bar Association and the Michigan State Bar Association.

17 All the Republican delegates except J. M. N. Cobb of Seba adult voted against the motion. A Democratic caucus, set for 7:30 A.M. December 19 to iron out differences on counties and county boundaries, did not break up until 2 A.M. the 20th, therefore many of the dele-
gates had had little time for sleep prior to the night of December 18.
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tioned into the night session—many of the delegates wanted to express
approval, a few, condemnation—it was clearly evident to observers that the
opposition would have few votes to cast against a favorable report.28 Indic-
avive was the naming of County 36 for delegate Haskell. When County
35, already named Murray in honor of the presiding officer, was reached in
the report, there was no opposition. During the discussion of County 41,
Alfalfa, a suggestion was made to add "hill" after it. Middle daughter of the
delegates, Murray opposed the idea by stating the county was likely to go
Republican and he would be ashamed of it.29

County 44 was reached in the order of consideration shortly after 11 p.m.
and, in addition to the boundary description, its single-line entry on esti-
mates of area, population, valuation, principal city, and name was: "Harper
(from Woodward; Stockbridge) 1200 square miles, 8,200 population,
$3,200,000.30 All but the southern tier of township in District 13 and a small
segment north and east of the Cimarron River were placed in the newly-
formed county. The Committee on Counties and County Boundaries re-
spected the wishes of the delegate or delegates from an area included in the
county when it was named. Since E. R. Williams was the only delegate from
the area affected, he was accorded the privilege of naming the county in
honor of his friend, G. O. Harper. Incidentally, Harper was the only
employee of the convention for whom a county was named.

The Committee of the Whole rose from consideration of the county re-
port shortly after 1:30 a.m. December 21, and Murray, Allen, Haskell and
other members of the county committee were busy until after 5 a.m. with

28 The discussion of the report, and later action brought technical changes in boundary
descriptions from the original description, the transfer of a township or townships, or sections
to another adjoining county. That, apparently, the boundary adjustments were not entered in
indicated by the following low passed by the First Legislature of the State of Oklahoma, "An
Act to Declare the State of 'The Strip of territory lying between the South Line of Wood-
ward County and the North Line of Ellis County,'" Senate Laws of 1907-08, for the State of
Oklahoma, 195-196.

29 Wichita Eagle, December 22, 1906. The typed transcriptions reveal that Dr. George N.
Blyshe, District 6 delegate from Alfalfa, was so upset over the division of Woods County
made in the previous, The report required in its December 21 issue that there was a movement
about to re-unite Tulsa County, living, in honor Washington Irving's visit to the area in
1827, and change Harper County to Wash, in tribute to Senator George West's visit to Missouri.
Irvin proposed other changes. They were not revealed in the typed transcriptions on the Committee of the Whole consideration of the county do not reveal the

30 Report of the Committee on Counties and County Boundaries" Committee Report of
read first and second time December 18, 1906. After the Committee of the Whole House
completed action on the early morning hours of December 21, the report was revised to reflect
county boundary changes. In January, 1907, Committee Report of was returned to an unre-
minded temporary stage. Copies of the slightly amended report are in the Library, Okla-
ahoma Historical Society.

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stegraphers and the printer preparing the revised report. The convention
opened with a short session at 10 a.m. and about an hour later Haskell
appeared to read the revised report for final consideration and final passage.
Shortly before noon the task was completed, the weary delegates approved
the report by the vote of 90 to 12. Before accepting the motion to adjourn
until January 3, Murray rapped for order, had the delegates rise, and their
voices filled the hall as he led them in singing, "God Be With You Till
We Meet Again."

The Woodward Bulletin considered county division a distantly act and
reported that Delegate Williams and Minute Clerk Harper were making
themselves "acoust" about the community.34 The editor overhead a more
worthwhile news item for his weekly issue, W. H. Miller, who lived near
Brule, appeared at the courthouse January 7, to file with the Register of
Deeds a plat for his 160 acres, the southeast quarter of Section 12, in Town-
ship 27 North Range 23 West, located less than one mile southeast of the
community of Brule. The tract was surveyed into streets and alleys, blocks
and lots. Each 300 feet north by 300 feet block was divided into 14 lots, 140 feet
by 25 feet by 25 feet wide by a 20-foot wide alley. Two intersecting streets, Broadway, East
and West, and Main, North and South, were 120 feet wide. Other streets
for the 48 block area were 80 feet wide. Block 8 was set aside for school
purposes and Block 33 for a courthouse.35

Residents in and near Brule community had watched the survey under
progress or heard of its purpose, and were more aware of its implication.
The Brule Post reported that W. H. Miller, R. E. McMillin, G. O. Harper
and "perhaps others" had formed a townsite company, that the whole of
Miller's 160 acres had been plotted and placed on Woodward County
records as the town of Buffalo.36

Meantime, Harper returned to Guthrie and his duties as Minute Clerk
at the convention which reconvened January 3. Some of the delegates on
visits to their home districts had been subject to harassment over boundaries
created for the seventy-five counties, and several newspapers had been ex-
tremely critical of the number of counties. R. E. Echols, mayor of Mangum,

31 Woodward Bulletin, January 11, 1907.

32 After msa sale. records pertaining to the townships which comprised Harper County
were transferred from Woodward to Brule. Lucille Baden, County Clerk of Harper County,
showed the author the plat map at Woodward January 7, 1907, when he visited her office

33 Brule Post, January 11, 1907.

34 "R. E. Echols to W. H. Murray," December 25, 1906, published by the Weekly Okla-

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convention, against some members, and against Murray. Among other allegations, Echols implied that Atus citizens paid C. N. Hasbell $5000 to secure the zigzag county boundary line to the east of Mangum when Jackson County had been created, that "some fell Hasbell would clean up a million dollars" on county boundaries.

Even the Daily Oklahoman, a leading Democratic newspaper, found newsworthy a current rumor. Under the heading "Grafters in Danger Zone," it stated a prominent Indian Territory politician looked for someone in the "Con Cons" with nerve enough to bring graft and bribery charges before the convention. One of the allegations was that railroad companies paid $3500 to the railroad division of Woods County, "paying the dollars in the lobby of the Royal Hotel." Three days later it correctly reported that the question of county boundaries would not be reconsidered but that minor errors might be reconciled by unanimous consent. The intervening time, too, gave the editorial writer some time for reflection. Under the heading "Fatherless Rumors," he wrote: "It's a common practice of those disappointed to charge bribery and graft. No one has charged his fellow delegate with graft on boundary lines. The "Con Cons" should form a bipartisan committee to investigate."

Convention leadership already had taken steps to investigate charges of bribery in direct answer to the allegations made in the Echols letter. Delegates welcomed the opportunity to hear any relevant facts that Echols, Clarence B. Dough, the editor of the Muskogee Phoenix, or any other critic cared to present. A Democratic caucus was held January 3, and the following morning Delegate C. N. Hasbell introduced Resolution 65, an invitation to the press and outside parties to come forward to testify to the Committee on Rules regarding bribery or corruption of any member of the convention. The resolution passed. On Saturday, January 5, J. F. King of Newkirk, delegate from District 15 and chairman of the rules committee, reported procedures had been established to investigate and accept testimony that reflected on the honor and integrity of the convention membership. He announced that the committee would be in continuous session to receive charges or statements for consideration from any member or any source. During the work week beginning Monday, January 7, twenty

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witnesses appeared before the Committee on Rules. None presented corroborative evidence, and the hearsay evidence presented did not involve delegates.26

The Committee on Counties and County Boundaries, meantime, was receiving petitions and delegations relative to the naming of seats in the newly-created counties, and was examining provisions made by other state bodies for the changing of boundaries and seats of counties. Committee Report 16, submitted January 12, was devoted to those provisions looked forward to by so many delegates and non-delegates alike: "That the temporary county seats of the counties herein named be as follows, . . ." Consideration of the report began in Committee of the Whole January 16, county by county in alphabetical order, with motions for adoption on each, and substitute motions from the floor with discussion before final vote in many instances. For example, when the first line received a reading, "Adult County, Westville," a substitute motion prompted discussion and vote, but the following three, "Alfalfa County, Cherokee," "Atoka County, Atoka," "Beaver County, Beaver," were adopted without discussion. Line five, "Beckham County, Sayre," brought forth a substitute motion and a lengthy debate.27

Discussion of the report was completed Saturday afternoon, January 19, with one exception. Two days earlier when "Harper County, Buffalo" was reached, this line was passed over while ugly rumors circulated in the capital that a delegate would benefit by designating an unsettled area as the seat in the newly-created county. These rumors could not be ignored. The allegation was directed at Delegate E. E. Williams as he was responsible for the naming of the county created within his district and its seat, a county extended by the Committee on Counties and County Boundaries. On Monday afternoon, January 14, the Committee on Rules, chaired by J. F. King, began hearings on the propriety of designating the planned townsite of Buffalo as the county seat. The Committee of the Whole delayed final consideration on temporary seat on Saturday because King reported his committee was still holding hearings regarding the Harper County seat, that members were exhausted, that they "had been up several nights until 2 a.m."28

26 See Daily Oklahoman, January 11, 1907. A book credited to Mormon Priest, Mormon Priest, Criminal Lawyer (Oklahoma City: Hurst Publishing Co., 1943), page 189, contains the events before the convention. King had charged he favored Sayre as the county seat of Atoka County for an alleged consideration of $1,500. This he denied and promised a venal charge that a prominent citizen of Sayre had offered him $5,000 to use his influence to secure Sayre as the county seat.

27 Typed Transcripts, Committee of the Whole, morning session, January 18, 1907.

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The investigation was triggered by a petition and affidavits filed by three townsite promoters interested in having Brule named the temporary seat.22 The petition credited Brule with seventy-five inhabitants and stated that it lay on high ground within two miles of the geographical center of the county. The petitioners pointed out that no town of Buffalo existed. They charged that certain parties, including O. G. Harper, had purchased 150 acres southeast of Brule and proposed a town there named Buffalo.

The affidavit related to a conversation held January 9, with Harper in the Metropolitan Hotel, Guthrie. According to the affiants, Harper claimed to own forty percent of the land where Buffalo would be located, and Delegate E. G. Williams did not dare oppose the proposed location of the seat because Williams was chosen delegate through Harper's influence.

Harper, in a statement to the State Capital, said he did not own the townsite; that W. H. Miller owned the land where Buffalo had been planned; and E. M. Estr owned the land where the Brule post office was located. He indicated A. V. Brown had approached him to use his influence with Williams to name Brule the county seat.23 Harper and Williams were among those summoned before the Committee on Rules. Testimony before the committee indicated Harper was offered a one-half interest in the townsite of Brule to use his influence in making it the seat; that a company had been formed to develop the townsite of Buffalo, that he was offered 40 percent of the stock and that he had paid nothing for it. Williams had no interest in the townsite and had not promised any town lots.

He was absolved of any wrongdoing.

Brewer, resident of District 9, had the delegate from that district, D. G. Harrel of Ringwood, offer Brule on January 21 as a substitute for Buffalo as temporary seat. Brown, meantime, contacted other delegates in behalf of Brule. The State Capital reported he spoke with Delegate Royal J. Allen, chairman of the county committee; had promised he would build a courthouse in Brule '50 by 100'; two stories high, a schoolhouse large enough for all purposes for the next three to five years, and guaranteed a railroad within two years.24 But Allen told Brown the committee would not accept any propositions.

22 The petition was signed by A. V. Brown, A. O. Brewer and George H. Knapp; the affidavit by Brown, certified by Brewer and Knapp. Newspaper reports do not fix the editor of Knapp. Brown was from Oklahoma City and certified with being a townsite agent for the St. Louis and San Francisco Railroad. Brewer was from Carthage, Oklahoma.
23 Daily Oklahoma (Oklahoma City), January 18, 1905; Weekly Oklahoma State Capital (Guthrie), January 24, 1905.
24 The decade 1897-1907 was an era of townsite and railroad promotion in the territories. There were no railroad ties in the proposed Harper County and the promise of a railroad was always a fascinating bait dangled by townsite boosters. It was not until 1928 that a railroad line reached Buffalo, this 55-mile spur of the Atchison, Topeka, and Santa Fe from Waynoka.

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On February 2 Haskell moved that the Convention go into Committee of the Whole to consider unfinished business. Committee Report 16 was the first business on the calendar, but no action could be taken because the rules committee had not reported on Harper County. Nevertheless, a short discussion followed in which Haskell expressed the belief that Buffalo would be designated the seat. He believed that a part of the tract would be conveyed to the county and that town lots would pay for the construction of a courthouse. W. A. Ledbetter of Acheson pointed out that the owner of the tract and his wife could execute a deed of trust to the county to put the tract on record.

Henry E. Asp, brilliant Republican minority leader from Guthrie, interjected a few remarks with reference to the propriety of a "place" being designated a county seat, and the activities of O.G. Harper, which prompted Murray to come to the defense of the Minute Clerk by suggesting: "I say the gentleman has no right to quarrel and sue his church like a spoiled child." And the presence of the Guthrie delegate inspired Haskell to offer: "Mr. Asp cannot possibly regret more than I do that the people of Oklahoma need protection in many respects against the government that has heretofore existed in that Territory and it is with the kindliest spirit and fellow feeling that we of Indian Territory are now joining hands with the oppressed of Oklahoma to contend for honest government."

Although pin pricks by Asp were mildly irritating to the majority leaders, it was the pen of an editorial writer for the State Capital that jabbed wounds which brought cries of acquiesce. Haskell stated from the convention floor that "anyone who would be influenced by an editorial in the State Capital was not a good Democrat." Murray referred to the writer as a "dirty, lying editor," and E. R. Williams, smarting from criticism over his recommendation to have Buffalo the seat of Harper County, followed with a diatribe in which he compared the editor to a festering carbuncle, these off the nose of time. He found the writer a "pin-headed fellow, who hates all not in his class. And as his class is restricted to a circle of spinal duned nincompoops, he hates almost all the world."

E. C. Patton of Tishomingo and Murray's appointee as official clerk of the convention appeared to report a conversation held earlier with the Stockholms delegate in one of the committee rooms. According to Patton's statement, Williams had remarked that the postmaster at Brule offered him an interest in developing a townsite there provided the seat was located at Brule. Upon the direct question by a committee member, "Did he, in that conversation, say that he had any interest in the townsite (of Buffalo)?"

25 Quotes for the two paragraphs above are excerpts from the typed Transcriptions, February 2 and 3, 1907, and were faithfully reported in issues of the State Capital.
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Patton answered: "No, sir. He said that he had none." On another evening Judge A. S. Dickson of Beaver City, accompanied by fellow-townsmen A. J. Gate and J. W. Culwell, appeared before the committee. They, evidently, were townsite boosters, misled because Miller had turned down a $5000 offer for his platted townsite. Their testimony in no way whatsoever reflected upon the actions which motivated Williams to sponsor Buffalo as the seat.\textsuperscript{58}

The statement Charles H. Pittman, Eudl delegate, made before the investigating committee is herein reproduced as it possibly illustrates to some degree outside pressures exerted during the county boundary and temporary seat locations. His testimony leaves much doubt that Buffalo would have been planned had the postmaster at Brede campaigned as vigorously in the November election for a Democratic victory as he had for Republican victory.

Delegate Pittman made the following statement:

I will state to the committee that a few days before affidavits were filed here by Brown, Brewer, and Knapp, Brewer met me in the Royal Hotel and told me he wanted to introduce me to a man, and introduced me to A. V. Brown.

Browns raised the question of the county seat at Harper County. He told me he was allied with a railroad company and connected with a town site and railroad promoter who had been successful throughout Indian Territory; that they wanted to locate the county seat at Harper County and build a railroad to it; that he wanted my influence for that purpose.

I asked him where the county seat was to be located and he told me it was to be located at Brede. I told Mr. Brown that I did not think it proper for a delegate who knew nothing about the situation to interest himself in those matters; that Mr. E. R. Williams was the delegate from that county and that this convention had adopted the policy of naming in each county the county seat recommended by the delegate from that particular county, and that I, therefore, would refer him to Mr. Williams.

He said that Mr. Williams was not favorably inclined toward this proposition, that hedesired the location of the county seat at another town site, that while Mr. Williams would not oppose them that he would not expose their cause and all he wanted was someone to represent them on the floor. I told him I would see Mr. Williams.

I saw Mr. Williams and talked with him about the matter and he told me that the only thing in the location of the county seat at Brede was that Brede was on a Republican's land, one who had given the Democratic Party considerable trouble in that community, that he felt and the other Democrats of that

\textsuperscript{58} Woodward Bulletin, March 4, 1917. The lengthy article on testimony before the rules committee has a gadget leading page February 20.

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county seat, in the location of the county seat, inasmuch as no town was there, it ought to be located on a Democracy's land.

Immediately after seeing Mr. Williams, Mr. Brown called to see me at the convention here. I was busy with another party and together we walked up the street to the Elk's Hotel. Brown and Brewer followed me. When I saw they were following me I excused myself from the other gentlemen and told him that I presumed that these men wanted to see me about some other matter and that I would see what it was.

Mr. Brown then said, "I want to talk to you some more about that Brede proposition," and Brewer said, "Pittman, there is no use in beating around the bush about this matter. There is big money to be made in this proposition and if you will stand by us we will see that you are greatly benefited by it."

I said, "Brewer, I want to say to you and to your friend Brown that, while I know nothing about the matter, yet I am strictly and positively against the location of the county seat at Brede because of the statement you have made and I shall oppose any effort upon your part to locate the county seat anywhere, I feel that the people who live there, and who know the conditions there, and who must take the responsibility upon themselves are the people who should be allowed to locate this county seat."

Finally, after a 6-week delay in designating the seventy-fifth county seat, the "place" designated Buffalo was approved through convention action on February 26. The final Committee Report on county boundaries and temporary seats was adopted by the vote of 85 to 7 on March 5 for incorporation into the constitution.\textsuperscript{59}

Editor William Forster of the Brede Post fired one final blast in the neighborhood spot: "Now that the county seat is located we are very sorry to see our Brede friends lay down and let a bunch of 'graffers' and 'baddies' pull it two miles east of the center of the county and set it in the middle of a 'frog pond.'\textsuperscript{60} His resentment, however, was short-lived because soon his paper was carrying an advertisement of the valuable lots available in Buffalo. In September the townsite company offered 1,000 lots free to those who would erect a dwelling or business property, the only exception being that every other business lot was exempted from the offer. The Post carried in its masthead "Brede, Woodward County" in its issue of August 16.

\textsuperscript{59} "Article XV—Counties" of the constitution contains other pertinent information including provisions for creating or altering counties and the removal of county seats. It also provided that not until after April 1, 1909 could public moneys be expended for courthouse or jail construction unless the votes of the county had already been voted on the relocation of the county seat.

\textsuperscript{60} Brede Post, March 8, 1907. A tributary to Buffalo Creek ran diagonally across the townsite of Buffalo. Brede was located on higher ground to the northeast, less than one mile distant. When Robert E. McMillin, who had settled near the Brede community in 1903, appeared before the rules committee in behalf of Buffalo, he said the water at Brede was "terrible." See Daily Oklahoman, January 14, 1907.
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but the next week's issue showed "Buffalo, Harper County," a sign of the times, as all of Brule had moved to Buffalo. A rival paper, probably established to get the county printing which is so small for a struggling weekly, had announced in an earlier issue, "All that remains of Brule is the fact that it once was."  

Despite the fact that the two neighboring landowners, E. M. Best and W. H. Miller, had tied up the constitutional convention for weeks over the merits of their tracts for the location of the county seat, they remained warm friends and cooperated in the building of Buffalo. That Best had an interest in the townsite development is indicated by a news item appearing in the Brule Post: "Elmer Best, R. E. McInnis, and the town siren, George E. Ford, went to Ashland Wednesday to fix up the papers on the big land deal." And apparently O. G. Harper received lots from the company. The Plat Book of Harper County, 1910, states he owned lots in Buffalo and on one "had a cement building, now used as a court-room." At any rate, the sentiment expressed by a resident of Yelou, near the Kansas border, early in January was fulfilled. He said that no longer would it require a 5-day trip to the county seat to transact in hour's business.  

88 Harper County Democrat, Buffalo, July 5, 1907.  
89 Brule Post, March 15, 1907.  
90 Plat Book of Harper County, 1910, Section 3, page 1.  
91 Brule Post, January 11, 1907.