

CASSIUS McDONALD BARNES
Governor of Oklahoma Territory, 1897-1901

By *Nudie E. Williams**



Cassius McDonald Barnes

The whistle of a train in the distance was barely audible from the station platform in Guthrie, Oklahoma Territory. In the noon heat of this day in late May, the men glanced nervously at their watches and smiled at ladies in silk dresses. Meanwhile, the streets were slowly filling with children darting here and there in their Sunday best. Other adults joined the waiting gathering to greet an old friend aboard the approaching train. The mood of these happy citizens concealed the terrible ordeals which a number of them had endured only a short time earlier.

It was but late March when some had been the victims of a tornado which ripped through Chandler, and in early May others had suffered from a torrential rain which flooded most of Guthrie. These twin disasters had taken a frightful toll of lives and destroyed thousands of dollars worth of property. During this period of stress, Cassius McDonald Barnes, one of Guthrie's prominent civic leaders and an active aspirant for the gubernatorial appointment in Oklahoma Territory in 1897, had taken time from his political activities to initiate a campaign to raise funds to aid his less fortunate neighbors. Thus, the people of Oklahoma Territory, and particularly of Guthrie, had developed a special interest in Barnes, recently named as their governor by the newly-elected President William McKinley.

Promptly at 12:30 p.m. on May 24, 1897, Barnes stepped down from the long-awaited train and was ushered to a carriage by the capital city's welcoming committee. Then a mile-long processional escorted the entire group

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down Oklahoma Avenue, turning north on Broad Street, and finally moved east to "government acre." There, standing before a cheering crowd, Associate Justice John C. Tarsney of El Reno administered the oath of office to Barnes.¹

The new governor was born on August 25, 1845, the oldest of the five children of Henry and Samantha Barnes. The family moved to the vicinity of Albion, Calhoun County, Michigan, from Livingston County, New York, when Barnes was only four years old, because the rich, fertile soil provided a good farming opportunity. Consequently, Barnes grew up on the family farm; meanwhile, his early formal education was acquired in the Calhoun County common school system. Later, his training was supplemented by spasmodic attendance at the Albion Wesleyan Seminary, located in Albion, Michigan.

The practical education of Barnes began at the age of nine when he learned telegraphy. This skill was acquired while working part-time in the Kalamazoo, Michigan, office of the Western Union Telegraph Company. Several years later he went to work for Western Union as a full-time operator in the St. Louis, Missouri, office of the Ohio and Mississippi Railroad Company; he was also employed briefly by the Pacific Railroad Company. By 1857, he was an employee of the Western Union office at Leavenworth, Kansas, the western terminal of the telegraph line; he worked at this job until the outbreak of the Civil War.

In 1861, when the war began, young Barnes, only fifteen years of age, joined the Battle Creek, Michigan, Engineer Regiment, but later transferred to the Military Telegraph Corps as an operator. Because of his clerical ability, he was assigned to Brigadier General Nathaniel Lyon as his private secretary during United States military operations in Missouri. When Lyon was killed at the battle of Wilson's Creek on August 10, 1861, Barnes was transferred to a Military Telegraph Corps unit under the command of Brigadier General William T. Sherman in time to witness the bloody battles of Corinth and Memphis. Finally, at the close of the war, young Barnes was reassigned to Little Rock, Arkansas, and later to Fort Smith, Arkansas, as a telegrapher to assist in phasing out military operations.

After the war, Barnes remained in Arkansas and launched a business career in Little Rock. In addition to becoming a prosperous businessman, he was also a successful suitor, for he married on June 4, 1868, Miss Mary Elizabeth Bartlett of North Adams, Massachusetts, the daughter of Judge

¹ *Daily Oklahoman* (Oklahoma City), March 1, 1953, section T and C, p. 12; *Edmond Sun-Democrat*, April 23, 1897, p. 1, May 28, 1897, p. 2.

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and Mrs. Liberty Bartlett of Little Rock. The young couple soon became active in Little Rock's society and the Republican Party.

In 1872, Barnes accepted a political appointment on the staff of the governor of Arkansas as the state assistant adjutant general. Somewhat later he was named the assistant collector of internal revenue at Fort Smith. He completed his apprenticeship in local and state politics by winning three straight elections for the position of city clerk in Little Rock. The combination of an excellent record in office and the influence of the Bartlett name produced several federal positions for Barnes. The first was as the chief deputy United States marshal for the eastern district of Arkansas from 1876 to 1879 and in the same capacity for the western district of Arkansas from 1879 to 1889.

When the Unassigned Lands were ready for settlement in 1889 in what would soon become Oklahoma Territory, the long and creditable association of Barnes with Arkansas politics was ended when President Benjamin Harrison, a Republican, appointed him receiver for the United States Land Office in Guthrie. Under his management, the land office was operated honestly and efficiently. However, when President Grover Cleveland, a Democrat, became chief executive in 1893, Barnes was not reappointed; nevertheless, the splendid record that he had compiled was public knowledge and was greatly appreciated throughout Oklahoma Territory.²

Thus the career of Barnes suffered only a temporary decline; in the meantime, he began to read law and was admitted to the bar of Oklahoma Territory in 1893. Besides engaging in a growing law practice and various business interests, he became a charter member of the Guthrie Board of Trade and the Guthrie Building and Loan Association. Church work also ranked high in his personal life. He was always a very religious man and an active member in the Guthrie Episcopalian Church. As the lay reader of the congregation, he accepted additional responsibilities for the general welfare and finances of the church.

As busy as Barnes was, he found the time to join and provide leadership in fraternal organizations. He had served as the state commander of the Grand Army of the Republic in Arkansas, the major organization of Union Army veterans, and he took great pride in being elected the first commander of the Grand Army of the Republic in Oklahoma Territory. In addition to being a Master Mason in Oklahoma Territory, he also main-

² John B. Meserve, "The Governors of Oklahoma Territory," *The Chronicles of Oklahoma*, Vol. XX, No. 3 (September, 1942), p. 222; *Portrait and Biographical Record of Oklahoma* (Chicago: Chapman Publishing Company, 1901), pp. 13-15; C. C. Parkhurst, "Territorial Governors of Oklahoma" (unpublished Master of Arts thesis, University of Oklahoma, 1926), p. 30; *Edmond Sun-Democrat*, April 9, 1897, p. 2; *Daily Oklahoma State Capital*, August 17, 1893, p. 2.

tained current memberships in the Knights of Templar and the Knights of Pythias fraternal orders. Barnes was in constant demand as an after-dinner speaker and a social mixer. This personal popularity and social appeal aided immensely in his political rise in Oklahoma Territory. He was always known as "Cash," which may have referred to his successful business interests and not to his given name of Cassius. These endeavors had tested his executive abilities and were proof of his sound business judgments. In whatever capacity he was asked to serve, he always worked with a pleasant disposition and a cooperative attitude.

Meanwhile, Barnes worked vigorously for the success of the Republican Party in Oklahoma Territory. Thus when Barnes made a bid for election from Guthrie in the fall of 1894 to the territorial House of Representatives, he won; almost immediately he was elected the speaker of the House of Representatives. He established an unprecedented record in this position, for all of his decisions in contested cases were substantiated by the vote of the House of Representatives. Although he was one of the few Republicans reelected in 1896 to the territorial House of Representatives, he was elected as its temporary speaker because of his reputation for impartiality and his ability to clear the legislative calendar of business.³

In the 1896 political campaign, Oklahoma Territory Republicans had split over the national silver issue and the policies of the local party. When the Republicans met to choose delegates to the national convention, they could not agree on party policies or positions. Both groups endorsed a free homes bill and a statehood bill while disagreeing over a resolution endorsing the free coinage of silver. The national Republican Party official platform was against free silver. Hence factionalism was inevitable. Dennis T. Flynn, the most influential Republican in Oklahoma Territory, led the faction favoring the silver resolution in the territorial convention; Barnes, meanwhile, led the fight against the silver resolution at the territorial convention.

The two factions were consistently at odds over policies for the national convention delegation. Flynn, the Oklahoma Territory delegate to Congress since 1892, had moved to Oklahoma from Kansas during the land run in 1889. In Washington, Flynn had solicited the aid of Representative Thomas B. Reed of Maine, the speaker of the House of Representatives, to get legislation through Congress favorable to Oklahoma Territory; Flynn, in return, was obligated to support Reed's 1896 presidential aspira-

³ Gaston Litton, *History of Oklahoma at the Golden Anniversary of Statehood* (4 vols., New York: Lewis Historical Publishing Company, 1957), Vol. I, p. 465; Franklin C. Smith, "Pioneer Beginnings at Emmanuel, Shawnee," *The Chronicles of Oklahoma*, Vol. XXIV, No. 1 (Spring, 1946), p. 7; *Stillwater Gazette*, April 8, 1897, p. 2; John H. N. Tindall, ed., *Makers of Oklahoma* (Guthrie: State Capital Company, 1905), p. 12; *Portrait and Biographical Record of Oklahoma*, p. 14.

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tions. Thus when Barnes asked for a resolution in the territorial Republican convention to send a delegation committed to the national Republican candidate, William McKinley, and the official Republican platform, quarreling started anew. As a result, Flynn fought for a resolution in territorial Republican convention allowing an uncommitted delegation go to the national convention; he also used his influence to get the silver and uncommitted resolutions approved by the convention.

The feud was further heightened by historical differences. Barnes, early Arkansas Republican, knew the disadvantages of being both a national minority party and lacking in local support; thus, the Arkansas Republican philosophy was to agree with the policies of the national party to work to sustain party unity and thus to enjoy a commanding position in the distribution of federal patronage in a national presidential election victory. The approach of Barnes was to align local interests to coincide with the national issues. On the other hand, Flynn a native Kansan, was influenced by the Kansas Republican Party and its philosophy of a strong aggressive and constructive political organization with emphasis on local interests and leaders who would sacrifice national party alignment for these interests.⁴

Both Republican factions suffered political setbacks in 1896. Flynn was defeated by James Y. Callahan in the race for the post of Oklahoma Territory delegate in Congress. Callahan was the fusionist candidate. The fusionists were unique as a political entity; they were more of a political facade than a political party and were composed of Democrats and Populists. The union of these parties was totally objectionable to the people of the South only in the northern United States had there been any significant fusion results. The fusion ticket, nevertheless, had risen to the political summit in Oklahoma; the result had removed Flynn from Congress as the Oklahoma Territory delegate.⁵

Barnes was also defeated in 1896 for his bid to be elected as a delegate to the Republican national convention. His defeat was minimal because he was already a member of the Republican national committee. When the committee convened to select a site for the 1896 convention, Mark Hanna the chairman of the committee and the campaign manager for McKinley personally favored St. Louis, Missouri, for the convention. In soliciting support for his choice, Hanna promised Barnes: "you vote for St. Louis and if McKinley is elected president you will be governor of Oklahoma."⁶ W

⁴ Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and People* (4 vols., New York: Lewis Historical Publishing Company, 1929), Vol. II, pp. 575-77.

⁵ *Ibid.*, pp. 576-577.

⁶ *Daily Oklahoman*, March 26, 1922, section C, p. 8.

this added incentive, Barnes voted for St. Louis and returned to Oklahoma Territory to wage a bitter political fight against the free silver issue.

The steadfastness of Barnes' campaigning contributed to the national Republican victory, which had a different affect on the two Republican factions in Oklahoma Territory. For Barnes, who had supported McKinley and the national Republican Party, it meant control of the federal patronage in the territory. But bitter rivalry continued between the Republican factions in the territory when it was rumored that Flynn was a possible candidate for governor; the two contentious groups were never able to reconcile their philosophical differences. Finally, on April 1, 1897, after consultation with Republican leaders, President McKinley notified both candidates that Barnes was the nominee for governor of Oklahoma Territory. The appointment became affective on April 21, 1897, with the approval of the United States Senate.⁷

Then on May 24, 1897, after numerous speeches, the inaugural ceremonies ended with the oath of office being administered to Barnes. In the evening, the public paid its respects to Barnes at a reception; at the executive ball, an overflow crowd danced in the McKennon Opera House, where the banquet room was filled with tables of fine food awaiting the hungry guests. The social activities that began the administration of Barnes remained popular throughout his term. During these years Guthrie became the center of territorial society, and Mrs. Barnes, a New Englander by birth, was the perfect hostess for the social whirl. One of the traditions that she established was open house at the governor's home on New Year's Day. On this occasion each year the young men of Guthrie donned their best hats and suits to go calling on the young ladies; each visitor was welcomed and offered refreshments at every opened door. In addition to the New Year's Day open house, Governor Barnes, a good host and an able politician, often invited the members of the press to banquets and lunches in his home; thus he enjoyed a warm and friendly working relationship with newspaper correspondents.⁸

The first official action of Barnes as governor was to reward Fred L. Wenner by appointing him as his private secretary; Wenner was the *St. Louis Globe-Democrat* correspondent whose news reporting had focused national attention on Barnes' political efforts in Oklahoma

⁷ *Stillwater Gazette*, April 8, 1897, p. 2; Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. II, pp. 577-578; *El Reno News*, April 30, 1897, p. 1; *Blackwell Times-Record*, May 13, 1897, p. 4.

⁸ *Edmond Sun-Democrat*, May 28, 1897, p. 2; *El Reno News*, April 2, 1897, p. 1.



Fred Wenner, a nationally known newspaper correspondent, became the private secretary of Governor Barnes

Territory during the recent presidential election. The first year policy of the Barnes administration followed the national guidelines for political patronage. McKinley had suggested to the new governor that the question of removal of Democratic officeholders should not be considered before early 1898—slightly less than a year after Barnes took office. This was done to help restore political stability and consult on the candidates being considered for appointments. Furthermore, Barnes as governor wanted to rebuild the Republican Party in Oklahoma Territory. To do this he could not appoint only his factional Republican supporters to office; any effort to protect Republican interests and unite the

party in Oklahoma Territory would hinge on the fair distribution of patronage. He left no doubt as to his own position on patronage: "I have made no promises or pledges as to territorial appointments and will not do so until after my return home," he said while in Washington on the eve of becoming governor, "and that Republicans all over the territory will be consulted in regard to those matters before appointments are made."⁹

The question of patronage, in spite of Barnes' efforts and assurances of fairness, caused immediate controversy over postmaster and marshal appointments. Tom Gainer, seeking the postmaster appointment at El Reno, published a letter in the *El Reno News* charging that the governor had promised him the position; his claim was based on a personal letter dated before Barnes was appointed governor. Another irate office seeker accused the governor of forcing his withdrawal as a candidate for a United States marshal appointment. Later, the candidate dropped the charges and admitted that Barnes had explained that national political leaders favored another candidate for the position. Most political observers believed the attempts were designed to force the governor to give opposition Republi-

⁹ Cassius M. Barnes to Charles H. Filson, April 13, 1897, *El Reno News*, April 23, 1897, p. 1.

cans a larger share of the patronage and a greater voice in his administration.¹⁰

Barnes promoted the welfare of Oklahoma Territory despite the political feuds. His annual report to the secretary of the interior in 1897 reflected his faith in the future of Oklahoma Territory. He noted the abundance of natural resources, the growing population and the increasing taxable income that would enable the territory to reduce its debt. The needs of the territory were numerous, but education headed the governor's priority list. In the sparsely populated western area of Oklahoma Territory, the youth were without higher educational facilities; he immediately encouraged construction of the recently authorized teacher training college at Alva, today Northwestern Oklahoma State University. Subsequently, the institution became the fastest growing college-level school in the entire territory. Similarly, black citizens had long petitioned the territorial government for their own college facilities; Barnes supported these efforts with an authorization for building funds for the Colored Agricultural and Normal University recently established at Langston, present-day Langston University.

Other areas of special concern with Barnes were the care of the insane, the disabled and the aged. To insure the continued well-being of the insane, he renewed the contract with the Oklahoma Sanitarium Company, thus continuing Governor Renfrow's policy. Nor did the care of the aged and disabled escape Barnes' attention. The increasing number of disabled veterans in Oklahoma Territory was also alarming. Consequently, he cooperated with the Grand Army of the Republic in organizing petitions to Congress requesting assistance for this need. He suggested the old Council Grove Reservation, a little used tract of land near Fort Reno, several times to the secretary of the interior and the president as a possible gift to Oklahoma Territory for a soldier home. Both efforts produced very little in terms of relief for Civil War veterans.¹¹

Another of the immediate issues was the use of school land funds to finance the common school systems. Congress had authorized sections sixteen and thirty-six in each township set aside for this benefit with each new land opening. There was disagreement, however, between the counties and the territory over the use of the revenue. The territory favored a plan whereby the money would be distributed from a common fund to each

¹⁰ *Ibid.*, July 23, 1897, p. 4, August 6, 1897, p. 1, August 13, 1897, p. 1.

¹¹ United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1897* (Washington: Government Printing Office, 1897), pp. 3-6, 9-10, 14-15; *Sillwater Gazette*, May 5, 1898, p. 2.



Located in Norman, the Oklahoma Sanitarium for the Insane attracted the special interest of Governor Barnes

county according to its needs; each county wanted to use the funds from each assigned section of land within its boundaries for its own local systems. However, higher education was financed by money authorized through executive action so that section thirteen of each township provided support for the colleges and universities; similarly, section thirty-three was authorized by executive order for funding public building programs.

Although Barnes was optimistic about the future of Oklahoma Territory, he was also concerned about the results of territorial legislation. He felt that the legislative sessions were not long enough to allow adequate preparation of clear and concise laws. The biennial sessions had a sixty-day limitation that produced too many statutes that depended on interpretation to define their authorization and jurisdiction. This flaw in the legislative process nearly destroyed the administration of Barnes in 1899.¹²

Meanwhile, the fusionists failed in another attempt to dominate the

¹² Doea A. Stewart, *Government and Development of Oklahoma Territory* (Oklahoma City: Harlow Publishing Company, 1933), pp. 266-267; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1898* (Washington: Government Printing Office, 1898), pp. 23-25; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1897*, p. 37.

elective offices of Oklahoma Territory because of the inability of the Democrats and Populists to control their dissident factions. The fusion faction and the dissidents selected their own candidates to face the Republicans in 1898. Led by Flynn, the Republicans returned a commanding majority to both houses of the legislature, and Flynn won by an overwhelming vote another term in Congress representing Oklahoma Territory.¹³

While politics dominated the headlines and captured public attention, other issues pointed out the problems and progress of the territory. In 1898, Barnes pointed with pride to the outstanding population growth rate of the territory. He also noted that tax increases were less than in any other western state or territory, an exceptional fact since the bulk of land in many counties was not taxable because the titles remained under federal control due to the provisions of the Homestead Act of 1862 and its five year residency requirement. However, the increasing indebtedness was due to expanding needs of the territory and the limited sources of taxable land. Housing convicted criminals in the territory was one of the critical needs, along with the education of those with limiting physical defects; Barnes responded to these needs with an expansion in contractual social services. Oklahoma Territory criminals were housed in the Kansas State Penitentiary at Lansing by contract, but Oklahoma Territory was responsible for the transportation of the prisoners to Kansas and agreed to pay a fee of thirty-five cents per day for each inmate's upkeep. Other social service programs included a contractual arrangement in Guthrie for the education and care of the territorial deaf and mute. Besides the special care institutions, public schools textbooks were provided to the school systems by contract and hard bargaining. Efforts to provide a well-planned social service program while keeping costs to a minimum was a remarkable feature of the Barnes administration.¹⁴

The nation faced an international crisis in 1898 with the coming of the Spanish-American War. Long before the declaration of war, Oklahomans were eager and available for volunteer duty. Just after the war began, Oklahoma Territory was authorized one troop of cavalry that became famous as part of Colonel Theodore Roosevelt's Rough Riders. The citizens of the territory were offended when they were omitted in the second call for volunteers; Governor Barnes traveled to Washington to petition for permission to raise a battalion of volunteers. Authorization was granted,

¹³ Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. II, pp. 578-579.

¹⁴ Litton, *History of Oklahoma at the Golden Anniversary of Statehood*, Vol. I, p. 466; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1898*, pp. 6, 18-20, 62; *Contracts Made by the Governor of Oklahoma Territory* (Guthrie: State Capital Printing Company, 1899), pp. 3-5, 7-10, 13-14.

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the force was raised and then assigned to the First Regiment of Territorial Volunteers. Barnes' own son served with distinction throughout the war, and at its close Oklahoma Territory gave all of its volunteers a hero's welcome.¹⁵

The Spanish-American War ended in December, 1898, shortly before the legislature convened in Guthrie. Each territorial official and board submitted a report to the legislature. "Oklahoma has during the past two years," Barnes told the legislature, "participated in and is now enjoying her full share of the generally prosperous condition of the nation," which he believed was due to "a restored confidence in a sound financial policy."¹⁶ Barnes continued committed to strong welfare programs for the territory, but expressed concern for keeping costs to a minimum. He stated his position clearly in his veto message of a bill that provided for appropriations for additional officers and clerks for the legislature. In fact, most of the previous administrations had accepted these positions as a matter of legislative patronage. Barnes disallowed the bill because of a federal law prohibiting the creation of subordinate offices by a legislative assembly. He further criticized the legislature for the lack of urgency in getting the work of the session done; the legislature had passed only one bill after twenty-four days of proceedings. Expenditures soon became a major issue when the legislature questioned Barnes' authority to promote social service programs and negotiate contracts.

The legislature questioned Governor Barnes regarding the mounting expenses of the territory, the control of the land lease monies and the method of distributing common school funds. When members of the legislature made serious accusations of alleged extravagance and mismanagement in handling school funds, a joint investigation committee made up of Council and House of Representative members was appointed to inquire into these allegations under the provisions of a Council concurrent resolution.¹⁷

¹⁵ United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1898*, pp. 65-66; *El Reno News*, December 30, 1898, p. 2; Meserve, "The Governors of Oklahoma Territory," *The Chronicles of Oklahoma*, Vol. XX, No. 3, p. 223.

¹⁶ Oklahoma Territory Legislature, *Journal of the Council Proceedings of the Fifth Legislative Assembly of the Territory of Oklahoma, 1899* (Guthrie: State Capital Printing Company, 1899), p. 21.

¹⁷ Stewart, *Government and Development of Oklahoma Territory*, pp. 267-268; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1899* (Washington: Government Printing Office, 1899), pp. 6-7; Parkhurst, "Territorial Governors of Oklahoma," p. 32; Oklahoma Territory Legislature, *Journal of the House Proceedings of the Fifth Legislative Assembly of the Territory of Oklahoma, 1899* (Guthrie: State Capital Printing Company, 1899), pp. 100-107, 88; Oklahoma Territory Legislature, *Journal of the Council Proceedings of the Fifth Legislative Assembly of the Territory of Oklahoma, 1899*, p. 765.



The Deaf and Mute Institute in Guthrie, a point of conflict between the territorial legislature and Governor Barnes

On March 9, 1899, the joint investigation committee made its report in an open session of the legislature. There were sixteen areas of investigation, but the lack of time and evidence prevented a complete report. The committee began with the charge that the governor had exceeded his authority to make contracts in excess of appropriations provided by territorial law. The report cited that the teacher training college at Alva was authorized \$5,000 for construction, but based on actual estimated needs, the governor had contracted buildings in excess of \$80,000; the Guthrie deaf and mute institution contract was authorized for only one year while Barnes had signed a multiyear pact for service covering five years to capitalize on lower yearly rates. The committee based its accusations on territorial laws that were vaguely worded, and the limitation of authority was gleaned from the context of this legislation. The entire administration of Barnes was implicated as being corrupt and the suggestion was that the governor himself aided and abetted wrongdoing and abuse of office. However, when the adjutant general of the territory was found guilty of the

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misuse of funds, he was promptly dismissed from office by Barnes and every effort was made to prevent such practices. Later, the attorney general of the territory was accused of using his office to further his private law practice: the charge was that he could not represent the school land lease board in a private capacity and collect the ten percent service fee. A dissenting member of the joint investigation committee, however, defended the attorney general's rights to collect a service fee and to act as a private lawyer without a conflict of interest.

Although Barnes was able to defend his administration and his actions as governor from charges by the joint investigation committee, he was in no position to fight the open criticism of William Jenkins, the secretary of Oklahoma Territory. Jenkins had used his influence to force legislation to reduce the governor's control over the school land lease funds. Even though a board had been established to manage these funds, the friction increased between the secretary and the governor because both sought to influence the school board by their personal philosophy; thus when the most serious charge against the governor involved the school land lease funds, there developed a political rivalry. The governor was accused by the joint investigation committee of depositing the monies in his personal account and of using the interest for his private purposes. However, the joint investigation committee failed to mention in its majority report that the governor made no transfers or withdrawals from any of the school land lease funds for his personal use. Neither had the committee proven that he received higher than normal rates of interest on these monies. In spite of all of the criticism of the governor, the 1899 legislative session passed eighty-two bills; twenty-four of these were vetoed by the governor, but only one was passed over his veto.¹⁸

While the normal business of the legislature went on, Governor Barnes continued to fight political hostility. The *Daily Oklahoman* published a report that eight charges had been officially filed against him by Flynn Republicans Selwynn Douglas, Henry Overholser and E. E. Brown, all of Oklahoma City, and that President McKinley and Secretary of the Interior Ethan A. Hitchcock were presently studying the charges. Hitchcock authorized a special inspector to come to Oklahoma Territory to investigate the charges. In the meantime, other opposition Republicans in the territory

¹⁸ Oklahoma Territory Legislature, *Journal of the House Proceedings of the Fifth Legislative Assembly of the Territory of Oklahoma, 1899*, pp. 285-362; Oklahoma Territory Legislature, *Journal of the Council Proceedings of the Fifth Legislative Assembly of the Territory of Oklahoma, 1899*, pp. 1132-1137; Stewart, *Government and Development of Oklahoma Territory*, pp. 278-279; Thuburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. II, p. 579.

used their influence to secure the dismissal of the governor. O. A. Mitscher, the national Republican committeeman from the territory and a close personal friend of President McKinley, had written to the White House asking that Barnes be replaced. The seriousness of the accusations could not be ignored, and Governor Barnes was summoned to Washington to answer the charges against him.

After Secretary of the Interior Hitchcock interviewed both Barnes and his accusers, he ruled that Barnes would remain in office. Hitchcock wanted the incident closed and the Republican factions ended for the general welfare of the national party and its future in Oklahoma Territory. The *El Reno News*, a strong Republican newspaper, expressed the sentiment of the supporters of Barnes when it stated that the charges had been conspired by his political enemies seeking personal revenge. Thus Barnes returned to Guthrie exonerated of all charges and the question of impeachment behind him.¹⁹

The burning issue that affected all Oklahomans, regardless of party, was the desperate need for a free homes act from Congress. Barnes had repeatedly petitioned the president and the secretary of the interior in all of his annual reports for such an act. Since the original Homestead Act of 1862, under which settlers received free lands after fulfilling a five year resident requirement, each Oklahoma land opening had a \$1.25 to \$1.50 per acre fee in addition to residential and land improvement obligations. Temporary relief was granted to settlers suffering from droughts and facing bankruptcy in the depression of 1893 that allowed them an extended payment schedule. Finally, on June 17, 1900, Congress passed a Free Homes Bill. As a result, all unoccupied lands opened were free with the exception of land office fees and unpaid balances on lands settled before 1900. This timely legislation saved Oklahoma Territory settlers \$15,000,000 and stimulated the rapid growth of the area.

Politically, the Free Homes Act made Flynn an overwhelming choice for reelection in 1900 as the Oklahoma Territory delegate in Congress. The fusion faction controlled the upper house of the territorial legislature, but the Republicans held a comfortable majority in the lower house; this set the stage for a long and bitter debate over the statehood question. Barnes had always supported the position that Oklahoma and Indian territories should constitute a single state; in keeping with this point of view, he vetoed in 1899 a legislative resolution calling for a constitutional convention

¹⁹ *Daily Oklahoman*, June 18, 1899, p. 1; *Edmond Sun-Democrat*, July 14, 1899, p. 2; *Daily Oklahoman*, June 13, 1899, p. 1; *Edmond Sun-Democrat*, June 16, 1899, p. 2; *Kingfisher Free Press*, February 1, 1900, p. 2; *Daily Oklahoman*, February 3, 1900, p. 2; *El Reno News*, February 1, 1900, p. 1.

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and a petition to Congress for separate statehood for Oklahoma Territory. The pro-statehood faction for Oklahoma Territory favored a two state plan for what is today the state of Oklahoma and saw the Curtis Act of Congress of 1898, bringing federal law to Indian Territory, as a firm step for Indian Territory toward statehood. Meanwhile, Barnes promoted a single state plan for what is today Oklahoma; he would never endorse a twin state plan for the two territories.²⁰

The bitterest fight in the controversy was focused in a bill of the legislature which provided for the selection, location and construction of five territorial institutions, namely a penitentiary, an asylum for the deaf, mute and blind, another for the insane and two industrial schools. Subsequently, those who supported or opposed the measure did so with purely local interests in mind. The selection process for the institutions was designed to solicit the support of legislators who had either benefited from past legislation or who would derive some advantages from other pending bills. The most important of the other bills that held the interests of legislators from the western areas of the territory were those providing for a teacher training school in Greer County and a university preparatory school in Kay County.

Legislative support decisively favored separate states formed out of Indian and Oklahoma territories rather than a single state out of the twin territories. Hence, the avid supporters of the bill providing for the selection, location and construction of the five territorial institutions favored the admission of Oklahoma Territory regardless of the status of Indian Territory for statehood. The general opinion of the bill supporters was that if the people of Oklahoma Territory would locate, construct and finance these institutions themselves, this would convince Congress that the territory was ready for statehood.

The struggle in the legislature became desperate. Yet, the bill providing for the five territorial institutions passed the legislature by a wide margin and reached the office of Governor Barnes on the fifty-seventh day of the legislative session. Barnes refused to approve the bill and it died without his signature in a pocket veto. He signed, however, the bills for a teacher

²⁰ *Stillwater Gazette*, January 27, 1898, p. 2; *El Reno News*, February 4, 1898, p. 2; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1897*, pp. 40-41; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1898*, p. 76; United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1899*, p. 103; Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. II, p. 579; *Purcell Register*, January 6, 1889, p. 1; Stewart, *Government and Development of Oklahoma Territory*, pp. 265-266.



Governor Barnes, a resident of Guthrie, retired to this home after leaving office

training school in Greer County and a preparatory school in Kay County.²¹

The fight over the bill providing for the five territorial institutions revived the feuds between the Republican factions. Although Flynn and many other leading Republicans had supported the measure, the position of Governor Barnes on the issue widened the breach between the two Republican factions. Old political wounds were reopened and anti-Barnes Republicans screamed for his removal. The political feud reached its climax when the factional interests went to Washington to petition against Barnes' reappointment in 1901. The infighting threatened to destroy the Republicans in Oklahoma Territory. Thus the most influential factors in President McKinley's decision not to reappoint Barnes were the negative endorsement by Secretary of the Interior Hitchcock and the appeal for political harmony in Oklahoma Territory politics. Therefore, Barnes was

²¹ United States Department of the Interior, *Report of the Governor of Oklahoma Territory for the Year 1900* (Washington: Government Printing Office, 1900), pp. 112-113; Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. II, pp. 579-580; Litton, *History of Oklahoma at the Golden Anniversary of Statehood*, Vol. I, pp. 467-468.

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sacrificed for party unity. William Jenkins, the secretary of the territory, was appointed to succeed him as a compromise candidate for Republican Party harmony in Oklahoma Territory on April 15, 1901.²²

Barnes remained active in Guthrie as one of its leading and most popular citizens. He served as president of the Logan County Bank and continued his political career as mayor of Guthrie from 1903 to 1905, and was re-elected in 1907 for a two year period. With the Democratic Party in the ascendancy, he lost some of his political appeal as a Republican leader. He refused to accept political appointments that he felt were offered because of old friendships; however, he held several minor elective offices before retiring from public life. Then he returned to the practice of law in Guthrie. His wife died on May 27, 1908, but two years later he married Rebecca Borney in Chicago and moved to Leavenworth, Kansas. There he worked at his old occupation as a telegraph operator until failing health forced him to relocate in New Mexico, where he lived until he died on February 18, 1925. His body was returned to Oklahoma for burial in Summit View Cemetery at Guthrie.²³

Born into a sturdy farm environment, Barnes became self-reliant, physically strong, acquired a fairly adequate common school education and with a better than average intellect developed a practical personal philosophy early in life. As a youngster, he began earning his livelihood as a telegraph operator and soon possessed deep religious beliefs, a sincere concern for his fellow man and a strong belief in his convictions.

While governor of Oklahoma Territory, he placed the needs of its people first and the discipline of the Republican Party second. He fought almost single-handed for improvements in educational facilities at all levels for both blacks and whites. His concern for the welfare of the less fortunate caused bitter opposition because his priorities provided more for the people and less for the politicians. Because of his dedication to social service needs, his commitment would not allow him to sacrifice his convictions to party politics; thus he was removed from office to keep political peace. He was one of that rare breed of officeholders of his point in time who placed honesty, principle, service and dignity above all other considerations.

²² *El Reno News*, July 14, 1899, p. 4; February 15, 1900, p. 4; Stewart, *Government and Development of Oklahoma Territory*, pp. 284-286.

²³ Parkhurst, "Territorial Governors of Oklahoma," p. 35; *Daily Oklahoman*, February 21, 1925, p. 1.