

sition has its supporters and also its benefits and difficulties. But the third proposition has not the prominence of the other two, as it would soon put an end to the nation's government, and lead to the coming in of another State. The surrounding nations are advocating a similar method, and among three of the five civilized tribes—the Chickasaws, Choctaws and Seminoles—a strong effort is being made in the direction of allotment.

Already the consideration of these questions has taken shape, as the commission acting in behalf of the United States are in Tablequah awaiting the action of the chief and council. In addition to their duty in making treaties concerning the land given them by the act of Congress, they this time presented a document sent to the commission by the Secretary of the Interior Noble, informing them of the position the department will maintain in dealing with the Cherokees and their lands. The secretary informs them that the Cherokee contracts with the cattle syndicate are unlawful and may at any time be declared invalid by the President, that the cattlemen are seeking to outbid the government and rendering themselves liable to be restrained in their actions by law, in the attempt to thwart the good purpose of the government in giving homes and lands to the citizens in what is now a wilderness occupied by roaming herds, and in placing in the hands of the Indians a reliable fund the interest on which will support them in making all necessary improvements and advancement; while the extravagant offers of the corporation cannot be depended upon and may at any time fail; also, that it is deemed necessary to have those individuals owning the cattle to move their property by June 1st, 1890. It concludes with the assurance that the Cherokees will receive generous treatment and can retain their lands, if they wish, under the burdens which now rest upon it, unless the United States should see fit to assert its superior title. To the opinion of the chief concerning the Cherokee constitution prohibiting a sale, the assistant Attorney-General proffered his advice, and the reply of Chief Mayes to both these high officials will give his position, for the letter of Secretary Noble places the Indians in a peculiar predicament. Considering the official standing of each, the document is of interest. The chief says, in his letter to the chairman of the commission, Mr. Fairchild:

"Yours of the 4th received, submitting a letter of Hon. John W. Noble, Secretary of the Interior, of Oct. 26th, 1889, pretending to take the responsibility of removing certain cattle that are now grazing on the lands of the Cherokees west of the Arkansas River, and have been grazing there for the past ten or twelve years by permission of the Cherokee Nation, from which source the Cherokees have been deriving considerable revenue, and which privilege the predecessors of Secretary Noble never pretended to interfere with. I will simply say to

you that the Cherokees do not recognize the right in Secretary Noble to interfere with this land which has belonged to the Cherokees since the purchase and ownership of said land; but will continue to collect said revenue for this grazing privilege until Secretary Noble sees fit to deprive the Cherokees of the revenue by force, and even then, the Cherokees will endeavor to protect their rights in the premises in a legitimate way."

To the assistant attorney-general he writes: "I have to say that I, as chief executive officer of this nation, have taken an oath to preserve, protect and defend the constitution of the Cherokee Nation, and that my conscience and sense of duty will govern me in this matter, and not the assistant attorney-general nor the act of Congress creating your commission, which has no connection in this matter."

What the outcome in regard to the sale of lands, and the stand which both parties concerned has assumed, will soon be developed. In touching upon the matter in his annual message, the chief advises the council to maintain that which they believe will do justice to those whom they represent; for they have no reason to apprehend any unjust or overt dealing on the part of the United States and the present administration.

The Cherokees appear to be having interesting times now. In connection with the land question, if the coming Congress pays attention to the suggestions which the Indian agent has made, and the accusations of dishonest dealing with other Indians, as well as the statement in his annual report that there were thousands of criminals and fugitives sheltered within the borders of this Territory, enactments as to remedies and investigation will be considered.

They were also startled lately by a bold attempt to rob their national treasury. The treasurer resides on his farm about a mile from the city of Tablequah. While on the road home on foot one day for dinner he was confronted by three masked men, who leveled their guns and ordered him to throw up his hands. The treasurer replied, "I guess not," and turned and ran in the direction from which he had been coming. Though a powerfully built man, he proved himself too fleet for his pursuers. He soon reached a farm house, and in a short time a large posse were on the trail of the would-be robbers. Up to the present, however, they have not succeeded in capturing them. Judging from the property the masked men left in their hurried flight, it was evident that they intended to capture the treasurer, and hold him until night, then force him to enter the capitol building, and unlock the vault containing the nation's money; for they were well prepared to carry off all the booty they could obtain. But through the presence of mind and activity of the treasurer they failed in their undertaking.

FRANK M.

MANARD, Indian Territory, Nov. 11, 1889.

## CHAS. B. HANCOCK ARRESTED.

As a further development in the old Payson tragedy, the arrest described in the following extract from a letter by our regular correspondent at Provo, was made. No information has been given to the public as yet concerning the nature or extent of the evidence which has been adduced against the Hancock Brothers now under arrest charged with complicity in the crime.

"It was surprising news when it became known that Charles B. Hancock, brother to George W. Hancock, of Payson, had been arrested for complicity in the murder of Mrs. Jones and her son in 1857. Charles B. Hancock was Bishop of Payson at the time the deed, of which his brother was accused, was committed, and is conversant with the details of that affair. When he read the account of the arrest of his brother he wrote to deputy marshal Bachman, with whom he has been acquainted for a number of years, and told him he thought he could be of some assistance in the case. He gave him his address and told him if he needed him that he could be found there. Meanwhile the grand jury had under consideration the crime, and the name of Charles B. Hancock being mixed up in it as a principal to the killing, an indictment against him was found by them, and placed in the hands of Deputy Bachman. This was not known, however, by Chas. B. Hancock. So when the letter reached Deputy Bachman he started out for Ogden, to arrest him. He arrived at the Junction City last Saturday, and, calling on Deputy J. B. McLellan, started for the place described in Hancock's letter. When they reached the house, Hancock was looking at some fall wheat, which his son-in-law had put in. Seeing strangers at the house he started to meet them. Deputy Bachman also approached him, with, "Well, don't you know me?" Hancock looked at him for a moment, and then said, "Why, yes, it's Bachman." The nature of the officers' visit was soon explained, and the trio left for Ogden, where Deputy Bachman and Mr. Hancock boarded the 2 o'clock train, reaching Provo on the Utah Central evening express. He was at once brought to town and lodged in jail, with his brother George W. Hancock. Yesterday morning Mr. Charles B. Hancock was arraigned to plead to the indictment, which charged him with the same offense as that laid at his brother's door. He took the statutory time to plead. As before stated, Mr. Hancock was bishop at the time Mrs. Jones and her son were killed, having been appointed to preside over the Payson ward in 1852 and remaining in office till 1859, three years after the murder was committed when he left to work on the U. P. railroad. He is two years older than his brother George W. Hancock, being now in his sixty-seventh year. He was also a member of the Mormon battalion, and one of the pioneers settling in Salt Lake City in the fall of 1847."