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TO THE VOTERS OF OKLAHOMA:

Henry S. Johnson, of Perry, Oklahoma, the Democratic candidate for Congress in the 8th Congressional District, in the Primary campaign issued a circular containing matter which was intended to reflect upon my honesty in business transactions while I was a private citizen. I wish to make a statement relative thereto. Johnson's circular contains four things which he alleges reflect upon my honesty in my private and professional career, before I ever held any office in Oklahoma.

1st. The first one is that while I lived at Perry, Oklahoma, I republished an article which had been copyrighted by another person, and Johnson in his circular says as follows: "In order to escape prosecution, Mr. Morgan bought his peace and quietude. William Anderson of Perry, Oklahoma was the man to whom he paid the hard cash and thereby escaped exposure at the time."

Mr. Johnson is a lawyer by profession, and he knows that it is not a criminal offense to publish without authority an article that is copyrighted by another. The remedy against such an act is simply a civil suit in court for damages. Mr. Johnson, therefore intends to mislead the voters of the District by asserting that "In order to escape prosecution, Mr. Morgan bought his peace and quietude." By using this language, Mr. Johnson evidently intends to make the voters believe that I had committed some crime. Under the law it is a crime to obtain anything of value under false pretences. From a moral standpoint, Mr. Johnson is just as guilty, because he is trying to obtain votes by deceiving the voters. Now the fact of it is, I did republish the article, and thereafter a gentleman through his attorney came to me and demanded

damages for publishing an article which he claimed was copyrighted and that he was the owner of the copyright. Without even ascertaining whether the article was copyrighted, I paid the man what he demanded and settled whatever claim he may have had, not as Mr. Johnson says, "to escape prosecution," because I did not want to do an injustice to any person and paid the man according to my memory about \$75. When the fact of it was in a suit in court the probability would have been, the man could not have shown that he was damaged a single penny/ So as a matter of fact, taking the transaction as a whole, it was highly complimentary to me as a man, because, I even more than compensated the alleged owner of the copyright, and it was fortunate for him that I re-published the article and thus gave him a nice bonus which was that much pure gain and profit to him.

MORGAN'S DIGEST

Second, Mr. Johnson tries to belittle the book which I published intitled, "Morgan's Digest of Oklahoma Statutes and Supreme Court Decisions." I spent two years of hard work on the book and published it wholly as a private enterprise. After the book had been published some months, Hon. Thomas H. Doyle, who then resided at Guthrie, but who is now one of the justices of the Criminal Court of Appeals of the State of Oklahoma, and one of the most distinguished Democrats of the State, introduced a bill into the Legislature, which in general terms provided that the Territory should buy a certain number of copies of this book to distribute free to Justices of the Peace and County officers. The bill passed both Houses of the Legislature and was approved by Gov. C. M. Barnes. I delivered the books to the Territory and received pay there for. The book retailed at \$3 per copy. The

Territory paid \$1.50 a copy. Mr. Johnson says in his circular, "Morgan, true Hobbyist before the Territory Legislature." This statement is not true, at least not in the sense that the term "lobbyist" is ordinarily understood. Mr. Johnson intimates that the book was of no value. This, of course, is a reflection upon the members of the Legislature and the Governor of the State. Now after I had given two years to the preparation of the work, I was entitled to some pay for my services, over and above the actual cost of printing. I do not care to brag upon my own production, but I do know that at the time the work was published that many of the leading lawyers and editors of the Territory indorsed the work in highly complimentary terms and I wish to say further, that I never paid anybody for an indorsement. I never spent a single penny in trying to influence any County officer, to secure a vote in the Legislature of a single member there of. The mere fact, however, that the Territorial Legislature would purchase such a book and distribute it throughout the Territory could not be regarded otherwise than a high compliment to the author and publisher of the book.

Third, Mr. Johnson's pamphlet devotes considerable space to try to prove that some of my business transactions with the homesteaders was dishonest. I think it will be conceded generally that I did a larger business with the homesteaders of Oklahoma than any other lawyer in the State. Mr. Johnson is the first man, as far as I have ever heard, who has ever made a charge against my business honesty. I can say with a clear conscience that I never secured from a single homesteader a dollar that I had not honestly earned, and I have never had a single homesteader to complain of

any of my transactions with him.

4th. The fourth charge which Johnson publishes in his pamphlet is that I was attorney for some two hundred homesteaders on certain lands in the Kickapoo Indian Reservation and that I was endeavoring to rob the Territory of these lands. Now the facts are that I was employed ~~was~~ as an attorney, and at that time a private citizen and practicing attorney among the homesteaders of about two hundred persons, who were claiming reservations in the Kickapoo Reservation. The President issued a proclamation opening this little reservation to settlement and with the proclamation was published the schedule of the different quarter sections of the lands that were opened to settlement under the proclamation. When the reservation was opened the homesteaders went in and settled on these lands. It so happened, however, that on a day or two before these lands were opened to settlement the Territory of Oklahoma, through its agent went into the land office and filed on these lands as school lands. The settlers appealed to enter their lands and their applications were rejected. They took appeals to the Commissioner and Secretary at Washington. The Secretary decided against it. After several laws had passed, they employed me to see if I could have the case reopened and secure the lands for them. I filed a petition for the reopening of the case and made such a favorable showing that the Secretary of the Interior reopened the case and set it for argument before him at a certain time. The Governor of the Territory sent Hon. J. C. Roberts, who is now the Republican candidate for District Judge at Enid, and who was at that time attorney general at Washington to appear and ~~arg~~ argue the case in behalf of the Territory. While the case was pending, I was at Washington and

appeared before the Committee on Territories to make an address in behalf of the Statehood for Oklahoma. Hon. Thomas H. Doyle and others were here at the same time. Mr. Doyle was in favor of what we called then, single statehood, that is that the Territory of Oklahoma and the Indian Territory should be admitted as one State. Myself and others were in favor of what was known as double statehood, that is of making a State of Oklahoma Territory and one of the Indian Territory. Hon. B. S. McGuire was then the Delegate to Congress and his bill was pending, and it provided for double statehood. There were other bills which provided for single statehood. Mr. Doyle was fighting McGuire's bill. Mr. Doyle in his remarks has asserted that McGuire's bill did not properly protect the school lands which the Territory claimed in the Kickapoo Reservation and which were also claimed by my clients, the homesteaders. My contention as shown by my remarks before the Committee, was that this was not a matter for the Committee on Territories, that I had not brought the controversy between the homesteaders and the Territory over these lands, before the committee, and would not have referred to thematter at all had not Mr. Doyle first brought the matter up. I contended that the committee nor Congress, could not at that time pass any act which would take from the homesteaders their rights if they had any, and I am sure today that I was correct about that position. Hence I claimed it was not a matter of controversy before the committee or Congress, but was a matter wholly with the Interior Department and with the courts. ~~xx.xxxxxxxxxx pamphlet xxxx to thinkxxxx~~
In Mr. Johnson's pamphlet it is intimated that I was trying to rob the school children of the Territory. While thereis one thing certain, these two hundred homesteaders probably had five or

six hundred children. It is certain that the State of Oklahoma would not want to rob these five hundred children of the homesteaders, provided the homesteaders had legal right and just right to these lands, because we could not justly take from one child that which rightfully belongs to it for the benefit of all the school children of the State. I had no more to do with the preparation of the McGuir Homestead Bill than did Mr. Johnson, or Mr. Doyle. I never talked with him about it before the bill was introduced or after the bill was introduced. I never, in any way had any conversation with him with a view to controling what went in the bill relative to the school lands or the Kickapoo lands. The fact of it is that Mr. Johnson has published in this circular a lot of statements that are absolutely false and that in all the transactions he refers to there is not a single thing that is dishonest or disreputable, or that in any way reflects upon my honesty or upon my character . I submit that any man who will publish statements which are untrue against another person is not himself a fit man, and does not deserve the confidence of his neighbors or his fellow citizens, and should not be entrusted by the people with an important position.

Respectfully submitted.