

HORACE SPEED

By Grant Foreman

Horace Speed, distinguished pioneer in the field of jurisprudence, who did so much to rescue Oklahoma from the obloquy in which widespread lawlessness in our state's early history had cast her, was born in Nelson County, Kentucky, January 25, 1852, the son of Thomas and Margaret (Hawkins) Speed. He was a member of the famous Speed family of Kentucky, which gave to President Lincoln a member of his cabinet—James Speed. He attended public schools in the county of his birth until he was fourteen years old, when he began to work on his father's farm. At the age of seventeen he obtained a position as clerk for General John Parker Hawkins, assistant to the commissary general in Washington, where he remained eight years. During this period he pursued the study of law, and in 1877, upon his admission to the bar, entered the office of Harrison, Haines and Miller, of which General Benjamin Harrison was senior member, at Indianapolis. After one year with this famous firm he set up a law office of his own.

He continued in active practice in Indiana until 1889, when he went to Winfield, Kansas. The same year, that of the famous "Run", he removed to Guthrie, when he was appointed secretary to the so-called Jerome or Cherokee Commission, that negotiated with the Cherokees for the opening up of the Cherokee Outlet, and later with the Sauk and Fox, Potawatomi, Shawnee and other western tribes for the opening up of their reservations to white settlement. While engaged in this important work, when the territorial government was established in 1890, Mr. Speed was appointed the first United States district attorney for Oklahoma Territory.

In this capacity he tried several hundred cases in which he broke up a vicious ring of grafters that by perjury had thwarted the proper administration of the land office service. In these cases he established himself as a fearless and incorruptible prosecutor and restored the administration of government agencies in the confidence of the public and thereby enabled it to function usefully in the interest of the people it was designed to serve.

During this part of his career, another engagement of much interest was what became known historically as the Cherokee Outlet cases. In these suits an injunction was sought by cattlemen to restrain the government from removing their herds of cattle from the Outlet. Speed, representing the government, successfully resisted this effort and secured a judgment establishing the right of the government to remove the cattle from the Indian lands.

But it was after he had served his term as United States Attorney that he was again called upon by the government to render a

service that called for courage and resourcefulness of a high order. It was a criminal proceeding that grew out of a series of atrocities without parallel in the history of Oklahoma.

White men living along the border of Oklahoma Territory were in the habit of selling whisky to the Indians from across the line in the Seminole Nation. On the third day of January, 1898, two young Seminoles, crazed with the liquor thus provided them, entered the home of Julius Laird, a white tenant of Markus McGeisey, a Seminole, where they assaulted and killed Mrs. Laird and her baby. The outrage was soon discovered when infuriated white people from Oklahoma Territory invaded the Seminole Nation and captured two Indian boys suspected of being the murderers, took them across the line into the Indian Territory near Maud, and by the time the mob had grown to more than 150 people they chained the young Indians to a tree, set fire around them and burned them to death. As soon as this second outrage became known to government officials, an investigation resulted in sending a United States marshal with a force of deputies who arrested a number of white men charged with the crime. Great excitement resulted in Oklahoma and Indian Territories; in the course of official procedure indictments were returned against about thirty men who were brought to trial in the United States Court in Muskogee, before Judge John R. Thomas. Speed was specially employed by the Department of Justice to make the necessary investigation and to prosecute the defendants. The result was the conviction of the most culpable of the lot, who were sentenced to the penitentiary where they served their terms. This was a trying and exacting experience for Speed as well as an unpleasant one, for his life had not only been threatened by the white element, but he was scorned and subjected to jeers and taunts by a large element of white people who laughed at the idea of conviction or atonement.

Mr. Speed remained in Guthrie until 1913, when he removed to Tulsa, where he engaged in the practice of law in the firm of Speed and Righter. He continued his residence and law practice in Tulsa until December 28, 1924, when he died at his home at the age of seventy-two, mourned by a wide circle of friends, both lawyers and laymen.

Mr. Speed stood high in Masonic circles, and his funeral was conducted by the Delta Lodge, No. 71, in the First Presbyterian Church. The beautiful Rose Croix ceremony had been held in his honor the previous evening.

Mr. Speed was married, November 1, 1892, to Jessie St. John Adams, who died May 24, 1894; and a second time August 2, 1895, to Matilda McAlester who survived him. He was survived also by his son, the present Colonel Horace Speed, Junior, of the United States Army, and by his sister, Miss Louise J. Speed of Louisville, Kentucky.