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BIRD, J. W. (JUDGE)

INTERVIEW

1401

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BIOGRAPHY FORM
 WORKS PROGRESS ADMINISTRATION
 Indian-Pioneer History Project for Oklahoma

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Field Worker's name Merrill A. NelsonThis report made on (date) October 13, 1937 1937

1. Name Judge J. W. Bird, Second Judicial District, Enid.
2. Post Office Address Chambers in the County Court House. Garfield.
3. Residence address (or location) 2014 E. Broadway, Enid.
4. DATE OF BIRTH: Month March Day 8 Year 1867
5. Place of birth Volga City, Iowa

6. Name of Father G. W. Bird Place of birth Indiana.
 Other information about father _____
7. Name of Mother Charlotte Benedict. Place of birth New York
 Other information about mother _____

Notes or complete narrative by the field worker dealing with the life and story of the person interviewed. Refer to Manual for suggested subjects and questions. Continue on blank sheets if necessary and attach firmly to this form. Number of sheets attached 7.

Merrill A. Nelson
Field Worker
October 13, 1937.

A DISTRICT JUDGE'S STORY
Interview with Judge J. W. Bird,
2014 E. Broadway, Enid, Oklahoma.

My father was a carpenter and builder and later a contractor and still later became a farmer. He and my mother had six children. When we took a claim here, my eldest brother had the west half of the same section. I was born in Iowa but took my parents to Washington County, Kansas from where I made the run. I was just old enough to take a claim on September 16, 1893, and the day I entered was the first time I had ever been in the Strip. I made the run from a place eleven miles west of Caldwell, Kansas. I registered south of Caldwell. In order to make the run, according to the rules of the game, you had to have a booth certificate. If you crossed the hundred foot border which surrounded the Cherokee Strip (drawn one hundred feet inside the line) you lost all your homestead rights. This border was allowed that you might get around the booths. I made the run in a light spring wagon. It was a two-horse affair. I also had a saddle horse. In our bunch was K. P. Aldrich now dead. W. S. Bird, also dead. Clint Kiff lives in Pueblo. They all got claims. A daughter of Mr. Aldrich now lives in Grant County.

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We went straight south about twenty-five miles. That night there was no water so we drove over to the railroad tank at Jefferson. The railroad company was giving free water there. That night I slept under an elm tree. This tree is still standing about twenty rods northeast of the Rock Island water tank. You probably thought there was plenty of land in those days but let me assure you that the timber near Pond Creek, then called Round Pond, was full that night. Before retiring that night, however, we found the center stone of our place and the next morning we found the corner stones which gave us the number to our place.

You have heard of the dispute between Enid and North Enid over the location of the county seat. We had the same thing in Grant County. But first, some preliminary notes. There was a post office near where the four counties, Noble or P, Garfield or O, Grant or L, and Kay or K, (the new name probably coming from the letters) come together. This was known as P-O-L-K from the letters of the four counties. Kildare was for a time the county seat of Kay County of which Newkirk is now the county seat. The town of Jefferson was originally a half mile south of the present town. There was also a town a little north of Perry, originally, which merged with the present town of Perry.

Hoke Smith who had designated the location and names of the county seats, had placed the county seat of Garfield County at North Enid and that of Grant County at Jefferson, but when he heard of a land scandal and the attempt to locate the town-site on the land of some dead Indian, or some thing of the sort, he moved the county seat of Garfield to Enid and of Grant to Round Pond which is the present Pond Creek, but the railroad would not recognize Round Pond. The citizens then ditched the train there and the people decided to call Round Pond, Pond Creek. But the railroad wanted to call Jefferson Pond Creek as that was the government's name of the county seat. The trains went right through Round Pond, the present Pond Creek, and no depot was built. There were about three thousand three hundred people at Round Pond as Pond Creek was then called.

The result was the pouches of mail were merely thrown off at Round Pond, now Pond Creek, and then they were piled on a table where you could help yourself. Some did not like the name of Round Pond so they tried to change the name. An old long-whiskered man said, "I have in my pocket an order to open a post office at Pond Creek, which I will open here." This had a lot to do with the changing the name of Round Pond. However, Jefferson then had

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a depot labeled Pond Creek and we had a post office labeled Pond Creek, at Round Pond.

People thought the West was wild and woolly. Some of the tough element came in, but in our part of the country a good class settled. Nobody went hungry if the other party had anything to eat. You never locked your house. Our part of the country was built of people who had seen better times but had had adversity. They came to build up the country. However, we had a lot of saloons. We had fourteen saloons in Pond Creek at one time. There were a few murders there too.

Until 1923 I stayed in Grant County where I was just a young lawyer and seldom came to Enid. I do remember Rick Messall's home which was one of the first built in Enid. I was admitted to the first term of court in Grant County in 1894. A. G. C. Bier was a judge; he lives at Guthrie now.

There was a town, Pana, northwest of Hunter two or three miles. I was County Judge of Grant County from 1911-1914. Then I returned to the practice of law till 1919. Then I was District Judge of Kay, Grant and Noble Counties till 1923. I did not run for re-election. I came here to Enid to put my children in school.

Then they added Grant County to the district where I now serve with Garfield, Alfalfa, Kingfisher, Major, Woods, and Woodward.

When I heard that Grant was in this district, I went to Henry Johnson, the Governor, and got the appointment. I have been elected District Judge twice since, on the Republican ticket.

The first church in Pond Creek was the Congregational. They held services the next day after the opening. Reverend McCune was the minister. I belong to the Christian Church.

One of the first shootings occurred eight or ten miles southeast of Pond Creek. The sheriff did not want to act. So the United States Deputy Marshals, Pat Murphy, O. C. Crosby and Charlie Crosby, started after him but the man who did the shooting started to town so they met him on the way. Pat Murphy by the way is now labor commissioner.

Jess Hendricks was to replevin some cattle. He was sheriff. A couple of homesteaders shot him. The cattle were under a chattel mortgage. It is reported the officers started the shooting. And the homesteaders shot back. They never prosecuted these homesteaders.

One mile south of town, on the east side of the road, in the southwest quarter section that borders on the present cemetery of which Bill Thompson is the owner, is a grave. There may or may not be a marking or fence there. W. F. Hamm was the first man buried

in the Pond Creek Cemetery. He was the first city marshal. He was buried in 1894. He died a natural death after going to the hospital. A man in those days wanted a job. He would not ask for food. He would always ask for work.

A railroad ran northwest from Hutchinson to Manchester, Kansas, then into Grant County through Wakita, Medford and Blackwell in 1903. They used to call it the Hutchinson, Oklahoma, and Gulf railroad. Later the Santa Fe built a road to Kiowa and Cherokee. The road to Cavard was built about the same time. The old ranch house where the marker has been located in Grant County (the old stage house) has been verified by Sam Ridings. He said it was just a little southeast from the tank and twenty rods away there is another monument where some cowboys were shot. There were no toll bridges in Northern Oklahoma. If there was a bridge in our section it was free. We would cross on a ford at Pond Creek. We came on the west side of the railroad track from Jefferson and crossed under the bridge and came out at the south end of the bridge east of the bridge. Now there is a bridge forty rods west and you stay on the west side all the way. The bank between the bridges has been hollowed out forty rods or else it has caved in. An old cottonwood tree that used to be there has disappeared. I know the old river was full of quicksand but unless it were real high we would always go over.

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My son was connected with the University of Oklahoma before he went East to New York City. Now he has Y. M. C. A. work, looking after boys there.

Then he became the director of personnel for the Labson Institute, This was Joseph. My other son has been with the college of the city of New York for about seven years. My daughter, Lotta McCord, is head of the History department at Arlington, New Jersey, (Carney School). She is now at the High School at Oyster Bay, Mr. Deming, Superintendent. She taught in Enid for three years.

Joseph has the A. B. degree from Phillips and the M. A. degree from Oklahoma University and also has his Ph. D. degree. My other son has an A. B. degree from Phillips and ^aLit. D. degree from Oklahoma University. My daughter has her A. B. degree from Phillips and a B. A. degree from Oklahoma University and my son-in-law is also a Phillips man.