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Interview with William Anthony Cummins
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I was born in Washington County, Arkansas, on the 20th day of August, 1856. My father, William Cummins, was born in England in 1814 and came to America in 1838. About the time he reached America or not long after, the trouble with Mexico was brewing so, when war was declared, or before, he joined the United States Army and fought under Winfield Scott during this war, 1845-46 & 47, being mustered out of service at New Orleans. He took a boat at New Orleans went up the Mississippi River to the Arkansas, then up that river to Fort Gibson, where he landed.

He lived in or about Fort Gibson until 1849 when he re-enlisted for 5 years in the army, getting out in 1854.

He was married to Mrs. Elizabeth Sharp, June 24th, 1855, and I was born August 20th, 1856, in Arkansas, where my parents then lived.

My father having served in the U. S. Army for eight years, his sympathy was with the Union during the Civil War, but being 47 years of age, he didn't enlist, but stayed at home. He was killed by "bush-whackers" in

1864. They shot him as he was on his own porch, on October 24, 1864.

Having been born in Washington County, Arkansas, near the western boundary of the state, at an early age I decided I wanted to travel a bit and I decided I wanted to go over into the "Nation" as it was called then. We didn't speak of it as Indian Territory, but as Creek or Cherokee Nation or just "Nation." Well, I came over to Muskogee which at that time was a small village of a few frame houses and some tents. The MK&T Railroad had been built that far north, having come into the Territory from Dennison, Texas, and through the Territory as far north as Muskogee. I came into the Territory in a wagon with a family who were on their way to Texas. They went on and I stayed in Muskogee.

I remember James Mitchell, a man from Mississippi, owned and ran a hotel and James Patterson had a store. There were so few in town I could have "knocked" on every door in 30 minutes. I found work with John A. Foreman, a Major in the army, stationed at Fort Gibson, but interested in business and ranches near Muskogee. He came from Michigan. I rode herd some for Major

Foreman and cut meat for him at other times, he having a meat shop there. He also had a cotton gin and grist or corn mill. This mill was unusual as it was run by wind. Foreman built a building 50 x 50 ft. and two stories high. The roof of the building was painted, the rafters all coming to a center from each side. On the point, he built a tower and on this tower was his wind mill. This wheel or mill had 12 spokes, 22 feet in length. This made the wheel, including the hub, about 45 feet in diameter. Each spoke had a fan made of heavy duck cloth or tent cloth. This furnished ample power to grind corn and to gin cotton. I worked here in the fall and winter. We used horse power to bale the cotton, Major Foreman owned and operated the grist mill, cotton gin, butcher shop and ranch.

I also knew Colonel Wm. A. Phillips and Captain John W. Shanon of Fort Gibson. They were officers there at the same time Major Foreman was in the service. While I think of it, I have two brass keys used in the original buildings at Fort Gibson, built in 1825. These keys were to officers quarters and given to me by my father who helped to build or rebuild the buildings there.

Interviewers note: I saw the keys.

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In the spring of 1875 I got a job with the Railroad Company as baggageman and also as a mail carrier, as the post office was only a few steps from the depot and when the post office is located within a certain distance from the depot, the baggageman had to deliver the mail bags; or at least that was the law then and that was one of my duties. I was later made express agent too. This was under the Pacific Express Company. We didn't have the American or Adam Express Companies then. I worked for the railroad ten years.

In 1881 I married a Cherokee maiden. She was about 1/8 blood and named Daniels. At that time when a white man wanted to marry a Cherokee, Delaware or Shawnee Indian girl, he had to get a petition, go among his neighbors and get 10 signatures. But before this, he had to be a citizen of the district of at least six months duration. Well, I got my petition signed and then had to present it to the Clerk of the Court of the district in which I lived. There were nine districts in the Cherokee Nation, each having a Judge, Court and Clerk, similar to our present County and County government. So, I went to my district Clerk and he examined the petition and said he knew all the signers and

it was all right. So, I would have to pay \$10.00 and take an oath, then I could be married. I asked him what the \$10.00 was for. He said \$5.00 went to the Capitol, Tahlequah, \$2.50 as a clerks fee and \$2.50 for performing the ceremony.

"Well," I said, "I don't want you to marry me."

"Well," he said, "The fee is the same anyhow." So I asked him about the oath. He told me I would have to renounce my allegiance to the United States and swear allegiance to the Cherokee Nation and to submit all grievances to their courts, in other words become a Cherokee Indian. I couldn't take that oath and told him so. I told him I would never "sever my relations with the United States under any circumstances, so good-bye"; that I would get married some place else. I went back to Muskogee with my "intended" named Elizabeth McDaniels and we were married by Theodore F. Brewer of the Southern Methodist Church, a Missionary to the Indians. No license was required, only as I told above, so Brother Brewer married us and then gave us a marriage certificate of marriage. No court records were made then of such marriages, but they were legal and customary.

So, I got married and didn't have to take the oath of allegiance to the Cherokee Nation. My marriage was on August 31st, 1881. At that time an Indian man could marry a white woman when he pleased, but she was not recognised as a member of the tribe, as were white men when they took the oath. The white women weren't allowed to take the oath of allegiance.