

DUNCAN, JAMES W.

INTERVIEW

#12414

202

DUNCAN, JAMES W.

INTERVIEW.

BIOGRAPHY FORM

WORKS PROGRESS ADMINISTRATION

Indian-Pioneer History Project for Oklahoma

Field Worker's name Wylie Thornton.This report made on (date) December 16, 1937. 19371. Name James W. Duncan2. Post Office Address Tahlequah, Oklahoma.3. Residence address (or location) 10 miles north of Tahlequah on Highway No. 10.4. DATE OF BIRTH: Month May Day 3 Year 1861.5. Place of birth Two weeks after the Civil War broke out. Jefferson County, Missouri.near Knobnoster.6. Name of Father Logan B. Duncan. Place of birth Danville, Kentucky.Other information about father Served three years in Civil War on Confederate side; wounded in right arm.7. Name of Mother Penelope C. Craig.\* Place of birth 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 11.

\* Craig County was named after her brother, (his name was Cranville V. Craig) on account of his public service.

Wylie Thornton,  
Investigator,  
December 16, 1937.

Some things observed by James W.  
Duncan; in the Cherokee Nation  
Since 1874.

I was born on the 3rd day of May, 1861, in Johnson  
County, Missouri, near Knobnoster.

My grandparents were Samuel Craig and Eliza Jane  
Harlin who came from East Tennessee in 1838 with the Chero-  
kees. They were my grandfather and grandmother on my  
mother's side. My grandfather was a white man, but my  
grandmother was a five-eighths Cherokee Indian.

They made this journey in big Government wagons, with  
beds made in them about eighteen feet long, drawn by three  
yoke of oxen.

Each wagon contained twenty-two people. The people  
brought their negro slaves with them and settled on Honey  
Creek about ten miles from what is now Grove, Oklahoma,  
and not far from where John Ridge was killed on June 21,  
1839. Jeff Parks also lived near this memorable spot.

After this killing of John Ridge took place my grand-  
parents got scared and left this Indian country after having  
come here from Tennessee, and they went to Knobnoster,  
Missouri, where my mother was born to my grandparents on

DUNCAN, JAMES W.

INTERVIEW.

1241857

-2-

January 4, 1842. Here my mother lived with my grandparents until she met my father and they were married in 1859 or 1860, and they lived together in Johnson County, Missouri, until 1869 or about ten years, and, of course, I was then eight years of age and then my father, who was Logan H. Duncan, left for this Cherokee Nation with the intention of getting back on the Cherokee citizenship rolls. The Cherokee Council re-admitted them as Cherokee citizens the same year they arrived here, in 1869.

They persuaded one of my uncles to return to this country with them. He was my uncle on the Craig side.

Anyway this uncle became a well-known citizen in this Indian country after a few years, Craig County of this state was named after him because he was one of the best loved and known men in that district when we went into statehood.

My grandparents also became very well-known back there in Missouri and my grandfather, Samuel Craig, became a County Judge of Johnson County and was almost regarded as the Father of Johnson County. He died there in 1871.

My father and mother after coming to this country were engaged in stock raising and general farming and were considered successful.

DUNCAN, JAMES W.

INTERVIEW.

12414.

-3-

I am at the present time a County Surveyor of Cherokee County, having been elected to this office several times. This is a gift, and an honor the people have conferred upon me, and I certainly have been unable to repay, or even express my deep gratitude and appreciation for this gift of the citizens of my county.

My first official experience was in the capacity of a United States Government Surveyor. I was appointed by President Grover Cleveland for the Cherokees living on the Cherokee Strip.

As allotting agent I had under me a clerk, an assistant surveyor, two chain men, an ax man, flag man, a cook and a teamster. We had a very large tent and a full camping outfit.

I was an even 99 days completing the job of surveying these allotments. This was just previous to the Strip Opening of September 16, 1893.

I ran in on the day of the opening in a two horse buggy, not to get land, but to do the surveying after the claims were staked down. I ran in just south of the town of Arkansas City, Kansas.

-4-

I want to tell you next about why the spot where John Ridge was killed was so historical to the Cherokee people. I have to go back to the state of Georgia to pick up this story. Anyway, away back before any of our people emigrated to this western country, missionaries of different denominations came to our people to try to Christianize and of course civilize us, and from time to time these missionaries picked out an Indian child and educated him as far as they could and they even sent such Indian boys to the colleges in the East and these fellows came back very smart men. Of course it was through these men that the white men hoped to handle the rest of their tribe.

Well, in this case, this had been done to a man by the name of Major Ridge, a full-blood Cherokee. As soon as his son named John became of school age, he was likewise educated as fully as his father, and here is where the trouble began.

In 1835 the United States Government decided to move the Cherokees to the west and they decided to send a man to the Cherokees to get a new treaty, and of course they knew that they had to get this new treaty signed, or, I will put it this way, the Government at least knew they ought to get proper signature on a new treaty. Anyway, the Government

DUNCAN, JAMES W.

INTERVIEW.

12414.

-5-

sent a Treaty Commissioner to the Cherokees by the name of John F. Schermerhorn, a Baptist Preacher, to get this treaty. John Ross, being the Chief of the Cherokees, was the first man approached on this matter and Ross abruptly declined to agree to such a move West, a thousand miles over a very rough country. But he finally agreed to call a ground meeting of the Cherokees on this important matter, and all the leaders of the Cherokee Council agreed with the Chief not to move again, inasmuch as they had been moved only a hundred years previously to Georgia from Virginia.

This Baptist preacher used every mode of persuasion and trickery and bribery to get this "wonderful, truly wonderful John Ross, our Chief", to sign that treaty, but Chief Ross held to his denial in the face of heavy bribery offers of thousands of dollars. The fact of these offers, I mention, was well known in after years by the Cherokees to have been true.

The preacher finally resorted to desperate efforts and he got together a few Cherokees who were not by any means selected or elected representatives of the Cherokee tribe of people. They were Indians who had been educated

by the white missionaries and should have been men willing to devote their lives to helping their people, in elevating their efficiency, both in spiritual and moral uplift. But, instead, they sold the interest of their people by signing a treaty prepared by this commissioner from the Government without any authority, or consent from the Cherokee people. However, this commissioner caused a small group to advocate that signing would be the better, because they said, "We will finally have to move and why not move now". This group was called the "Treaty Party" and the majority party was called the "Anti-Treaty Res Party".

The signers of this treaty were this educated few element who accepted the bribe from this Baptist preacher.

The price of the bribes ran from \$1,000.00 to \$1,500.00 each. The names of these men as far as I can remember them now were Major Ridge, John Ridge, (his son); Elias Boudinot, and a Mr. Adair, his first name I do not recall. Anyway I do remember there were twelve men signed this bogus treaty other than the two Ridges; John and Major Ridge.

You see the Federal Government began in about 1830 to move all Indians in the East and South to this New Indian Country, and all Indian affairs were under the War Department

-7-

of this Government up until 1848 then the Federal Government created the present Interior Department.

Well of course the Cherokees were already landed in this Cherokee Nation when the year of 1839 rolled around.

This is what became of these educated Indians who had led the fight against Chief Ross about this matter of our removal to this country.

On June 21, 1839, there was a very special midnight meeting of some leading Cherokees called for and this history making meeting was held up here near and at a point near where the railroad station of Gabriel, Oklahoma, is now located. In that meeting a group of volunteers were sworn in as the death squad, who agreed to be killed themselves if they didn't kill everyone of the signers of the removal treaty back there in Georgia.

The next day and night brought death to John Ridge, the educated young Ridge, also his father and a Mr. Jack Bell, another one of the signers, and the Adairs and Boudinot; all were stabbed to death with long hunting knives.

These killings started a wave of vengeance killings that lasted for seven years or until 1846, or at least it

lasted until the Government took action to stop it. I think there were at least one hundred or more Indians killed in that Treaty War. We called it "The Treaty War" and it lasted until the Government intervened by getting the leaders of both sides to sign a truce in 1846.

I can tell you something about the famous Stand Watie. On or near 1845 he went across the Arkansas state line out of the Territory and he walked into a saloon and he spied a Mr. Foreman who was known to have been one of the signers of the bogus treaty. It happened that Foreman saw Stand Watie come in, and he beckoned to him, "Come here and have a drink with me", and Stand Watie came to him and picked up his glass of whiskey and began to raise it to his lips, but just sipped it, and then lowered it and said, "Foreman, are you one of those men who signed that Treaty"? Foreman did not want to admit it or lie about it either, so he just answered this way, "You just ask others", and at this answer, Stand Watie knocked his glass against Foreman's, broke both glasses and drew his knife to stab Foreman. Foreman ran and Stand Watie overtook him at the door and stabbed him to death. This incident is a perfect example of about how all these one hundred deaths occurred.

-9-

I was appointed the first Assistant Superintendent of the Male Seminary under D. W. C. Duncan in 1897 and 1898, and I was next appointed as principal teacher of the Cherokee Orphan Asylum and taught there for two years, and I also remember W. W. Hasting was principal teacher just before me or just after me at this orphan school.

My father served three years in the Confederate Army, serving in this War under General Price in Missouri and Arkansas and also some in Louisiana, and was shot through the right arm in the battle of "Lone Jack", near Kansas City, Missouri.

Another historical date was in September, 1839, the month the Cherokee Indians organized and adopted their constitution and the Cherokees who had made a mistake and settled on White River in Arkansas came on over into their own Territory and reunited with the other Cherokees; so the year of 1839 is a very important date as to the history of this country.

The next very important date I recall right now is the year of 1869. This year marked the year the Cherokee Nation built their very first jail to confine their law violators.

Now previous to this date of 1869 law violators were arrested, tried and punished the very next day by hanging for murder. All minor offenses were punished by a whipping administered by the sheriff, fifty or one hundred lashes on the naked back. The fifty went to first violators, seventy-five to the second, and one hundred to the third.

The Cherokees and also the whole Indian Territory was not sectionized in sections until 1897-1898, this we considered an important date as far as to describing the location of our lands were concerned.

Here I want you to write about the only History in America or Europe or any other country where their Government ever passed a National law, or by the act of Congress any thing called "The Act Authorizing a Railroad Run".

In 1870 the Congress of the United States passed this above act authorizing the Government to give a patent deed to any railroad building their road through this Indian Territory to every other section of land on each side of such railroad track.

The Frisco and Katy Railroads began a race, each wanting to finish their road bed across the Territory first. The

Frisco stopped their mad rush coming south when the Katy road beat them to the Indian line. The Katy built their road right through the middle of my father's farm. Each road employed at least 400 to 500 track layers. They laid the tracks and ties very often right on top of the ground without any grading what-so-ever; these madmen worked just exactly like fighting fire. Night and day, rain and storms did not stop these mad fire-eating workers. Right there on that job I saw more men with shirts looking black on account of being thoroughly dripping with perspiration than I have ever seen before or since.

The Cherokees protested this Act of Congress giving so much acreage to the railroad and after many heated court battles carried finally into the Supreme Court of the United States, the Cherokees Nation won on the ground that Congress had no authority to sell or give away lands patented or deeded to this Nation. Our lands were not allotted to us until 1902.