

( This is Boyce Timmons, in the home of Mr. Bob Duncan, here in Tahlequah, Oklahoma, and this is April 15, 1967. I am going to ask Mr. Duncan if he will repeat a story he told me about his grandfather back in East before the Cherokees were removed to this country. Now Mr. Duncan, you just go ahead and tell it any way you want to tell it here. )

Well, I have been told that my grandfather had a big farm - - my great grandfather had a big farm - - and it was big enough until two people divided it when they drew numbers. They drew numbers - - they divided in two parts. In other words, they both came up in same evening. He had a big spring down in front of his house. His house set off the road hundred or two yards - -

( was this in Georgia? )

That was in Georgia and they came up to his house and told him that -

( These were two white men? )

Yeah - they had drawn lots and the two of them divided the place.

( White people just drew lots for the Cherokee land without any other - ? )

Without any preliminaries - yeah, and told him they had come over to take possession. And they had privileges. The Cherokees were supposed to have privileges to go to court and take issue on anything when they were done an injustice. But an Indian's testimony was invalid on account they were incompetent and they didn't have witnesses not Indian, why he, of course didn't have any support in the courts.

( And you - didn't you tell me that you had a relative in Dartmouth at that time in college? )

Yeah. He was in Dartmouth and they - - and the next day though, he and his wife went to - - left the children at home and had a little girl acting as what you would call now, I guess, a baby sitter, to take care of the children. They went up to court and when they came back the children were gone. They didn't