

7

INDEX CARDS

Ferries
Outlaws--Indian Territory
Intoxicants--Indian Territory
Law enforcement--Federal
Needles, T. B.
Collections

Field Worker: Alene D. McDowell
May 11, 1937

Interview with John C. Humberd
824 Hickory,
Bartlesville, Okla.

Born July 1, 1850
Tennessee

Parents John Humberd, father
Tennessee. Miller,
carpenter, and farmer.
Mary Ann Thompson-Humberd,
mother, Tennessee.

DEPUTY U. S. MARSHAL.

John C. Humberd was born July 1, 1850, near
Cleveland, Tennessee.

Father - John Humberd was born in Green County,
Tennessee. He died and is buried in Tennessee, when
the subject of this review was seven years old.

Mother - Mary Ann Thompson-Humberd died when
Mr. Humberd was an infant and is also buried in
Tennessee. She was one-quarter Cherokee Indian.

My father was a miller, carpenter and farmer.
He owned two farms and my brothers did most of the
farming. I was the youngest of eleven children.

On October 20, 1873, I was married to Julia A.
Hollaway. We were married in Tennessee where we made
our home until 1888, when we removed to the Indian

Territory. I have the Bible record of our marriage but these records are badly worn.

On our arrival in the Indian Territory we settled on a place joining what is now Hyde Park at Muskogee. Our home was a large frame school house where we lived the first year. We then removed to Fort Gibson, across Grand river. Our place was located on the banks of Grand river near Garrison Hill, where we lived for ten years. I rented this farm from Walter Scott and also operated a ferry across Grand river for him.

Fort Gibson was the end of the Iron Mountain railroad^{and} as there was no ford across the river, I transported freight and passengers on the ferry. Several years later, after the railroad bridge was built, during a flood the bridge was washed out and I ferried the passengers across the river from one train to the other, charging them \$1.00 each. It took one hour to make a trip across for the river was one mile wide. This lasted for twelve days. The telegraph office was installed in my home on the north side of the river.

One day I was sitting on the ferry near the river banks, when I discovered a red streak in the bank and on investigation I found it to be a loaded bomb shell that had been shot into the river bank. I turned it over to the officers and it was decided it had been there since the Civil War.

Passengers would often trade me cap and ball guns for their ferry fare; I could not sell them and later used them for fence posts.

Deputy United States Marshal:

From 1891 to 1893 I served as a United States Marshal under T. B. Needles of Muskogee, and in my two years as a deputy dealt altogether with outlaws of the Indian Territory. I had good success and usually got my man. One of my appointments was to force the Indians to marry. I was commissioned at the same time Sid Johnson and Bud Kell were and was one of the first United States Deputy Marshals to receive a commission. In 1890 Judge Shackelford was appointed the first judge.

One of the most dangerous outlaws, Cherokee Bill, was reared at Fort Cibola and I knew him all of his life. His father was a white man and his mother was mixed

Cherokee Indian and negro. His outlaw career started at a neighborhood dance when Jake Lewis, a negro, and Bill engaged in a fight and Bill was the loser. He was of a revengeful nature and hid in the barn and, when Lewis came for his horse the next morning, Bill shot and killed him. From that time Bill was a dangerous outlaw and had numerous robberies and crimes to his credit. He always played a lone hand and was a very brave man. When he was on the scaffold to be hanged, he was asked if he had anything to say and he said, "I did not come here to make a talk, but came to be hanged." United States Marshal, Ike Rogers was credited with the capture of Cherokee Bill but Bill Smith was really the man who made the arrest. Rogers betrayed Bill to Smith and then took the credit of the arrest.

The Cook Gang.

Jim and Bill Cook were the leaders of the Cook gang and were dangerous men. Jim was caught stealing a calf from a negro near Port Gibson and the negro shot and killed him. Bill was captured and taken to Fort Smith, Arkansas, where he was sentenced to serve 55 years in the penitentiary by Judge Parker. He died in prison.

John Field, a follower of the Cook Gang, robbed a store at Braggs Station, southeast of Muskogee, and was killed by the clerk in the store.

Sam McWilliams and a man named Sanders robbed the depot at Braggs Station and a little boy saw them and reported them to a Fort Smith marshal named Darby and to the Indian Police, and both McWilliams and Sanders were killed by the Indian police.

Jim French and another man named Sanders (I do not know if he was a relative of the one killed at Braggs Station) robbed a store at Catoosa. The merchant was shot by Sanders, and French and Sanders lifted him to a cot and the merchant shot and killed Sanders. French escaped and hid in a house several miles from town where he was surrounded by a posse. He was shot through a crack in the house and was killed instantly. He fell with one foot in the fire and his foot was burned off. Jim French was a step-son of Walter Scott's, the man for whom I operated the ferry at Fort Gibson.

In my two years as a United States Marshal I only arrested two men for whiskey charges. I refused to

deal with these cases because I felt sorry for the man, the whiskey was tempting and it was placed there to tempt them by some of our crooked deputies. One case I had was a crippled man with a family to support, and when I took him away, it was a pathetic sight and I told Mr. Needles I would resign before I would arrest another man on a whiskey charge. The law allowed a man 1 gallon of whiskey but I know of many cases where men were sentenced for possession of one pint. We had some deputies who were crooked and dirty and would do anything for a dollar.

On one trip I was gone from home thirty-two days and brought in twenty-three men. Twenty-one of these men were convicted. I always tried to be sure of a man before I arrested him and most of my prisoners were found guilty and received a jail or penitentiary sentence.

I served what is known as the Bloody Writ. My partner, United States Marshal J. B. Pemberton, was shot when he attempted to arrest John Bailey at Muldrow, across the state line from Fort Smith, Arkansas. Pemberton was shot in the chest. His commission was in his shirt pocket and was badly

spattered with blood. His name and the date of his death was written across the commission with his blood and sent to Muskogee to Mr. Needles. I was called in and given orders to bring Bailey in dead or alive and I made the trip to Muldrow alone. I was a stranger in that part of the Territory and when I arrived, I asked a man if he knew who shot Pemberton. He pointed Bailey out to me. He was standing on the porch of the store, also used as a postoffice, waiting for the mail window to open. I followed him into the store and waited for him to receive his mail, then walked over to him and demanded his guns. He did not move and I took his guns without a struggle and had him handcuffed within thirty minutes after my arrival. Jesse Schwartz, a lawyer from Wagoner, told me later that he was within five feet of us when this arrest was made and he expected trouble. Everybody was greatly surprised when Bailey was handled so easily.

I was reported dead two times during my commission but came through without an injury, although I have dodged many bullets.

There was a negro marshal from Fort Smith, Arkansas,

(I do not remember his name) who gathered up prisoners and transported them to court. He usually took the Creek Indians and negroes and at night he would shackle them to his wagon wheels. I was at Fort Smith when he arrived with a load of prisoners and collected \$800.00 mileage. This old negro was a wonderful character.

Relics

I have a farewell letter from T. B. Needles to James J. McAlister, when Needles went out of office. This letter is dated April 11, 1893, and was written at Muskogee, Indian Territory. I also have my United States Deputy Marshal star used from 1891 to 1893. I have a recommendation sent to me from the citizens at Fort Gibson when I was appointed as deputy marshal. This recommendation is signed by forty of the leading citizens of Fort Gibson.

COMMENTS:

Mr. Humberd is a very interesting character and enjoys telling of his experiences in the early days. He has spent 49 years in the Indian Territory and Oklahoma and the first years were spent in helping to enforce the laws and make Oklahoma what it is at the present time. He tells mostly of the outlaws and states he has a lot of respect for the outlaws of the past, for they were men who had a lot of principle that the tinhorn outlaw of the present does not have. They were brave men who made one mistake and were not allowed a chance in the states and came to the Territory where they were not so easily found.