

ROBBS, J. J.

SECOND INTERVIEW

13264

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LEGEND & STORY FORM
WORKS PROGRESS ADMINISTRATION
Indian-Pioneer History Project for Oklahoma

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Field worker's name Gomer Gower

This report made on (date) March 18, 1938

1. This legend was secured from (name) J. J. Robbs.

Address Route #2. Poteau, Oklahoma

This person is (male or female) White, Negro, Indian,

If Indian, give tribe _____

2. Origin and history of legend or story Murder of Charles W. Wilson

by a renegade negro, Jack Crow, on August 6th, 1884, in which the

murderer made an unsuccessful effort to prove his Indian parentage

and thus be tried by tribal law.

3. Write out the legend or story as completely as possible. Use blank sheets and attach firmly to this form. Number of sheets attached Five

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Gower, Gomer - Investigator.
Indian Pioneer History - S-149.
March 18, 1938.

Interview with J. J. Robbs.
Poteau, Oklahoma.

THE MURDER OF CHARLES W. WILSON
A CHOCTAW
Gilmore, Oklahoma.

A very heated campaign was in progress in the Summer of 1884, in Sugar Loaf County, Choctaw Nation, in which, among other candidates for various other offices, Bob Benton, a Choctaw, was pitted against Charles W. Wilson, another Choctaw, for the office of sheriff of Sugar Loaf County.

On August 5th, of that year, citizens of Sugar Loaf County met at the old County Court House which was located near Summerfield, in what is now LeFlore County, to hear the candidates for office extol their own virtues and particular fitness for the office to which they aspired and, incidentally, to bring up as many charges, true or untrue, as possible against their respective opponents. On that occasion, charges and counter-charges were hurled back and forth between the contending parties much after the fashion of ambitious candidates for office of today. Whisky flowed

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freely at that gathering and this fact, doubtless, caused ultra enthusiastic adherents of a speaker to throw their hats up into the air and whoop with delight when a particularly bitter denunciation of an opponent was made, adding to the chagrin of those against whom it was hurled.

Wilson and Benton both attended this meeting and each addressed the gathering in his turn. The friends and followers of Wilson were more numerous than were the friends of Benton and their shouts to Wilson to "pour it on him" while he was attacking Benton served to prod him on to the point where his attacks were exasperating and humiliating to Benton and his followers. However, since the avowed followers of Wilson were superior in number, Benton and his followers were forced to accept the abuse and submit as gracefully as possible.

Came evening. Benton and his overwhelmed band of followers departed for their several homes, while Wilson and his band remained and entered upon an orgy of drinking in celebration of the supposedly good showing made against Benton. This orgy lasted throughout the night.

Both the principal characters lived in the same general direction from the scene of the gathering at the Court

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House, and not far distant from one another. Benton, in company with a negro, whose name was Jack Crow, was astir early on the following morning and, designedly or not, met Wilson when he was returning to his home alone after spending the night at the Court House with his bibulous friends. Benton approached Wilson and asked "What office are you running for now, Charlie?" Wilson, seemingly divining the question was asked in a spirit of derision, replied, "Bob let's forget it, it was all just a drunken spree". Whereupon, Benton jerked out his six-shooter and shot Wilson. Wilson was not so badly injured as to prevent him from leaping from his horse and grasping the six-shooter with which he had been shot. While the two men were struggling for possession of the pistol, it was alleged the negro, Jack Crow, took careful aim with a Winchester rifle and shot and killed Wilson. Benton and the negro mounted their horses and rode away, leaving the body of Wilson lying near the road. This occurred within about one mile of the home of Adam Morris where Mr. Robbs was a guest at the time. These two men were out in the yard enjoying the ample shade which the large oak trees which surrounded the home afforded. While they were thus enjoying the cool shade of the trees

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on that hot and sultry August morning, Morris observed a riderless horse, but bridled and saddled, approaching along the road which led to and past the home, and said: "Here comes Charlie Wilson's horse, I guess Charlie got drunk and fell off him". Shortly afterward, a boy came running up from the same direction as that from which the horse had come and in a breathless and excited way told of having seen Wilson lying in the road, dead. He also told of having seen Benton and the negro not far distant from Wilson's body. A runner was immediately sent to notify Wilson's wife and others in the community and in due time the body of Wilson was taken to his home, near what is now Gilmore, and buried in the Vaughn Cemetery on August 7th, 1884.

Wilson's friends lost little time in bringing to justice those they thought responsible for his untimely death. The negro, Jack Crow, was haled before Judge Parker, Judge of the United States Court at Fort Smith, a court which had jurisdiction in all criminal cases arising in the Indian Territory, in which non-citizens were involved.

Crow, the negro, was a man of unsavory reputation.

It is said that his services as a killer were for sale at any time. It is thought that many of the more prominent

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Indians used him as a means of disposing of a supposed enemy. For that reason, he was regarded with suspicion by all the law-abiding citizens. At his trial for the murder of Wilson, it was disclosed that many of his friends, some of whom, perhaps, had used him in the accomplishment of murderous designs, made an effort to challenge the jurisdiction of the federal court upon the grounds that he had Indian blood coursing through his veins and therefore should be tried before the tribal court. One prominent Choctaw went so far as to testify that he himself was the father of Crow and that his mother was a negro. Judge Parker, Judge of the Federal Court, very properly held that the mere fact that a man had had carnal knowledge of a woman, black, white or Indian, in no way qualified him to testify as to the paternal parentage of a child subsequently born of that woman. An old adage goes "It is a wise child who knows its own father". It may be said with equal truth "It is a wise father who knows his own child". The astute Judge Parker gave ready cognizance to these truths and refused to relinquish jurisdiction of the murder case to the Choctaw tribal court on that account.

The Judge proceeded with the trial of the case and

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Crow was duly convicted of the murder of Wilson and paid the penalty with his own life when he was hung, by decree of the court, shortly thereafter.

The fact that Benton was never brought to trial in the tribal court for his unlawful act in shooting Wilson before Crow fired the lethal shot, is indicative of the looseness of the tribal laws. Now, since the fears and the loyalties of that period have faded, people generally concede that the tribal courts were ruled more by influence than law.