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WILLIAM BYRD
by
O. C. Davidson

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I was born April 18, 1862 in Tennessee.

In 1885 I came to the Indian Territory, settled at Manard, I. T., in the Cherokee Nation just ten miles east of Fort Gibson. Being a white man I was not permitted to take a claim in the Territory, therefore I rented land and farmed there until the year of 1892. I married Emily Cochran, a full-blood Cherokee Indian girl. We settled a claim one mile east and two miles north of what is now Okay, Oklahoma, on the Prairie.

The law was then that an Indian could settle a claim and improve it and hold the land for $\frac{1}{4}$ mile in each direction from the outside limits of his improvements. The claim Emily and I settled was on the Prairie. There was not a stick of timber on it. Prairie grass grew higher than my head. After we had built our house and barn and gotten us a cow a team and some chickens the Prairie chickens would come right up to the house and mix up with our chickens. Any time we wanted one to eat we could stand on our porch and shoot it. Deer and wild turkey were also abundant in the hills near our home and there were no game laws then when we wanted fresh meat we would go out and kill what we wanted for food but never killed more than we could make use of. We raised corn and enough wheat for our bread some hogs for meat, kept a few sheep for wool, from which the women made our clothes and with the vegetables we raised there was very little to buy. We always raised Sorgham Cane for making syrup and used that for sweetening our foods. We made tea from the roots of sasafraz, spicewood and other roots and herbs, which took the place of coffee.

We had lots of outlaws in that country. Most of them started by stealing a few cattle or horses which would start them to scoutir from the law and then they would start robbing stores, holding up trains and stage coaches. The Cook Gang operated extensively in th country. Their first activities other than cattle rustling was during the Cherokee Payment. Money for this payment was to be shipped from Tahlequah by stage coach to Ardmore. The Cook Gang which were scouting at the time for cattle rustling were staying at the home of Ludy Cook a sister to Bill and Jim Cook, in a little one roomed log house on 14 mile Creek, west of Tahlequah. The report got out that the Cook Gang was stationed there for the purpos of robbing this stage coach of the shipment of Indian Money. Dick and Zeke Crittenden, both Indian Police, organized a posse of 35 men and went there to arrest them. Upon their arrival the Cook Gang opened fire upon t em. As they started to cross the creek which ran a short distance from the house and in front of the house the posse hid in the timber along the creek bank and deluged the shack with rifle bullets but the gang succeeded in holding them off until Ludy Cook slipped out the back door went to the barn and saddled their horses and they mounted and rede away. One member of the posse being killed and Jim Cook was wounded. They took him (Jim Cook) to Fort Gibson, left him at the home of a friend, went and found Dr. Howard, forced him to go there and treat Jim, telling him that they would kill him if he told that Jim was there. The family w th home he was left became uneasy before he was able to ride away and notified officers that he was there and they went and got him and took him to Tahlequah where he was tried uner the Cherokee law and sent to the pentitentary.

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Bill Golby (known as Cherokee Bill) who was a notorious member of the Cook Gang started his outlaw career at Fort Gibson at a dance he and another boy had a fight over a girl and Jake Lewis a negro who was deputy sheriff under the Cherokee law beat Bill over the head with a pistol. Next morning when Lewis went to the barn to find his horse, Cherokee Bill was hid in the hay manger and shot Lewis and wounded him, and got away himself and joined the Cook Gang.

Tom and Jim French of Fort Gibson, sons of Old Tom French, who ran the Tom French ferry on grand river, where the Missouri Pacific railroad bridge is now, just north of Fort Gibson, were also members of the Cook Gang. Jim Cook and Jess Cochran were killed at Katoose while attempting to rob a store. French was wounded in the fight and went to a negro's house and made the negro go for a doctor. The negro notified officers that he was there and they slipped up to the house and shot him through a window and then were afraid to go in the house until daylight and when they did go in French had fallen with his feet in the fire and they were burned off.

When the Cherokee Payment was made we had two small children. The per capita payment was \$360. which for my wife and two children made a total of \$1080.00. We had to go to Ardmore in a wagon to get this money, which took us several days. On our way home we were uneasy all the time fearing that we would be robbed. At night when we would camp I had the money rolled up in some rags and I would throw it out in the grass away from the camp where it would not be found. But nothing happened until after we got home. Early one morning I had gone to Fort Gibson for supplies leaving my wife and children at home shortly after I had gone Bill Cook Cherokee Bill, Sam McWilliams, Jim French and two others that we

breakfast. Of course, she was scared to death and just knew they were going to take that money but there was nothing she could do but what they told her to. She cooked them a good breakfast. Three of them stayed at the house two of them lay down and slept and Cherokee Bill watched the road all the time never laying his winchester down even while he ate the other three went to the barn and stayed but after they had eaten their breakfast they payed her well for it and Sam McWilliams took a gun scabbard I had hanging on the wall asked my wife what it cost and payed her for it and said tell Bill to buy him a new one. They left not bothering our money. But someone had come in while my wife was cooking their breakfast to borrow some meal and had seen them there and reported to the officers that I was harboring the Cook Gang and they came and arrested me took me to Muskogee to the U. S. Jail and kept me in jail four days. Finally released me under an \$8000.000 bond and of course when I was traced I was acquitted. The U. S. Marshal, Rutherford, offered me a commission as deputy U. S. Marshal and asked me to help capture the gang which I declined.

A short time after the fight on 14 mile Creek, Zeke and Dick Crittenden were put off of the Indian Police force. They lived at Wagoner. Upon their dismissal from the police force. They got drunk and were creating quite a disturbance in town. Sam Cobb who was the financial power in Wagoner sent for Ed Reed a deputy U. S. Marshal and demanded that Reed arrest them. Reed told him that the Crittenden boys could not be taken alive so Cobb demanded that he get them dead or alive. Reed went home and got his winchester, came back to town and in the meantime, Zeke and Dick had separated. Reed met Zeke first and attempted to arrest him. He shot one time at Reed missed and Reed missed and Reed killed him in a short time. Dick heard that Zeke had been killed and came to where he was vowing that he would

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kill the man that killed Zeke. . Reed shot him his body falling across that of Zeke. The bodies were taken up stairs over Sam Cobb's drug store, laid on the floor and left there until the next day. Their families came and removed them. Ed Reed who was a son of Ball Starr was discharged as deputy U. S. Marshal and less than a year later was killed at Ardmore while on a drunken frawl.

Sam Brewer a Cherokee Indian boy who had fallen off his horse one night while returning home from Fort Gibson drunk, lay out all night and his feet and hands frozen off started boot leg ing was arrested and taken before Judge Parker, U. S. Judge at Muskogee. Judge Parker on seeing Sams condition dismissed the case against him and ordered the officers not to bother him any more. Sam turned out to be one of the most dreaded out-laws in the country his feet were both frozen off below the knees and he had cork feet and could walk almost as good as a man with two feet and his hands were off at the wrists and he divised some kind of steel hook and fastened it to his right arm with which to handle the trigger of a winchester. He could hold the gun in the crook of his left arm and shoot as fast and as sccurately as most men who were not crippled. He was finally captured and fied in the pentitentiary at Little Rock, Arkansas.

When the survey was made and the government began allotting land the Indians. We took over our allotment where our claim was. We lived there until the children were large enough to go to school then we bought our little home here near the school wherewe could educate our children. I have gone back to the farm every year and made a crop.