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MEMORIES OF A MARSHAL- W. F. Jones

(Interviews with W. F. Jones - former territorial U. S. deputy marshal. 225 $\frac{1}{2}$  N. Rosedale, Tulsa, Okla.)

William Frank Jones (W. Lillie) born in Washington Co., Arkansas, ten miles southeast of Lafayette - 1872. Was "Carried" to Texas by his folks when he was small and attended country school in Belton-Bell Co. (central Texas). He worked on a farm until he was 16 years old, then went to Bill Jackson's ranch - 200,000 head of cattle-- ranch extended from Belton to San Angelo. At first a cow-puncher, then at 21 years of age, Jones became foreman - 40 or 50 cow-boys under him.

His first trip to Oklahoma was in 1893 when he brought 12,000 cattle to the Spike "S" Ranch. This ranch was under lease to Jackson - located 30 miles northeast of Mannford - Ingalls the nearest trading point. He remembers Tulsa at that time (1893) as a "wide place in the road" - a few stores on First street. George Perryman's home where the court house is now - surrounded by a "sofke" patch - strips of cultivated land where the Philtower is - extending on toward the creek where

Oaklawn cemetery is now. During his year at Spike "S" he had his first contact with Oklahoma outlaws--the Crowell gang--the Daltons--but only as fellows who dropped in for a meal and a place to sleep--no questions asked. He recalls the loss of a good cook he had--Joe Stidham--later called "Skeeter," who joined the Doolin gang.

Just a cow-puncher riding around, he recalls how he "looked in" on the Cherokee strip opening. He recalls the line that September day, people of all ages and sizes, on foot and in every sort of vehicle, packing the line 200 feet deep. Then the fog of dust that came with the opening shot, dust so terrific you could not tell black from white. Rode into Perry just 20 minutes before the train brought its expectant load. Jones staked a lot, but found it was reserved for a park. Saw men cut throats to get lots. Rode along dugouts where "Sooners" had been living so they would make sure of possession.

In 1894 Jones went to Checotah, where his uncle, Davy Jones, was a deputy U. S. Marshal. He served under him until 1897.

It was during this time that he got the valuable training he needed in the later years when he served under Morton S. Rutherford as deputy U. S. marshal. One of his most memorable early experiences was rounding up the Buck Gang.

THE BUCK GANG - SEPT. - 1895.

This gang's depredations at their worst lasted only ten days. There were seven of them lead by Rufus Buck (part negro) - a tough gang. Bert Callahan, foreman of Callahan's ranch near Okmulgee, and Sam Houston, a negro farm hand, were returning from Okmulgee, where they had purchased boots and saddles. The Buck gang held them up, shot Callahan and Houston, wounding them slightly - took their possessions and fled. Jones, at Thecotah, was the nearest officer. He took John Maccaughen and W. W. Bray (an old cow man still living) - went to Callahan's ranch on Graves' Creek. Jones camped out that night, next morning went to the Buck's house - no men folks there. The Bucks had taken their lott and gone about 30 miles away to the old saw-mill near Norberg (near where Wetumka is now).

They robbed the store at Norberg - took food and ammunition. Then the gang came back in the vicinity of Okmulgee and stayed at a negro's place on Grave Creek. Jones had tried to intercept them but failed.

A family by the name of Smith lived on a little farm four miles southeast of Buck's place (about ten miles from Okmulgee). Mrs. Smith, on horseback, was on her way to Okmulgee when she was seized by the outlaws and raped. The husband got in touch with Jones. Jones lay in wait around Buck's house, no contact. Three days later Buck's sister Sarah came along. Jones disarmed her. The next day an Indian, Ben McIntire, reported to Jones that the Bucks were on top a nearby mountain, and Jones slipped upon them as they set around their campfire sorting ammunition. The gang surrendered - Jones took them to Okmulgee, danger of lynching, slipped them away down Okmulgee creek to Deep Fork, then to Hitchita (midnight), then to Oktaha (on Katy road). Notified Rutherford, took them on into Muskogee, hand-cuffed to the horns of the saddle. Jailed them at Muskogee - then to Ft. Smith by train - tried under Judge Parker and hanged.

In those early territorial days Indian crimes were handled by Indian policemen - light-horse men they were called. Their method of punishment for misdemeanors, or stealing horses - so many lashes-- third offense - death. An old shade tree southeast of Wewoka is still known as the Whipping tree. Jones describes the punishment as he saw it inflicted: the victim's hands were tied to a small tree, feet tied together, a fence rail placed between - long way-- Indian fastened to rail - then a light horseman with a well seasoned hickory gave 25 lashes, then another gave the next 25 - etc., 15- lashes was the limit.

An instance of Indian justice is shown in the case of Amos McIntire. Horse races and ball games were good excuses to Indians who wished to fight or get rid of a personal grudge. In 1894, at one of these horse races held near Checotah, Jones was in charge, and had disarmed the Indians and stored their guns at Russel's drug store (in Checotah) until the race was over. Amos McIntire, a fullblood Creek Indian who lived on Tiger Mt., 20 miles west of Checotah,

had a fight with Lee Adkins, half-breed Creek - who had formerly been a U. S. deputy marshal out of Ft. Smith. McIntire left the horse race, went into town, got his gun and met Adkins as he was on his way to the drug store - shot at him and killed Adkins dead. Jones took McIntire to Ft. Smith - where he lingered in jail for a year until final jurisdiction in the case was given to the Indian Light horseman. That is, McIntire was turned loose by the Federal Government - tried by his own people - the Creek court freed him. (Mr. Jones says that Lee Adkins was the first man ever buried in Thecotah cemetery - Sept. 12, 1894.

PEMBERTON - TURNER GANG - 1895

Al Turner, Lon Turner and a fellow named Pemberton were a gang of outlaws carrying on depredations near Mannford - stealing horses and cattle, robbing small stores. Their headquarters were at Jane Owan's place on Polecat creek - a good hangout, surrounded by high bluffs.

Sam Houston, a Texas outlaw, not any relation to "The Sam Houston," whom Jones had known in the days when he (Jones) was a cowpuncher in Texas, had come to Jones about this time, claiming that he had reformed. He was going under the name of Sam Bell. He had been in touch with the Turner - Pemberton gang and they considered him one of their number. So Houston (Bell) said to Jones, "I can turn that gang to you without any trouble." Jones said, "Will you. Well, let's go to Muskogee and talk it over with Rutherford (Judge)." So Jones told Rutherford the plan and it was agreed to pay Houston from federal funds and use him as a stool pigeon.

So a detail of officers, Jones, Medbetter and McCann set out on pack horses to Sapulpa. They established a secret camp in the hills northwest of Sapulpa - about ten miles northwest of Jane Owen's place. Houston joined the gang. After 10 or 12 days the posse tried to waylay the gang at night at the Jane Owen's place--but failed. Then the outlaws went on a marauding expedition - among other things they tried to rob a saloon at Ingalls. Pemberton was wounded.



They came back to Owen's place drunk. Houston reported conditions to Jones. Jones doped some whiskey, gave it to Houston and sent him back to treat the gang. Thus doped it was an easy matter for Jones and his officers to pick up the gang. They loaded them in the hack like dead men, brought them to Tulsa, then to Muskogee, where they were tried and given fifteen years apiece. As for Sam Houston - Jones let him get away "accidentally." Rutherford gave him a government check for one hundred dollars. Houston told Jones he was going to Texas to give himself up. As soon as he entered Texas territory, before he had time to surrender he was met by officers and killed. The check was found on him - he had not even had time to cash it.

MOSE MILLER GANG - 1895.

Mose Miller, (bad outlaw) Will Nale, Little Henry Starr, 18 (cousin of Henry Starr, all Cherokees and Andy Pettitt and Greathouse, white man, all raised in the Cookson hills, and had outlaw headquarters there. They had become notorious for their depredations and safe get-away. The cotah had its first new bank--the First National. An old man named Tom Watson who lived

two miles east of Bond Switch (Lenapah) was approached by the gang. In fact they had become so bold that they told him their plans. They ordered Watson to go to Checotah and get them necessary ammunition. They had planned to rob the new Checotah bank early the next morning. Watson immediately reported the plan to Jones. Jones told him to go ahead as instructed by the gang.

Now Jones was afraid to let the gang attempt to rob the bank and seize them because a new building, Odd Fellows Hall, was under construction next door to the bank. Knowing there might be bloodshed he did not want to endanger the lives of the workmen. So early (before daylight) the next morning Jones took a posse (N. G. Turk, Billy Carr, Sam Baker among them), and went to the outlaw's rendezvous. They had told Watson where they would be. It was at John Morgan's place, five miles southeast of Checotah on Wells Mt. The posse surrounded the robbers in a draw. They had found their horses and prowling around found the robbers asleep. As daylight came they were helped by an interesting natural phenomenon. A heavy fog protected the officers in their hideout, but in the draw below.

where the robbers slept the air was clear. Jones called to them to surrender and the fighting started. Jones shot at Greathouse and wounded him, shot glanced from tree and a queer fashion outlined his skull. Andy Pettitt was shot through the stomach and died later. Mose Miller, Starr and Nale got away in the fog. The posse followed them - got Starr close to Warner, finally got Mose Miller, killed Nale. Judge Thomas, at Muskogee, turned young Starr loose on parole, he made good. Miller and Greathouse were sent to the pen.

LON BRISTOW - 1897

Lon Bristow, raised at Choska Bottoms, ten miles west of Muskogee, got to stealing horses. Jones arrested him and he was sent to Leavenworth for fifteen years. In trouble there, broke out of the pen a year later, killing the warden. Came back to his Oklahoma hideouts. One day Jones was in the vicinity of Okemah serving subpoenas to summoning some witnesses. He was in his buggy driven by a negro farm hand named Sam Houston. On his way back to Checotah he was coming

along the road near Hugh Henry's place (now Henryetta), when in a glade on Coal creek across from him he saw two campers. One of them he immediately recognized as Lon Bristow. Jones crossed the creek- of course Bristow recognized him. Bristow jumped behind his horse with his gun resting on the saddle. Jones, 20 feet away, had slipped out of his buggy and stepped behind a tree, gun leveled at Bristow. Bristow had forgotten about Houston, who had slipped out of the buggy and gotten behind Bristow. Jones called, "Throw that gun down or I'll kill you," and at that like a voice of a spook, Houston called, "Must I shoot? Must I shoot?" Bristow, frightened, dropped his gun and gave up. Houston picked up the guns and Jones handcuffed him. Bristow had a wagon team and five stolen horses. Jones took him to Muskogee where he was tried and sentenced to be hanged. Bristow had a wealthy brother. The sentence was reduced to life imprisonment, finally paroled in 1912--according to Jones' account.

Jones not only a marshal in those days but an undertaker if the need arose.

He recalls the story of two cowboys (one named John Lovett) who worked at the McDermott ranch (1894). An old man (80 years of age) who lived nearby at Calvin was reported to have hidden treasure. The two cowboys went to rob him, did not succeed, took him down on the south Canadian river, tortured him by burning one foot off. Jones, Mark Moore and John McCann went to the McDermott ranch to get the boys. Waited eight or nine days- still no cowboys. One day they saw a fellow come down a hillside to a draw, hang up a bucket in the brush. Mack Moore looked in the bucket and found food. In about two hours the fugitives appeared, ready to eat. Told to throw down their guns they put up a fight - Lovett was killed, the other wounded. So Jones and his deputies took the dead and wounded over to the McDermott ranch where there was a store and blacksmith shop. Got lumber, made the coffin and buried Lovett. Tales of stolen treasure must have spread for a few months for a few months later Lovett's body was stolen from the grave. The other cowboy was taken to Ft. Smith- plead guilty, and was given five years.

Another Indian who fell afoul the law was a little Creek Indian by the name of Harmon Barnett who lived near Gray's creek close to the High Spring Mountain, 12 miles north of Checotah (1895). He was wanted by the Light-horsemen in another district (between Okmulgee and Henryetta) for stealing horses and cattle. In a fight with the Light-horsemen, Barnett killed two of them; they got him again, and this time he killed three of them and escaped. He made his way to Checotah. Jones was on the lookout for him but did not know of his last killing. The Light horse were close on his trail. An Indian boy showed Jones where Barnett was hiding. Jones walked up to him, told him to throw down his gun and surrender. He did. Light horse came to claim him, but Jones took him to Muskogee for the judge's decision. The Light horse requested the judge to give them the Indian, and since it came within the Light horse jurisdiction, the judge granted the request. Barnett was turned over to the Lighthorsemen who took him to a blacksmith and had shackles bradded onto his legs and arms. Took him to the council grounds between Okmulgee and Henryetta

where they chained him to a tree (no jail). He was sentenced to be shot- Tiger Flat to be the place of execution. He was held for three weeks during which time he almost escaped. Then he paid the penalty. A white card to mark his heart - five Light horsemen fired, one of them with a loaded gun.

#### CRAZY SNAKE REBELLION

Much has been said and written about the Crazy Snake Rebellion, but a version given by one who was not only there but in major control during most of the activity should be of value. Chitto Harjo (English name ~~Thomas~~ Jones) <sup>Should be Wilson Jones</sup> a fullblood Indian, became leader and made himself chief over about five hundred Indians who called themselves Crazy Snakes. They were made up mostly of Creeks and malcontents from the Cherokee, Seminole and Chickasaw tribes. Many of them were freedmen and halfbreeds.

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When the Indians were ordered by the Government to go to Muskogee and file their claims on the 160 acres of land allotted to them these five hundred self-called Crazy Snakes refused to go. Chitto Harjo was a leader-type and due to his teachings that, "Way back in Alabama the government said, Go to this country and we

will give it to you forever", and now we are only asking them to live up to that treaty they made before we came here," they wanted to continue to hold all the land they could and have their own tribal government. The allotment would put them under federal law. Their headquarters were at Hickory Ground, a Creek Indian stomping ground south and east of Henryetta.

When the Dawes Commission began to enroll the Indians and Crazy Snake and his followers refused, the commission had the federal court issue a summons to him to appear before the court and show some cause for not enrolling. Jones at this time was a U. S. deputy marshal and the summons was placed in his hands to serve on Chitto Harjo. Harjo lived 14 miles west of Checotah- had a good farm, plenty of horses, was considered a "well set-up" Indian. He was a very personable sort of fellow, keen-eyed and shrewd. At that time his two sisters lived with him. A son, Thomas Jones, highly educated, was there part of the time (said to be still living).



Jones (the marshal) went to Harjo's home, gave a young Indian interpreter a copy of the summons. He read it, gave it to Harjo, who was sitting nearby in a wooden chair, and said, "All right," dropping the paper in Harjo's lap. Jones rode off. Later he talked to the boy (interpreter) who told him that after his departure Harjo had torn the summons up and stomped it in the ground. Harjo did not appear before the court. Instead he called a meeting of his followers at Hickory Ground. Then the court reissued a warrant for arrest--contempt of court. Jones served this warrant. Again the interpreter read it to Harjo, who understood, got on his horse and peaceably went to Checotah with Jones. Jones then took him to Muskogee, put him in jail.

Harjo was taken before the Dawes Commission who explained the enrollment plan to him. He made a tentative agreement, giving the impression that if freed he would induce his followers to enroll. Returned home and called a meeting at the Hickory Ground. This continued for two or three weeks, and became so rampant and almost savage at times that the nearby whites became frightened. The Indians even sent out notices

to the whites that they were going to seize their lands and live-stock--claiming them as their own. Mr. Jones says he saw some of the correspondence between Harjo's interpreter and a Washington lawyer indicating that this attorney must have kept the Indians stirred up about their "so-called rights."

The U. S. government sent a troop of cavalry to put down the uprising. In the winter of 1898, Judge Leo E. Bennett sent Jones, U. S. deputy marshal, in command of a troop to round up the rebellious Indians. Jones established his headquarters at Hugh Henry's (where Henryetta is now) - and from this soldier's camp, would detail groups of men to go out and bring in the belligerents, (they had lists of names). Meantime Grant Johnson, negro U. S. deputy marshal, as he came in from Eufaula, stopped at Harjo's house, arrested him and twenty followers and brought them to the camp. Soldiers formed pickets and guarded them there. With the use of interpreters and soldiers about five hundred were rounded up. Mr. Jones recalls the service rendered by his interpreter, a Creek Indian, Amos Robinson by name. Various points of detention were made - one near where Wetumka is now, one at Mill

Creek. There was no resistance at this time, no loss of life.

They were taken to Muskogee, indicted, tried, and sentenced to two years in Leavenworth. They were offered parole if they would enroll voluntarily, also allotment in the vicinity in which they lived. About half of them kept the agreement. Those who did not were arbitrarily enrolled. Crazy Snake himself was among the latter, also the well-known Jackson Barnett. By a strange quirk of fate the lands given them arbitrarily lay in the district ultimately to become a rich oil field - Bristow, Gilton, Drumright.

About 1902 Crazy Snake called the malcontents (reduced now to about two hundred) to the old Hickory Stomping Ground - same reign of terror followed - arrests followed. Grant Johnson again picked up Crazy Snake. Harjo and his followers were actually sent to Leavenworth this time for two years, (Harjo sent Feb. 15, 1902)\*.

Well, they served their time, did not meet again until 1907, after statehood. It was their fall meeting and stomp dance. Fearing trouble the sheriffs of Okmulgee and McIntosh counties were in charge.

\* Many of these statements, of course, are erroneous, but it was considered best to copy them as given by the informant.

Soon mob violence and demonstrations against the whites arose. The Indians had their guns and guards and resisted arrest. Jones as U. S. deputy marshal was called in by the sheriffs to take charge of the situation. The Indians only recognized the authority of their own light horsemen, no regard for state or federal authority. Jones had about 25 men under him, 150 to 200 Indians under Crazy Snake - and the battle started. Ten or twelve of Harjo's followers were killed- the rest fled. The fugitives were picked up and jailed whenever identification was made.

Crazy Snake with a group of followers went to his home. The white people in the vicinity became frightened and sent in a runner to Checotah for protection. Dr. Odom, sheriff of McIntosh Co. was not in so Jones picked up a posse- Henry Odom (the sheriff's son), Lee Bateman, Ed Baum, Billy Carr and Frank Swift of Muskogee - all deputized. (This was in Feb. 1908). The posse, well armed, got in a hack and went to Pierce- one mile south of Crazy Snake's home. At Pierce (just a little store), the posse was told that about 40 or 50 Indians were at Chotch Harjo's place - down in the bend of the N. Canadian river, four miles southwest of Pierce.

Jones and his men went on near the band, saw an Indian running, arrested him, and found the gang had crossed the river and gone on to Crazy Snake's place.

Leaving Swift to guard the Indian, they went as close to Crazy Snake's house as the hack could go. When they went to surround the house the Indians saw them coming, broke from the house, ran across an open glade and took to the woods, shooting at Jones and his men as they ran. Jones' men returned the fire - Henry Odom and Ed Baum were killed. - seven Indians were killed, several wounded. Jones said that Odom and Baum stood in an exposed place while shooting instead of lying flat. Jones marked the Indian who killed the officers, an old freedman named Sampson Brown. Jones fired ten shots at him, but Brown was 200 yards away, lying flat on the ground. Jones took a vow to get him sooner or later. It was now sundown. The rest of the Indians made their get-away - taking their dead and wounded with them. They hid their wounded among friends and scattered in different directions. Crazy Snake was wounded - finally taken into the

Seminole nation where he later died.

Jones, out of ammunition, confronted with darkness, taking his dead, returned to Checotah. Governor Haskell called out the National Guards under Roy Hoffman to follow up the Indians. Most of them had fled and identification was difficult. True to his vow, Jones got trace of Sampson Brown, the freedman who had killed Odom and Baum. Jones took a posse of seven men and made for Brown's hideout. He was in a negro's house on a hill (present location would be five miles west of Muskogee on the highway, then two miles north). As he described it at that time - about one and one-half miles north of the old Buzz Hawkin's place, a negro house in the timber. (This was in March - 1908). Jones and his men went over at night and surrounded the place. At daylight a negro woman came out to get some water. Jones stepped up and said, "We want Sampson Brown." The woman, almost white from fear said, "He's nearly dead - there's a bunch of niggers with him." Jones said, "You get to that house, tell them they are surrounded. Then you bring their guns and stack them up where I can see them, or I'll blow you up."

She brought the guns out and stacked them, then she went back in and brought out the negroes, hands up. The posse took their guns, then searched the men. Then Jones and Lee Bateman went into the house. Old Brown (about 65) was lying on the bed. They searched the bed - then set him up on the side of the bed, found he could be moved. Called Muskogee for an ambulance, took him to Muskogee - put him in hospital room in the jail. True to the teachings of Crazy Snake - old Brown called for a lawyer - in fact asked for Morton Rutherford himself. Rutherford talked to him, fixed up everything to handle his case; Brown died the next morning.

The National Guard lingered to round up the last of the Crazy Snake fugitives. Jones recalls an almost fatal crossing of the N. Canadian (that is as it might have so effected General Hoffman). Jones and Hoffman were crossing the N. Canadian at the Arbecka crossing - the river was up. They were on horseback. Hoffman's horse got in the quicksand, Hoffman jumped off in the water waist deep, grabbed his horse by the head to hold his nose up out of the water - the horse made a lunge, knocked Hoffman

under the water. Jones grabbed Hoffman and carried him out.

So after ten years of intermittent strife, malcontent Indians were taught to recognize the national government, in name if not in spirit.

#### INDIAN BALL GAMES (1894- 1910)

Beginning about 1894 Jones was detailed to be present at inter-tribal Indian ball games. At first these were played annually at different stomp-  
ing grounds of participating tribes. These matched games were most frequently played at the Creek's stomp-  
ing ground at Hickory Ground about 7 or 8 miles east of where Henryetta is today. The Seminoles played near Sasakwa and the Choctaws at Arkabeka, located in the bend of the North Canadian river near Dogtown settlement. Another favorite place was Tiger Flat, south and west of Henryetta. Games were played during the year to eliminate the weaker players and then came the annual game to settle championship.

These games were very cruel, really seemed more of an excuse to inflict bodily punishment and even up grudges with a good fight, according to Mr. Jones'



experience. They often spent hours in sparring before the "chief" ever threw the ball. The last matched Indian tribal game was played at Tiger Flat in 1910, according to Mr. Jones. He was detailed to preside in the interest of peace.

As he remembers it was Sept. 25 - 1910. By noon over a thousand people had gathered along the lines. (The Light horse always had charge of these games before statehood). Indians had come from far and near, forming a surrounding camp. The game was to start at noon. Quite a horde ready for play - 25 to 50 men on each side, husky bucks in breech-clouts, paint and feathers. Counseled, talked and wrangled until about 3 P.M. - then went to the goal-counseled and wrangled- sparring for position for another two hours. Then Mr. Jones said about 5 P.M. the "Chief" tossed the ball in and the stampede started. Not only stampede, but gory fighting, sometimes fighting unto death. Fearing such an outcome, Mr. Jones fired into the air- a signal to stop the game. Not only did the "law" stop this game, but the law prevented the playing of any more matched Indian ball games.

One of Mr. Jones' treasured possessions is a faded picture of eighteen Deputy U. S. Marshals sworn in under Judge S. L. Rutherford (Muskogee) - 1897. Of these eighteen only four are living today, according to Mr. Jones: J. F. (Bud) Ledbetter, Muskogee; Crocket Lee, McAlester; Sidney Johnson, Ft. Smith and W. Frank Jones, Tulsa.