



Effie S. Jackson  
Interviewer  
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Interview with  
W. Frank Jones  
225 $\frac{1}{2}$  North Rosedale  
Tulsa, Oklahoma

Deputy U. S. Marshal and Peace  
Officer 1893 - 1930

DOGTOWN SETTLEMENT OUTLAWS

Lying between the North and South Canadian Rivers, extending west to about where Wetumka and Calvin are today and east in the woods almost to Eufaula was an expanse of land glades, hills and timber, a natural hideout and resort for outlaws, known back in 1894-97 as Dogtown Settlement, numbering at the utmost about one hundred. These outlaws, horse and cattle thieves, with their women, children and dogs, occupied shacks and shanties typical of their way of living.

Willis Brooks and Jim McFarland became leaders of different factions. The custom was to steal horses and cattle, re-brand them and then sell them at Eufaula. Physical conditions make this settlement a natural

"run-in" for concealing stolen horses and cattle.

Peg-leg Brooks, a brother of Willis, was a horse and cattle thief. Jones arrested him (1894) and took him to Chandler to jail. Brooks had a cousin who lived north of Chandler. This cousin went to the Jail to see Peg-leg. He took him a can of syrup (acid in the syrup sufficient to cut bars). Bill Tilghman, sheriff, let him in. Peg-leg put syrup in the hollow of his peg-leg. Secretly at work on the bars he was caught by a guard, served his term of two years at McAlester, and then came back to Dogtown and joined Willis Brooks' faction. McFarland, or a fellow named Young Watson way-laid Peg-leg at the Canadian Crossing near where Dustin is today and killed him. This brought the feud to a head. McFarland was arrested and put in jail but there was not evidence enough to convict him.

When the Fort Smith and Western Railroad was extended the townsite of Dustin was opened. The day of the opening in 1898, United States Marshal Rutherford was in charge expecting trouble. He had sent word to Jones to be there, as Jones had just returned to Checotah from a scouting expedition. He started at once on

horseback, got as far as Flatrock, and stayed all night and was a day late for the opening. The factions were on hand, and the fight started. McFarland's men against Brook's men. Brooks killed old man Riddle, and Rutherford killed Willis and John Brooks, and wounded Marion Brooks. When Jones got there things had quieted down, but McFarland died later. With leaders of the factions dead and new settlers moving into Dustin and surrounding territory the Dogtown Settlement ceased to be.

#### JENNINGS' GANG

According to Jones this gang had its inception due to an old political clash dating back to 1889. Jack Love and Temple Houston were close friends. Temple Houston was the youngest son of Sam Houston, the Texas hero, and he was a lawyer. Through his efforts it seems Jack Love became corporation commissioner and political power switched from the hands of the Jennings' brothers. Mr. Jones speaks highly of the family, of the father and three sons, Al, John and Frank. The feud reached a crisis one night when Houston and the brothers all happened to meet in the town

saloon. Temple Houston claimed that Al Jennings fired the first shot, and that in selfdefense he had to shoot Frank Jennings. That he shot the lights out, as he shot Frank. Pandemonium reigned and most of the shots of the departing guests landed in the piano. (This story was told by Temple Houston's widow, Laura Cross Temple, in 1929 when she was a guest of her son, Sam Houston, in Tulsa. She was living in Woodward, Oklahoma, at that time and told me that she still had the old bullet-ridden piano in her home at Woodward. She has recently deceased. Field Worker.)

Houston was tried for the murder of Frank Jennings and acquitted on a self-defense plea. Embittered by the injustice which they felt had been done, Al and John Jennings, their relative, the two O'Mallory boys and Sam Baker turned outlaws. Al Jennings told Jones how they robbed an express train on the Iron Mountain Railroad, close to Chickasha. In the robbery Sam Baker killed one of the trainmen, and from that time on, until their capture, the Jennings gang was "on the scout." Bud Ledbetter was sent on their trail. The gang had taken possession of the Spike S Ranch southeast of Mounds, and Sam Baker, wishing to be free from the gang, got in touch

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with Bob Gentry (who had a record of killing seven men) and told him to tell Ledbetter that the gang was at the Spike S Ranch. Ledbetter took his posse, surrounded the ranch and demanded their surrender. Then the fight opened up, and the outlaws got away into the foothills with no fatalities. Al Jennings <sup>was</sup> shot in the knee, but that was all (as Al Jennings told Jones afterward, not only was the ranch house shot full of holes but even the shots went to playingg "'Home Sweet Home'" on the piano, and Al said then he thought it was time to be leaving).

The gang got an Indian to take them in a wagon by the Miller Ranch, through where Morris is today, then on down through to Grave's Creek by Hitchita to where Sam Baker lived near Onapa. Sam Baker got Dr. Permenter of Checotah, and took him to dress Al Jenning's wounds. In the meantime Baker got in touch with Ledbetter, and the outlaws stayed at Baker's for two or three days. Ledbetter and posse went to Chocotah, but Baker lived five miles southwest. Baker made a plan with Ledbetter that he would fix a covered wagon, load it with the out-

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laws and go with them to a selected spot of meeting. The officers went to Carr Creek, eight miles southeast of Baker's home. Baker was to take the outlaws by this crossing, with the officers to be in ambush, for it was an ideal spot to pull the trick. A bluff was on the east side of the crossing, where the officers were hidden and they had carefully concealed a log across the stream to trip the wagon. The plan worked, the wagon stopped by the log, and the officers appeared and seized the outlaws. Baker according to plan, got away, and was said to have received his part of the reward offered for the capture of the gang. Money and jewelry which they had gotten in the robbery were reported to have been thrown in the creek at the time of capture. The outlaws were taken on into Checotah to be sent by train to Muskogee.

In the meantime Jones, who would have been with Ledbetter on the quest of the Jennings' gang, had gone to round up a horse thief and escaped convict named Howard. In fact he missed the Jennings' gang at Groves Creek crossing by thirty minutes, (Al told him later that had he met him there that he would have gladly

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surrendered to him as they had known each other favorably in days gone by). So Jones and his horse thief, Howard, and Ledbetter and the Jennings gang all boarded the same train out of Checotah to Muskogee. It was on this trip that Al told Jones what had happened from the time of the robbery to the surrender. Sam Baker later told Jones the part he played in it. The Jennings' gang, tried and convicted were given five years each. Al was sent to Columbus, Ohio, and served his time; then returned and reformed.

Jones' later experience with Baker was not a very pleasant one. Jones found him drunk one day in Checotah, and told him he had better go home. Jones was standing in front of the Russel Drug Store. Baker went on up the street to Freeman's restaurant, got his gun, came back to where Jones was and drew his gun on him. Jones beat him to the draw, shot him through, just above the heart and paralyzed him. Baker asked to be taken to Freeman's restaurant where he lay unconscious for two days. In the meantime Willis Brooks' gang had planned to "get" Jones. Nothing came of it, as that was just the normal Dogtown Settlement's attitude toward law and order. Baker got well and during the Snake uprising asked to help Jones ,

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and Jones let him, but always kept an eye on him. Baker took all blame of former trouble on his own shoulders. Later, running true to form, Baker got into trouble with old man Torrence over a wagon; a shooting scrape was narrowly avoided, and ended afterward when Torrence's son killed Baker. Bob Gentry, who had helped Baker betray the Jennings' gang, had become notorious and was much feared by the law. Jones was the first man to succeed in capturing him, but Baker ended that story some time before his death. To quiet an old grudge he killed Gentry then walked up to Jones and said, "I want to give you my gun, I have killed Gentry." Self-defense saved him that time but Torrence's bullet later found its mark.

#### THE HOWARD EPISODE

As Jones stated before at the time of the Jennings fight at the Spike S Ranch he was on the lookout for a horse thief named Howard. Howard had been convicted and ordered to Leavenworth, but on the way he had jumped the train. Knowing his hideouts Jones on horseback went to Okmulgee which was a small place at that time. Jones went into a corner drink and barber shop hangout, and in about

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twenty-five minutes Howard rode up. Jones stepped out of the shack and told him to throw up his hands, but Howard wheeled his horse and rode off. Jones shot through the horse, and strange to say it carried Howard about two miles before it fell. Jones followed, but Howard hid in the brush. It was now sundown so Jones stayed in Okmulgee that night. He got up early in the morning, went north of Okmulgee out on the prairie where Jones knew Howard had friends. In the meantime Howard had gotten another horse and suddenly found himself facing Jones at a distance of about two hundred yards. Howard wheeled and ran but Jones shot at him several times, and hit him in the arm. Howard on foot made his way through the woods to the Israel Carr Ranch where he had a sweetheart. Jones knew this, but as he was on horseback he had to swing around. He met a fellow he knew, Ben McIntosh, near the ranch, about a mile from where the girl lived. Jones told Ben that he would tie his horse in the woods and ride on the back of Ben's buggy out of sight to the girl's house. When in sight of the house Jones saw Howard coming toward the house. Jones met him at the wood pile, and Howard, very much surprised,

surrendered without a word. Taking him to Checotah Jones found Ledbetter and the Jennings' gang there ready to take the same train to Muskogee.

SHELLY BROTHERS (1895)

Dr. Bland, who had married an Indian woman, had a large ranch in the bend of the <sup>Arkansas</sup> ~~Gimarron~~ River and Salt Creek, fifteen to twenty miles northwest of Mannford. The Shelly brothers, notorious cattle thieves, stole a bunch of Bland's cattle. Bill Tilghman, Dr. Bland and Heck Bruner followed the thieves down about eight or ten miles south of Checotah near Carr Creek. Jones, John McCann and Bill Robbins went to the hideout, a small log house, about three fourths of a mile from the well's place. It was snowing, and the snow was about a foot deep, so the posse stayed in the brush until morning, then called on the brothers to come out and surrender. Their wives and babies were in the house with them but they refused to come out. Jones told them to send the women away from the house, and they did so.

Then the fight started which lasted seven hours. Both sides were firing and Jones said he had to send to

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Chicotah three times for more ammunition. The posse shot from behind trees, and the outlaws punched chinkings off the logs and shot from there. The posse crossfired and cut gaps out of the doors. The logs which were waist high were pretty well shattered; but still no surrender, and no fatalities, although McCann had a slight shoulder wound. Jones had to resort to some other plan. He took his men and went down to Wells' house, borrowed a wagon, and took the front gear off. He loaded it with hay and guided it to the place of battle. Then they pushed this up against the house, and set it on fire. The men, smoked out, surrendered. They were wounded, but not seriously, so they were taken to Fort Smith, and each given five years.

JOHNSON TIGER (1895)

Johnson Tiger, a Seminole Indian, had killed another Indian on the Creek-Seminole line. United State Marshal Leo Bennett, Tom Bigsby, I. Thompson and Jones went in pursuit of him. They went to Hickory Stomp grounds, eight or ten miles southeast of where Henryetta is today. Johnson had taken refuge at an Indian's house across

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from the stomp grounds. He saw the posse coming, broke and ran down the creek three or four hundred yards, then turned and ran up a draw into the mountains. The posse followed to within two or three hundred yards. Johnson then waved his winchester in a threatening way so Jones shot him through above the hips. Tams Bixby, member of the first Dawes commission, thought he had done the deed, and said, 'I guess I killed that Indian!' Jones kidded him about the way he had cocked his gun and rested it on his foot.

They went up to the groaning Indian. The bullet had made a clean cut through his body above his hips. United States Marshal Bennett, who was also a physician, showed unusual skill in this instance. He took a pencil and a silk handkerchief and very deftly drew the handkerchief through the hole made by the bullet, then wrapped up the wounded man and took him to a nearby Indian home for the night. Jones went to get him next day, but Tiger Johnson was gone. He had gotten on a horse and ridden away, but was caught three months later and sent to the pen for life.

TEXAS JACK (1898)

Texas Jack, whose real name was Nathaniel Reed, and Jim and Dick Dyer had formed an outlaw gang. Texas Jack had not formerly been an outlaw, but a train robbery seemed to be easy money. Due to lawlessness and train robberies the M. K and T. had hired Jones, Ledbetter, Sid Johnson and Uncle John West to guard express trains running from Parsons, Kansas, to Denison, Texas. They would make the runs, then double back.

On this particular occasion, November 1898, they got on at Parsons as usual, and after passing through Wagoner, they came to Wybark. Here the switch had been thrown and the train ran onto a siding. The engineer stopped the train at once, realizing that it was a robbery. The robbers, Texas Jack and the Dyer brothers, made a run for the express car, not knowing the guards were there. They demanded that the door be opened and began shouting. The guards opened the door and fired. Not dismayed the robbers began throwing dynamite on top of the express car, but their timing was out of gear for the dynamite rolled off to the ground and then

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began exploding.

In the meantime the officers slipped out of a door on the west side of the car and charged the bandits unexpectedly. Ledbetter shot Texas Jack in the hip, Sid Johnson had been slightly wounded in the arm, so the robbers ran out and got away in the dark, as it was nine o'clock at night.

The posse went on into Muskogee and Jones went to Jim Dyer's home, ten miles west of Wagoner, the next day but found no one. A week or so later Texas Jack was arrested in Wichita, where he had gone to be treated for his hip wound. He was taken to Fort Smith for trial, sentenced and paroled. It seems that he turned in some long sought fugitive to gain a parole. No proof could be found sufficient to convict the Dyers, identification was difficult as it was night when the robbery took place. Texas Jack reformed, became a moralist and traveled around giving talks on "Crime Does Not Pay." In fact he is still doing so, at the age of seventy five. He recently was in Tulsa, in April 1937, arranging for a special type of trailer that he could use in his travels through Texas and Oklahoma. Very picturesque in appearance, and using the name Texas Jack, he was planning to continue his lectures at so much a lecture.

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MAC ALFORD - (1902)

Mac Alford, Ben Graham and his brother, and a fourth man (name forgotten) formed an outlaw gang that spread terror for a while. Their hangout was at Alford's home, about fifteen miles east of Chécotah. A man named Spivey lived alone and batched, and his house was about four miles south of the Cicero Davis ranch. He was considered a miser and reported to carry a large sum of money in his belt. So Mac Alford's gang went to Spivey's home one night to rob him. A fight took place, and Spivey was killed. His body was saturated with coal-oil and the house fired.

The next morning old man Counts, who lived a half mile away, sent word to Jones to come down. All Jones found was the burned torso of the old man. Counts had seen the Mac Alford gang pass his place, so Jones went to Alford's place to get him. Alford's house was in the brush on the top of a mountain. Jones, concealed in the brush, watched for him all day. About two or three o'clock in the afternoon Jones saw Alford go to the barn. Jones slipped down and met him as he came out of the barn, and

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both were armed. Alford, frightened, dropped his gun. No one was in the house but Alford's wife. Alford said he had heard of the murder of Spivey but was innocent. Jones told Alford's wife to bring Alford his hat, not even go to allowing him to the house. He took him to Checotah and from there to Muskogee. Alford would give out no information, but they arrested the rest and jailed them. There was not evidence enough to hold any of them.

Alford got out before the rest of the gang and they thought Alford had turned "states evidence." At any rate when they were released they held it against Alford, and a bloody feud began. Cicero Davis, a wealthy ranch owner, was waylaid at his own gate and killed. The gang accused Alford (the gang had been stealing cattle from Davis, and Davis knew it. Other factors entered the story, family affairs, which may have had a bearing on his death). Ledbetter arrested Alford, and he was tried and cleared because of insufficient evidence. The Davises, who were wealthy, had a man named General Dunlap in their employ. Mac Alford was killed from ambush, and there was belief that Dunlap had killed him but there was no proof, so he was not even arrested.

Ed Julian, who died at ~~Wainwright~~ a short time ago in April, 1937, was county court clerk of McIntosh county at the time. He was spotted as an enemy by the Davises because of some information he had given. Dunlap went to Eufaula to kill him. Ed was staying at the Eufaula Hotel, and Dunlap went to his room and knocked on the door. Ed opened it, saw Dunlap armed, beat him to the draw and killed him on the spot.

In the meantime, a fellow named Grammer, who belonged to the gang, had been stealing horses and cattle. Jones arrested him and he was sent to the pen for five years. He served his time and came back with blood in his eye for Julian and Jones. He came to Checotah one day in 1910, and put his horse in Tom Stone's livery barn. Grammer asked Stone if he had seen Julian in town, as he had heard that he was there, and <sup>stated</sup> that he was going to get even with him. (He claimed that Julian had given information that had caused his imprisonment). As he left the livery stable going north on the west side of the street, Julian approached the stable on the opposite side of the street. (Jones happened to be a block away). Each grabbed his gun, Julian shot first and killed Grammer. Julian surrendered to Jones, was arrested, tried and cleared on <sup>a</sup> self-defense plea.

The feud continued. New leaders sprang up to take the place of those killed off. Tony Starr and Dan Foster became the leading cattle thieves with a hideout in Younger's Bend. Jones arrested Foster after hiding in ambush all day, took him to Charley McClure's house, where Porum is now, for the night. Then they came to Muskogee for trial. He was convicted and got five years. Foster served his time and came back and joined the gang. In the meantime the Midland Valley Railroad came through and Porum was built. Foster had a grudge against Charley McClure, knowing he was a friend of the officers. During the opening days of the townsite at Porum the gang gathered at Sam Davis' big house, and began killing off their enemies. The first to fall was McClure, and then Foster was killed. One by one the leaders of the feud had been killed off, townsites took the place of ambushers, bringing problems of a different kind.

TRAVELING COURT - 1903-1904

During 1903 and again during 1904 - United States Marshal Leo Bennet accompanied by the following deputies: Frank Jones, Bud Ledbetter, Dave Adams, Mark Moore and

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John O'brien, set out from Muskogee to hold court in certain localities of the northern district. Two covered wagons carried supplies, bedding, cooking utensils, food (canned goods and staples), folding chairs and tents to be used for camping and holding court. The deputies on horseback were each accompanied by a posseman. Interpreters were to be picked up at <sup>the</sup> place of holding court. Howard A. Leekly, a United States Commissioner, was sent by United States Judge Campbell to issue necessary warrants and assist with court procedure.

The first camp was at a spot near where Beggs is now. An old Indian named Tom Adams, a council member, lived there. All complaints of horse or cattle thefts or any other grievance were made to Adams, and he in turn submitted them to the court. Warrants were then issued by Leekly and the deputies had to serve them and bring in suspects. When they were tried by Leekly as a judge. This was a sort of preliminary hearing and if held for regular trial, suspects were bound over to the United States court for trial. Mr. Jones said that Isparhecha, the old Creek Chief, lived three miles west of Tom Adams at that time. Later when he was scout-

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ing for some fugitives in that vicinity he stayed at his home. He said that he was a very shrewd, intelligent Indian, who spoke English well. His home was a well-improved place. Two weeks were spent at Beggs. While they were there they went up near what is now Turley one day to serve some warrants, and near there they found three dead men. The mystery of their death has often been mentioned in the early history of Tulsa. Jones said it could not be determined whether they killed each other, or had been killed and left there.

Then the court moved to Okmulgee, which had nothing much there but the Council House. Here they made a series of raids on bootleggers. Then they went to where Henryetta is now which was always a tough district. The building of railroads was taking place then, the Frisco from Sapulpa through Henryetta, Etumka and Holdenville; the Iron Mountain from McAlester, through Holdenville to Oklahoma City; and the Port Smith and Western from Port Smith to Heavener then to Crowder; the I. K. & T. to Hannah, and Dustin, Heleetka, Oklahoma City. New towns were springing up along all these new lines, and brought new problems. Chief among them was bootlegging. The court found itself

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in continuous session during 1904. From Henryetta and Holdenville there were one hundred men arrested for bootlegging, most of them tried, sent to Muskogee, convicted and sent to Fort Smith for six months. The same condition existed at Crowder City, Heleetka and Okmulgee. Undercover men were busy getting evidence and men and even women were rounded up by the hundreds. Tulsa and Sapulpa furnished a fertile field. Often the bootlegging activity centered in the hands of powerful leaders and hotel owners. This was the case in Eufaula - take Alex Sellers for example. At one time a blacksmith, he became owner of the Sellers Hotel, and at the time of Statehood had fifty-five charges against him.

The traveling court played its part in trying to make for local law and order until Statehood came and assumed the burden.

JONES, W. LEWIS

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