

THOMAS, JACK

DEPOSITION

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Chester A. Lamb
Indian-Pioneer History S-149

Deposition of Jack Thomas
Delaware Indian
Anadarko, Oklahoma
September 24, 1927

This case is pending in the United States Court of Claims;
In this case the Wichitas are claiming they were the original
occupants of the country west of the Cross Timbers, in the Great
Plains, extending north-south from the Canadian River to the
Red River, including its valley.

Charles H. Merillat, counsel for claimant (Wichitas and
affiliates) C. Ross Nune, counsel for intervenor (Caddos) Dan
M. Jackson, counsel for Defendant (U.S. Government)

Claimant's counsel, Charles H. Merillat; intervenor's
 counsel, C. Ross Hume;
 defendent's counsel, Dan M. Jackson.

Belo Ellis, being sworn as an interpreter, Jack Thomas is called
 as a Witness on behalf of the petitioners and, being first duly
 sworn, testifies as follows:

DIRECT EXAMINATION BY MR. MERILLAT:

Q. How old are you?

A. Seventy-eight.

Q. Where were you born?

A. Texas.

Q. What part of Texas?

A. I couldn't say exactly what part. It was in Texas.

Q. Were the Delawares at that time living in Texas?

A. Yes, sir; they were living in Texas at that time.

Q. Did any other tribes live with them?

A. There was the Shawnees and Caddos lived near by the Delawares
 at that time.

Q. The Wacos, Towaconies--living in Texas then?

A. Yes, sir; in this side, just a little ways from them.

Q. Were they living in Texas or in Oklahoma at that time?

A. I couldn't say just where they lived, but they were living there whether they were living in Oklahoma or Texas.

Q. Who was your father?

A. Law-tay-may-quay.

Q. Is that the same as Black Beaver?

A. That was the same name as Black Beaver.

Q. What kin was Black Beaver to you?

A. My grandpa. That was my grandpa's brother--black Beaver's brother

Q. Who was chief of the Delawares?

A. Black Beaver was chief then.

Q. Who was chief after Black Beaver?

A. Billy Mickapoo.

Q. Did you know Es-sad-duah?

A. Yes, sir; I know him.

Q. Who was he?

A. He was a Wichita.

Q. And were the Delawares affiliated with the Wichitas?

A. Yes, sir.

Q. Which was the bigger tribe, the Wichitas or Delawares?

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A. Wichitas.

Q. Did all of the affiliated Indians have one chief over them all?

A. We had a chief of each one of the tribes, but he was the main one of the whole tribe. He owned the country and land.

Q. You mean that Es-sad-duah was chief over them all?

A. Yes, sir.

Q. Do you remember when you came from Texas into Oklahoma?

A. I don't remember that time. I wasn't hardly big enough when we moved over here I came to my senses and was old enough to remember things.

Q. Have you ever talked with these old people, old chiefs, and others, as to where their home was and what country they had?

A. No, sir.

Q. Did you ever talk with Black Beaver or Billy Kickapoo or any of those as to what was the country of the Wichitas and affiliated tribes?

A. No, sir.

Q. Did you ever go out hunting with them?

A. No, sir.

Q. Did Black Beaver ever tell you where he, Black Beaver, went?

A. No, sir.

Q. Where did the Kiowas and Comanches live?

A. I couldn't say where they lived, but I used to hear they lived away out west on the plains.

Q. From whom did you hear that?

A. I heard the old men when they were talking among themselves, heard what they said about those people.

Q. What did you hear the old people say about the Kiowas and Comanches?

A. They used to go around with the buffaloes; these Comanches and Kiowas they followed the buffaloes around; that is how they furnished their food for their children.

Q. How did the Delawares and Wichitas get their living, from what the old people said?

A. The Wichitas and Delawares used to farm. Once in while they would get out and hunt and kill a deer or two. That's the only way they could get meat.

Q. Did you ever hear these old people say where the Wichitas and others had their villages and where they roamed and where they hunted?

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A. I used to hear the old people talk about the Wichitas, where they used to make their homes and villages, away out west in Wichita Mountains.

Q. Did you hear where they went hunting and where they roamed?

A. No, sir.

Q. Where did they say they had the villages.

A. That's the only place I heard they had their villages.

Q. Did you ever hear the old people speak of where the Wichita line was

A. Yes, sir; I used to hear the old people talk about the line, east and west and north and south.

Q. Where did they say these lines were, east and west and north and south

A. I couldn't say.

Q. Did Black Beaver ever go out after the Kiowas and Comanches?

A. No, sir.

Q. Did the old Delawares scout for the Government?

A. Yes, sir; they used to have one or two old people who used to go out and scout.

Q. Who were some of them?

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A. They are not here; they are dead.

Q. Who are those that are dead that used to scout for the Government?

A. Old man Jim Bobb used to be a scout in the Army.

Q. How about your grandpa; did your grandpa scout for the Government?

My grandpa went out, but he didn't arrest anybody. He just went out there on a visit.

Did Black Beaver go out on scouts?

Yes, sir; he went out, Black Beaver did, and he went out and took the lead for soldiers and bring these other people.

Bring these other people where?

He brought them down here, I think; Fort Sill.

What are these other people you are talking about that Black Beaver and the Government brought back to Fort Sill?

A. I don't know exactly what tribe they brought back?

Q. Were the Kiowas and Comanches civilized or wild Indians?

A. Wild Indians.

Q. Why did Black Beaver and the soldiers go after these wild Indians?

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A. The reason they went to get these, they got mischievous and devilment. That's why they wanted to have them captured.

Q. Who wanted to have them captured?

A. Government.

Q. Were the Kiowas and Comanches these wild Indians the Government wanted captured and brought in?

A. It is the Kiowas.

Q. Did Black Beaver--where did Black Beaver find the Kiowas then?

A. I couldn't say where he found them. He found them out west on the plains.

Q. Do you know where Antelope Hills is?

A. I don't know here Antelope Hills is? I just heard about Antelope Hills.

Q. From whom did you hear about Antelope Hills?

A. The old people is the ones that talked about Antelope Hills.

Q. What did these old people say about Antelope Hills?

A. I guess the reason they call it Antelope Hills is because there used to be lots of deer and antelope around in those hills.

- Q. Do you remember living in Kansas?
- A. That's where the Delawares call it; they call it Arkansas.
- Q. Do you remember living up there?
- A. Yes, sir; I know something about Kansas.
- Q. What do you know about it. How did you happen to go there?
- A. Well, it was during the war, Texas, you know, everybody got scared out, and went from here to Kansas, up close to Kansas City, before Kansas City was.
- Q. Who took you up there?
- A. My parents took me up there. They all went up there.
- Q. Did any United States soldiers go with them?
- A. No, sir.
- Q. Before you left were there any Kiowas and Comanches living in this country?
- A. I never did hear, because I was small then.
- Q. Did you ever hear any of the old people talking about the Kiowas and Comanches living in this country?
- A. No, sir.
- Q. After they got back here did you see any Comanches living here?

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- A. When I came here afterwards, that is when I saw what they said was Comanches.
- Q. What band of Comanches?
- A. They call it Pnen-taka.
- Q. Were they the first Comanches you had seen?
- A. Yes, sir; that's the first time I ever saw Comanches.
- Q. Did the Ichitas and Delawares consent that these Pene-taka Comanches should come here and make their home here?
- A. I don't know. I guess they agreed to that; I don't know.
- Q. Did your tribe consent to it? Did the Delawares consent to it?
- A. I don't know.
- Q. Did they get along together?
- A. No, sir; they got along all right.
- Q. Did they have fights?
- A. No, sir.
- Q. Were these Pene-taka Comanches wild Indians?
- A. I never did hear anybody say they were wild Indians, these Comanche tribes.
- Q. What tribe did you hear they say were wild Indians?
- A. Kiowas.

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Q. Were there any Cheyennes and Arapahoes here before you went up into Kansas?

A. No, sir.

Q. Do you or any of the other Delawares have any old papers?

A. No, sir.

Examination by Mr. Hume.

Q. Were there any Caddos that came at the same time the Delawares did from Texas?

A. I couldn't say. They brought us from that way. There were several tribes over here.

Q. Do you remember whether there were any Caddos here before the Indians went up into Kansas at the beginning of the war?

A. Yes, sir; there was several Caddos here then; lived below here and east of Anadarko.

Q. Do you know whether the Caddos also went up into Kansas during the war?

A. No, sir.

Q. Did you see the Caddos here after the Delawares came back after the war?

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A. Yes, sir; they were here.

Q. Did the Caddos and the Michit s and the Keechis and the Wacos and the Delawares all live in here together?

A. Yes, sir.

Q. When they sent delegations to Washington would there be Michit as Caddos, Delawares all o in those delegations?

A. Yes, sir; I suppose they all went.

Q. Were the Caddos and Michitas and Delawares all here under one agent?

A. Yes, sir.

Q. When they had the 1891 treaty, the Jerome treaty, did the Caddos, and Michitas and Delawares all sign that treaty?

A. I wasn't there during that time. I was around here, but I wasn't present. I couldn't swear as to whether they signed it.

Q. When they were having those treaty hearings were there interpreters to interpret what was said to the Michitas and intepreters to interpret what was said to the Caddos?

A. No, sir; I couldn't swear it, because I wasn't there.

Q. Did the Caddos, Michitas, and Delawares all get allotments in the reservation there?

A. Yes, sir.

Q. When they would have councils over here would the Caddos, Wichita, and Delawares all take part in those councils?

A. I will tell you about that. The Wichita council used to be together.

Q. How old were you, about, when you came back after the war from Kansas.

A. Twenty-six years old.

Q. Do you remember when the Indians came from Texas in 1859, the Reserve Indians?

A. No, sir.

Q. Were some of the Caddos, Delawares, and Wichitas inter-married so that some of the whites were part Wichita and part Delaware, and part Caddo?

A. Yes, sir.

Q. Are the Caddos and the Wichitas and the Delawares and Keechis and Wacos and Powaconies all called Wichitas and affiliated bands?

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A. Yes, sir.

By Mr. Merrilat

Q. Do you remember the Fort Arbuckle agreement?

A. No, sir.

Q. Was there ever a time when the Wichitas and Delawares didn't hold council with the Caddos, or the Caddos, with the other tribes?

A. Yes, sir; several times they held council, but sometimes they won't be there.

Q. Who won't be there?

A. Caddos.

Q. Why not?

A. I don't know.

Cross-examination by Mr. Jackson.

Q. Did Black Beaver go up to Kansas with you?

A. Yes, sir; he went.

Q. Do you know what year it was you returned to Oklahoma?

A. No, sir.

Q. About '74 wasn't it?

A. I couldn't say.

Q. Now were 26 years old, weren't you?

A. Yes, sir; I said I was 26.

Q. Do you know what year you were born?

A. I don't know; my parents was telling me that I was 26 years old.

Q. Did your father was present when you were born?

A. Yes.

Q. Did you see any other people there when you were born?

A. Yes, I saw the President of the United States and the Vice President of the United States.

A. I couldn't say.

Q. Did Mack Deaver give speeches to the crowd when he was Chief?

A. I heard several of them talking about it, what speeches he gave, but I wasn't there.

Q. Do you know where the Delawares came from originally?

A. No, sir; I couldn't say. I don't know.

Q. You heard that the Wichitas came out of the ground out

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here at the Tichita Mountains, didn't you?

A. I never heard that before.

Q. Did you ever hear where the Tichitas came from when they came out of the southwest?

A. No, sir.

Q. Did you know that the Delawares ever lived east of the Mississippi?

A. No, sir; I don't know.

Q. Do you know where the Delaware Indians got their name, the name of the tribe?

A. What I used to hear old people talk, many early days when the first met the white man, when they made treaty with them, they asked the Delawares what their name was, and that said, "That's what I said," and they took "That's what I said," so they gave them that name Delaware.

Q. Do you know the name of the white man that they had that talk with?

A. I don't remember.

Q. Did you ever hear of a man named William Penn?

A. That's all. I don't want to say no more.