

## INDEX CARDS:

Fort Wayne  
Cherokee Emigration  
Cherokee Sheriffs  
Tahlequah  
Zeke Proctor  
Goingsnake Court House  
Judge Alberty  
Belle Starr  
United States Marshals  
Squatters

BIOGRAPHY FORM  
WORKS PROGRESS ADMINISTRATION  
Indian-Pioneer History Project for Oklahoma

Field Worker's name Wylie Thornton

This report made on (date) August 13 1937

1. Name Welch, Moses

2. Post Office Address Tahlequah, Oklahoma

3. Residence address (or location) \_\_\_\_\_

4. DATE OF BIRTH: Month January Day 10 Year 1883

5. Place of birth Two and one-half miles north of Old Ft. Wing, near  
where is now Watts, Oklahoma. WAYNE

6. Name of Father George Welch Place of birth Georgia

Other information about father Emigrated from Georgia ahead of the  
Indian Drive.

7. Name of Mother Lizzie Downing Place of birth Near Ft. Wing

Other information about mother Daughter of Abb Downing.

Notes or complete narrative by the field worker dealing with the life and story of the person interviewed. Refer to Manual for suggested subjects and questions. Continue on blank sheets if necessary and attach firmly to this form. Number of sheets attached 11.

WELCH, MOSES.

INTERVIEW.

7161

Wylie Thornton  
Interviewer  
August 13, 1937

### The Early Life of Moses Welch.

I was born near Ft. Wayne, Indian Territory, on January 10, 1883. This old Fort was located about two and one half miles north of what is now Watts, Oklahoma.

This fort was abandoned along about the same time Fort Gibson was, or seems to me as if it was just before.

An odd thing to me is it never is mentioned by the old settlers any more. My father came from the state of Georgia ahead of the regular forced drive of the Cherokees.

You see all the Cherokees were allowed to sell out anything they owned and prepare to make this trip over here in any way they wished. Those that failed to take this opportunity were later forced to leave their property and come anyway they could and use any means they had for transportation. My father's father, or my grandfather's name was Sam Welch. He stayed with his old home in Georgia to the last minute hoping something would happen and he would be allowed to stay with his home and property. Finally he was forced to leave his home and property and

2

come to this country. My father and grandfather told of many hardships they endured on their long trek to their new homes, bad roads, no bridges, bad weather, storms, etc.. Hardships were great and worst of all was the sickness on the road. There was no place or time to stop to care for the sick and to bury their dead. Heart rending scenes took place of mothers leaving graves of their children to never view the places again.

My father settled about two and one half miles north of Ft. Wayne on the Illinois River and today the place is known as the old Welch Farm.

#### The Fort Place

Leatha Foreman settled on the ground which once was the location of old Ft. Wayne. After its abandonment, and at allotment time James McCoy allotted the place and today it is known as the Ft. Wayne place. Also it is called the Leatha Foreman place, but I notice the younger generation call it the McCoy place.

#### Ages of Parents.

My father died February 8, 1900, at the age of fifty-

WELCH, MOSES.

INTERVIEW.

7161.

3

three years. He was born in Georgia in 1847, and was buried in the Baptist cemetery about two and one half miles north of Westville. My mother's age I do not know exactly, but she was about the same age as my father, and was born near our old home place. She died on July the fourth, 1900, of the same year. She is buried near the old Welch Farm in a family cemetery.

## Law.

My family figured prominently in the law and order element of the old settlers and I can give you a few names of those who were connected with law enforcement.

Some of the sheriffs before 1894 were: Tom Welch, Wash Lee, Zek Proctor, Newt Morton, and Sanders. Tom Welch is living today near Watts and should be interviewed by some of your men. Wash Lee was ambushed and killed at his home by the two Qualls Boys near the Liddie Lee Springs, north of Westville. He had come home and pulled his saddle off of his horse and laid his guns on the porch. He had led his saddle horse down to the lot and these boys were hidden at the barn and killed Wash Lee.

4

I afterwards saw these two boys hung in Tahlequah, and it was a fine hanging I thought.

I don't think there ever was an officer of the law away back there that didn't have to kill someone to protect himself.

I want to talk some about Zeke Proctor. I can tell you something of historical interest about Zeke, and this is some of it. In 1862 Zeke heard that a man by the name of Helderbran was telling his neighbors that he, Proctor, had stolen some of his cattle. Zeke went over to his house to talk to him about the matter and an argument ensued and Mr. Helderbran reached for his gun over his front door. Zeke pulled his Winchester out of its case on the saddle, and then Zeke saw Helderbran's wife jump in front of him to keep Zeke from shooting Helderbran. Zeke realized that Helderbran was not hindered from shooting him so he just shot the woman down, killing them both. You see Mrs. Helderbran was a sister to the Beck Boys and this was the thing that started the Proctor and Beck War. Zeke Proctor was on

WELCH, MOSES.

INTERVIEW.

7161

5

trial for his life at the old Goingsnake Court House, then located about a mile north of the now new Christie School house on Highway 62 and on Peecheater Creek. The trial judge on this case was old Judge Alberty, the father of Judge Blue Alberty, the man whom you knew so well. Just as the jury came in and pronounced their decision as "not guilty" some one passed word of the verdict to someone on the outside, and all the Beck Boys and their friends and kinsman rushed in the door, and began shooting. They meant to kill Zeke Proctor but Zeke must have expected something and so he grabbed a Winchester out of the hands of the guard nearest to him and began shooting, with great accuracy. When the smoke cleared away there were eleven dead men on the floor and on the ground and Zeke Proctor walked out of Goingsnake Court House a live man and a free one. He got on his old saddle pony he called "Faithful" and galloped home and gave his wife and children the news. He also gave them his instructions as to what to do about the

WELCH, MOSES.

INTERVIEW.

7161.

farm and stock and kissed his wife and children; bade them goodbye forever, thinking he would never see them again. He then galloped off on Faithful through the woods to avoid meeting anyone who might be seeking vengeance. He rode all evening and all night that first night just as far toward Texas as he could go. Every day he rode as much as possible thereafter until he reached Mexico City, in Old Mexico. He stayed in Mexico for four years and during that time he had gotten such friendship established in his new country that the political leaders of Old Mexico helped him get a complete vindication and a full pardon from the President of the United States. They also obtained executive authority from our President allowing Zeke Proctor to carry any firearms he cared to on his person in any state or territory where he might wish to. This order was effective on the date thereof, for the rest of his life or until revoked by said President of the United States, for a good and



7

and just cause and etc.. I am sure this is the only case of its kind in history and believe that note should be made of it.

I was told by Zeke Proctor himself that he only killed some of the men out of the eleven killed, and the rest were killed by the Beck Boys.

Zeke Proctor is buried in the Proctor Cemetery six miles west of Siloam Springs on Highway 33.

My father's place was a regular prison guard house, and a great many prisoners were guarded there waiting trial for many offenses of the Cherokee Laws.

Whiskey.

I remember as far back as 1895 when whiskey began to be bootlegged into the Indian Territory, from what was called "Bob Flat", Arkansas. This was just across the state line and it was not until whiskey came in that stealing, and all kinds of petty violations of our laws began. Not until then did our Indians get where they didn't mind being accused of crimes, as always before that <sup>if</sup> an Indian was accused

of wrong doing, it meant a settlement must be had, because the Indian considered that his honor came first.

I have borrowed hundreds of dollars on my word alone, not a sign of a paper agreeing to pay back a penny of it.

Belle Starr very often visited our home on her way to Bob Flat. She always just rode up and jumped off of her horse and called "Hello". She came right in and she always greeted my father and mother like they were her kinfolks. She always pushed her Winchester under the bed, and pulled her forty-five off and laid it on the bed. Then she sat around and visited and joked just like she was carefree. We were visited a great many times by Waa-Coo Hampton, Ned Christie, and Poorboy, all bad men. My father never did want to bother these people. Of course they always came when there was noone being guarded at our place, and no guards around.

The United States Marshals in those days as I

remember them were: Heck Bruner , Joe Bowers, and Charley Copeland.

Road.

The road leading south, or the road we traveled when going farther into the Cherokee Nation from the old home, ran south from the Illinois River through the Nee-Scoop Prairie and south into the head of Peacheater Creek. Then right down the Creek until it ran into Baron Fork Creek. Then the road followed that creek. The roads in those days always followed streams.

The Cherokee Laws provided that any male citizen over the age of eighteen years was a legal voter. He did not have to be twenty-one years of age as required by the state now.

My father was a peace loving citizen, who helped to enforce the law when called upon, but refused to meddle in matters in which he had no interest.

I am sorry I feel like the laws were more vigorously enforced under the Cherokee Laws than under

10

our present State laws. If a man was killed, the perpetrator was hung unless he proved absolute self-defense. Now people's lives are not worth anything, and I would be very glad to live again under our own laws, and to call back the old conditions as they were then.

There were a few white families in the Cherokee Nation along about 1890. I remember two Ward families, a Henry Ward came into the Cherokee Nation and claimed four miles south of Siloam Springs, and John Ward located near Watts. These people settled on Indian lands without any authority and cleared out large tracts of land and raised fine crops. They reared large families, and yet instead of paying the Cherokee Nation for their income and the privilege of having these homes when allotment time came the Cherokee Tribal money was used to pay these squatters for all improvements. They allowed the land to be worn out and run down until it was practically worthless so it was a bad deal for the Cherokees, I believe. You may write this if you care to.

11

Politics was like this: We had no Republican nor Democratic Party, but it was the National Party and the Downing Party. Here I want to say we had some very interesting elections. Boys eighteen years old were voting, and we voted for our men by writing their names on a piece of paper ourselves and pushing it into a box. We had watchers, judges, and counters like we do at the present time, but we knew nothing about stealing elections, and stuffing boxes and such crookedness.