

CHARLTON, J. R.

INTERVIEW

#12273

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

Field Worker's name Aleene D. McDowell

This report made on (date) November 17, 1937

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1. Name J.R. Charlton
 2. Post Office Address 201 Creek, Bartlesville, Oklahoma
 3. Residence address (or location) 201 Creek, Bartlesville
 4. DATE OF BIRTH: Month July Day 21 Year 1868
 5. Place of birth Salem, Marion County, Illinois

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6. Name of Father Mr. J. Charlton Place of birth Illinois

Other information about father buried in Independence, Kas.
Charlton

7. Name of Mother Elizabeth Ann Huff Place of birth Illinois

Other information about mother Buried in Independence, Kansas

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 20.

CHARLTON, J. R.
Alena D. McDowell
Investigator.

INTERVIEW.

122/3.

Indian-Pioneer History, S-149
November 17, 1937

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SIXTY YEARS IN THE CANEY RIVER VALLEY
Given by Judge J.R. Charlton
201 Creek
Bartlesville, Oklahoma

J.R. Charlton was born July 21, 1858 on a farm four miles from Salem, Marion County, Illinois. His grandfather had carved a farm out the timber and settled there in 1820 where his son William J. was born in 1836 and 22 years later the subject of this review was born on the same farm.

Father - William J. Charlton was a native of Illinois and resided on the old home place until 1877. He is buried in Independence, Kansas.

Mother - Elizabeth Ann Huff-Charlton was born on a farm near Salem, Illinois, March 28, 1838 and is buried in Independence, Kansas.

My paternal grandfather was a native of Virginia and my grandmother was born in Tennessee. They pioneered to Illinois in 1820.

My maternal grandparents, Mr. and Mrs. Samuel A. Huff, had moved from Illinois to Chautauqua County, Kansas in 1873 and had written of the opportunities in the new country. They

had written of the need for school teachers in the unsettled country . I had received my early education in Illinois and graduated from high school at Odin, Illinois in 1876. I came west with my parents to teach school.

On October 16, 1877 our caravan left Marion County, Illinois with three covered wagons and three mule teams. My uncle drove one team, my father one and I drove the other. On November 17, 1877, just sixty years ago today, I threw the lines over the mule team's back, climbed from a covered wagon in Sedan, Kansas and began my pioneer life in the Caney River Valley. I was then 19 years old.

We were unable to find a vacant house on our arrival in Sedan. The next day my father located a one room log house 1 mile east of Sedan on the banks of the Caney River. The house had no floors, a board door and one half window. There was a fire place and the house had a ~~slap~~ board roof. My father found straw

which we scattered over the dirt floor and my mother covered the straw with a home made carpet she had woven and brought from Illinois. My parents, three sisters and I lived in this cabin that winter. We secured our water supply from the river.

My father, being reared in a timber country, was an expert with an ax and that winter he cut Black Jack and Post Oak wood from government land on the hill near our place, hauled it to Sedan and sold it to support the family that first winter. The next spring we moved to a farm north of Sedan.

I had come to Kansas in hopes of securing a school but when I arrived it was too late to get one that winter so the next day I went to the contractor who was building a stone court house and jail at Sedan and applied for work. He had nothing to offer except a common labor job of carrying a bag filled with mortar up a ladder to the second floor of the building.

I accepted the job and worked for one month at \$1.00 per day.

I then secured a position in the J.I. Crouse Department store as a clerk and continued there until March 1, 1878. I then obtained a spring school which lasted two months and received \$25.00 per month. This school was located 6 miles east of Sedan and I paid \$2.50 a week for room and board.

In the summer months I worked in the store as a clerk. The principal income of the store was ^{from} buying and shipping butter and eggs. At night we packed the butter in wooden buckets to be hauled out the next day. That summer Mr. Crouse decided to cold storage ~~the~~ eggs and built a large vat where they were stored after they were candled. Eggs sold at 10 and 15 cents per dozen and butter at 10 and 12½ cents a pound. I remember when the farmers bought a large barrel of salt for \$1.10.

I taught school for five terms in Chautauqua County. My uncle, J. D. McBrien, had a law office

in Sedan and in the summer months I stayed in his office and read law under his direction. While I was teaching in the winter I also read law. On June 16, 1880, at Winfield, Kansas, I was admitted to practice law, but I continued to teach school for two terms before I established a law office.

My first visit into the Indian Territory was on Christmas day in 1877, just after my arrival in Kansas. A party of seven made a trip into the Osage on a hunting party and camped on Bird Creek, near what is now Pawhuska, but at that time was a small trading post. Our guide was a white man named McKenzie. We stayed for one week and returned to our home on New Years Day with 1 deer, 6 wild turkey and a large number of prairie chickens. We had a big snow and the prairie chicken came out of the snow and would light on the trees near the creek in ~~the swamps~~ like Black birds. When they beat their wings it sounded like thunder.

On April 3, 1881, I was united in marriage to Miss Hattie Mae Hutchison at Sedan. Her parents

were farmers near Sedan.

I opened my first law office at Elk City, Montgomery County, Kansas, April 1, 1883, where I practiced until 1890. I also owned the newspaper at Elk City. In the fall of 1890 I was elected County Attorney of Montgomery County and removed to Independence, the county seat.

While I was serving this office the most exciting event in the history of Coffeyville happened. On October 2, 1892, the Dalton gang robbed the two banks in Coffeyville. Bob and Grat Dalton, Dick Broadwell and Texas Jack were killed and Emmett Dalton, the youngest of the band, was wounded and captured.

Mrs. Charlton and I were in Kansas City where I received a telegram informing me of the raid. I immediately returned to Coffeyville to make investigations. Those killed were in the morgue and Emmett was held at the Old Home Hotel, badly shot up. When he was able to travel I helped take him to Independence where he was held in jail until his trial. I had many talks with

Emmett in the five months he was held prisoner before his trial. He was a youth of about 19 and he has told me many times that the Coffeyville raid was his first offense and that Bob had tried to keep him from going that fatal morning but he had a pres^{ent}iment that there would be trouble and that Bob would be killed and he wanted to be there. He said when he saw Bob fall his only thought was to return and help him to escape. He rode back and had Bob almost on the horse when a shower of buck shot hit him. I plead the case for the state and sent Emmett to the penitentiary at Lansing, Kansas, for 25 years. The morning before he left I visited him at the jail and he told me he would show them he would be the bes^t prisoner they had. Two years later he was made a trustee and worked in the library for two years, then was put in charge of the library. After serving 14 years as a model prisoner, I recommended a pardon for him and helped to get him out. He made his home in Bartlesville for several years and made a good

citizen. While living in Bartlesville he made a moving picture of the Coffeyville raid. He toured the world with this picture.

Emmett was an intelligent youth and had a great sense of humor. I remember while he was in the Montgomery County jail there was a department store robbery at Coffeyville and two of the men were caught with some of the silk they had stolen. They were taken to jail and put in a cell on the floor above Emmett. The next morning I went to the jail to talk with Emmett and he thought I was there in regard to the robbery of the night before. When I entered he looked up and said, "Mr. Charlton, the silk department is upstairs."

The Caney Valley National Bank was robbed while I was County Attorney of Montgomery County and Leige Higgins was tried for the robbery. I convicted him and he was sentenced to serve a life term. He claimed he was in Colorado at the time of the robbery and Judge Moque, who heard the case, was convinced that Higgins was

telling the truth and ask^{ed} the state to finance a trip to Colorado for me. I went to Leadville, Colorado, ~~had~~ investigated his story and found it to be true. He was released and I have always been glad the case was further investigated for Henry Starr later proved Higgins' innocence.

When Henry Starr and his gang raided the banks at Stroud and Chandler, Oklahoma, Charlie Johnson was implicated and came to ~~my office~~ employed me to go to Chandler to represent him. Starr had been wounded in the raid and was in the Chandler jail. His wife was caring for him. I went to the jail to see him ~~and~~ find out his attitude toward my client. I had met him several years before but did not know if he would recognize me; however, he knew me and told of seeing me many times when he would be hidden behind a tree when I crossed at different fords.

One of the Starr gang had turned states ^a evidence in the Stroud-Chandler robbery, claiming he did not know Starr and had never seen him before.

He claimed he was rifing along the road alone, when the bandits forced him to accompany them to Stroud and help to rob the bank.

I explained my mission to Starr and told him if he would help me, we could break down this fellows testimony and clear Charlie Johnson. Henry and Charlie were good friends and I was satisfied he would do what he could to help me. He told me the fellow knew him alright and told his wife to get some old pictures from her room across the street. When she returned with the pictures he looked through them and handed me one taken of his wife, this fellow and himself, driving down the street in a wagon at Tecolote, Arizona. They were all three in the wagon seat. This picture was taken some time before and when the fellow was giving his false testimony, I presented the picture. He finally admitted it was he and this ruined his testimony.

While I was talking to Starr about this case, he told me he was glad Leige Higgins was released for the Caney bank robbery, and that I

had convicted the wrong man. He said that Leige wasn't there and that he had robbed the bank himself..

While I practiced law at Elk City, I also had a branch office at Caney. Our firm name was Charlton, ana & McBrein. Leo McBrein was my cousin and the son of the uncle under whom I had read law, and we became partners in this branch office.

W.A. Chase and I tried the first law suit ever tried in Bartlesville in about 1900. The case was to settle some little dispute between a couple of citizens, I do not remember their names, but it was a replevin action brought by the plaintiff against the defendant to recover some property. Judge Gill, Judge of the United States District Court appointed Harry Jennings as United States Commissioner for the Coowees-coowee District and in May the first term of court was held in Bartlesville. That term of court was held in the open air on the banks of the Caney River at the edge of the peach grove

about 100 yards west of the Johnstone and Keeler store, in what is now the city park.

We took nail kegs and boxes from the store and 2x12s from the lumber yard and made seats for the jury and attorneys. W. A. Chase and I tried the first case that was called and after both sides had done their best the jury retired to the shade of the grove to deliberate upon the verdict.

In the late 90's while practicing law at Caney and in the territory courts, and doing a general collecting business through the Territory, I made many trips with a span of ponies and a buggy, driving to Nowata, Vinita, Muskogee and Pawnee to court. This was before there were any railroads in this part of the territory.

Our roads were mere trails that could scarcely be driven over. We had no bridges and crossed the rivers and streams by ferry boats or drove across at the fords.

I would leave Caney early in the morning, drive to Pawhuska for dinner, on to Gray Horse

and Kalston, crossed the Arkansas River on a ferry at Kalston, then to Pawnee by night to attend court the next day. If court was held in the afternoon, we would leave Caney in the afternoon, drive to Pawhuska and stay all night at the hotel and drive on to Pawnee the next morning, arriving there in time for court in the afternoon.

July 4, 1890, while living at Elk City, I was invited to come to Bartlesville to deliver the address at the request of William Johnstone and George B. Keeler, who ran a general merchandise store on the south side of the river and were holding a rival celebration with Jacob Bartles, whose store and mill were on the north side of the river.

I was a member of the Elk City band and brought the band with me. Our s was the first band to play in Bartlesville.

On this occasion, Bartles had prepared for a celebration, had all kinds of eatables, barbecued meat, etc. He seemingly had the best

of it. A few days before the Fourth the south side determined to break the arrangements. A happy thought came to Mr. Keeler, why not have a brass band, something which had never yet been heard in this country. His counselors agreed that this was the very thing, accordingly we came with our band.

All unconscious of what was coming Bartles and his lieutenants were busily engaged on the morning of the Fourth in fixing up the park. The south side crowd played its trump card. Mr. Johnstone had us go across the river and play near the Bartles store, return to the south side where the wagons were awaiting us to go to the picnic grounds at Silver Lake. This was too much for the others. Everyone of them dropped what he was doing and deserted the Bartles camp in order to celebrate where the band was playing. Mr. Bartles was forced to abandon his celebration.

The next year, 1891, Mr. Bartles had me return and deliver the address when both sides held a joint celebration in the Bartles grove.

Mrs. Charlton and I were entertained from July 3rd to the 5th in the Bartles home over the store.

I was local attorney for the Santa Fe Railroad at Caney while they were building their line from Caney into the Indian Territory in 1897. Sam Porter, an attorney at Caney, H.H. Truskett and W.S. Edwards of Caney and J.H. Bartles of Bartlesville started to build this line from Caney, Kansas to Owasso, Indian Territory and later sold out to the Santa Fe. I have driven over this right-of-way many times settling small disputes.

HISTORY OF COLLINSVILLE:

Collinsville was first located 1 mile east of the present townsite. After the railroad was built the town moved west to locate where the railroad was.

Mr. Porter, Mr. Truskett and I were driving to Owasso and stopped at Collinsville and stayed all night at the hotel. The hotel

was on skids ready to move to the new location. The next morning we drove to Cwasso and that evening we returned to Collinsville and stayed all night in the same hotel and the same rooms but it was located one mile west.

I started preaching in 1894 and in 1897 Mrs. Charlton and I were state evangelists of the Christian church in Kansas.

I came to Bartlesville and preached my first sermon in the old school building which stood between the Johnstone-Keeler store and Uncle Arthur Armstrong's residence, on the night of April 7, 1896. I returned in ^{April,} 1897, and again on July 5th, when I began a meeting which lasted for four weeks, in the pecan grove on the south banks of the Caney River. Mrs. Charlton lead the music. The first confession was made July 6, 1897, when there were 36 conversions on July 11th, making 38 in all. It was decided to perfect an organization of the First Christian Church. This was done Sunday, July 18, 1897.

The elders were Dr. G. R. Woodring, William Swift, deacons; John Hutchison, S. Moomey, Dr. Stewart, O. D. Huling and Dr. J. S. Stevens.

A basket dinner was enjoyed there that day and more than 200 people were present. Fourteen people were baptized just above the dam in what was later Bartlesville's popular bathing beach. The revival was held until July 28th. when I left for El Dorado, Kansas, to conduct a meeting. I left the church with about 59 members. In the summer we held our meetings in the open air.

On October 3, 1897, I returned to Bartlesville church to preach one-fourth time and living at Caney, drove to Bartlesville and preached in that way until July 8, 1900. During that time there were about 38 additions to the church. The services were held in a building in the park, at the spot where the first meeting was held. It was used as a band hall, lodge room for the Woodman of the World and many other gatherings.

On July 7, 1900, we dedicated our first building located on the main corner of the city at Third Street and Johnstone Avenue, the spot later occupied by the old Masonic building, which burned a few years ago. It was then occupied by the Boston Store. Our church building was later moved to Third Street and Osage Avenue and used as a meeting place until the building of the present structure. William Johnstone gave the church the lot at Third and Johnstone and when it was moved to Third and Osage, he gave them the lot, paid all indebtedness against the building and all the expenses of moving and placing it upon the new foundation. Mrs. T.A. Stewart was the first Sunday school Superintendent. Much of the early success was due to her. The present building was finished in 1911.

The Christian Church fostered one of the first Boy Scout Troops organized in the State of Oklahoma and the pastor, Rev. Charles Hulme was the leader.

The Central Christian Church was later organized at Eleventh Street and Hickory Avenue and I have been pastor of this church for 16 years. We will celebrate the anniversary of this church on the third Sunday in December.

I delivered the address in the old Oklah Theatre, now known as the Liberty Theatre, on November 16, 1907, the night of statehood and heard the shots that killed Earnest Lewis and George Williams, the first killing in the State of Oklahoma. The theatre was located about one-half block east of the place where they were killed.

My wife's parents, Mr. and Mrs. John Hutchison, removed to Bartlesville in 1894 and their home was located on Osage avenue between Third and Fourth Streets, back of what is now Vernie Mikel's store. Their removal to the Indian Territory was the main reason we moved to Bartlesville. They were getting old and we came here to care for them. I have a picture of their old home and also a

picture of the first school house in Bartlesville.

I was Judge of the District Court here for two terms. I now maintain offices in the Lannom Building where I practice law.