

COOK, I L.

INTERVIEW.

12688

196

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Etta D. Mason,
Investigator,
Jan. 18, 1938.

An Interview with I. L. Cook,
Concerning an incident in the
life of David D. Branson, an
attorney at Coalgate, then
Indian Territory.

Branson's duty was to inspect land titles in the Choctaw
and Chickasaw Nations.

An important distinction existed between the terms, "new
acquisition" and "ancestral estate", as applied to lands be-
longing to the Indians, and the issue was drawn in a case
which the Branson firm carried to the United States Supreme
Court which resulted in an opinion that land given to an
Indian by his father or bought by him with money given him by
his father was classified as "ancestral estate". This issue
was very important in the transfer of lands and this case was
the first to be carried to the United States Supreme Court.

Mr. Branson was occupied with other interests in Coal
County, also; while he was City Attorney, he prosecuted before
the Coalgate City Council the case wherein Jim Thompson, City
Marshal and United States Deputy Marshal was charged with
failing to make a report on occupation taxes collected and
under the Arkansas law, in force in Indian Territory

COOK, I. L.

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12688.

-2-

at that time, Thompson was subject to removal by the council.

When the trial began, the Mayor, Branson and all the eight councilmen were armed, as were also attaches of the court and friends of Thompson's. Branson, his right hand on the trigger of a revolver hidden in his coat pocket forced Thompson out onto the witness stand and asked questions that established his guilt without doubt. It was a tense situation and everyone expected bloodshed.

Finally Thompson confessed and made a move as if to fire, but was reminded that Branson was ready to fire, also.

The Council discharged Thompson, who a few hours later after becoming intoxicated was shot from his horse and killed by City Marshal England.

I. L. Cook, who knew of Attorney Branson's activities, and has given this interview, lives at Mooka, Oklahoma.