



Upper: Joe T. Roff—1888.

Lower: Joe T. and Charles L. Roff—April 13, 1935.

## REMINISCENCES OF EARLY DAYS IN THE CHICKASAW NATION

By Joe T. Roff

Joe T. Roff, who has written this story of the early days in the Chickasaw Nation, is the oldest living member of a well known family who were pioneers in southwestern Oklahoma.

At his home in Roff, Pontotoc County, on April 13, 1935, he celebrated his 87th birthday. There were present on this occasion more than twenty-five relatives, including children, grandchildren, one sister, Mrs. Jennie Braly of Ada, and one brother, Charles L. Roff, who for many years was a resident and respected citizen of the Territory of Oklahoma, but now residing at Durant.

Joe T. Roff was born in Grundy County, Missouri, April 13, 1848, the son of Maj. C. L. Roff. When Joe Roff was but a child his father, Major Roff, moved to Chillicothe, Missouri, where he engaged in the mercantile business until 1858 when he, with his family, migrated to North Texas and located on Red River near Gainesville on the line separating Texas from Indian Territory.

Major and Mrs. Roff were the parents of several children, all of whom were pioneers in the settlement and development of Cook County, Texas, and that part of the Indian Territory known as the Chickasaw Nation.

It is doubtful whether anywhere in the United States, with a like population, there could have been found people who were more honorable in their dealings with their fellow men than the early settlers in the Chickasaw Nation. Some of these people were Chickasaw Indians—some part blood, some inter-married citizens and many others were white American citizens who were in the cattle business holding "rights" through their Indian friends. Many of the descendants of these pioneers are prominent citizens of Oklahoma today. Some have succeeded in business, some in professional life, while in politics they are most all to be reckoned with—if you be an office seeker.

Among the early settlers in the Chickasaw Nation, but few were better known than the Roff family. They opened up and

put in cultivation many farms; they engaged in various enterprises; built homes, started towns and helped to make what was a pasture land in to one of the richest agricultural sections in America.

Not only did the Roff family contribute to the material greatness of the country, but they made contribution to the educational, moral and religious interests. They helped in the construction of schools and churches, and to promote every worthy object for the preservation of high ideals of life and a better civilization.

Joe Roff has been generous to a fault and in his old age he has felt the effects of the depression, but he has no regrets; he has been amply rewarded.

While the great majority of the people were of the type spoken of, yet many renegades from the States had drifted into the Indian Territory to avoid the laws of the States. There were bold cattle and horse thieves to be dealt with, but when the honest people could not be protected by the law, they appealed to the first law of nature and made and enforced their own laws.

While the story related in Mr. Roff's reminiscences tell of horse stealing and cattle rustling and of the criminal gangs that infested the country in the days succeeding the Civil War, yet this is a part of the history of Southwestern Oklahoma and is told by a friend of law and order who had first hand knowledge of the events related by him.

The story of the early days was written by Joe T. Roff in 1930 but has been slightly revised and corrected for publication in the *Chronicles* by the author and his brother, Charles L. Roff, on the birthday of Joe Roff, April 13, 1935. —D. W. P.

Cook County (Texas), at the time of the Civil War, was a frontier County and Gainesville, a frontier town. Beyond stretched the boundless prairies with only a few white habitations here and there. There was an unlimited amount of game and thousands of plains Indians roved this vast expanse.

The frontier forts scattered along the border with their detachments of Federal troops, had afforded some protection

against Indian attacks before the war. These troops were now gone and most of the able bodied men of Texas being in the Southern army, the Indians were not slow to take advantage of the situation and began making raids and stealing horses from the planters along Red River.

The first depredations staged by the Indians were small affairs, usually participated in by only a few Indians who would come in during the light of the moon and run off the settlers' horses. Later they became bolder and began sending out war parties numbering from 150 to 200 Indians who often engaged in battle with the white settlers.

Sometime in the early part of the winter of 1862, a large war party of Indians came in on Fish Creek near the Potter place and had a fight. This was about ten miles northwest of Gainesville.

A man named Jim White with his family consisting of a wife and children were ranching on Bushy Elm a few miles west of the Potter place. He had moved there the previous spring with a bunch of cattle from Grayson County. On the morning the war party came in, he started out in company with one of his step-sons, Porter Parker, and one of his boys, Charley White, to make a trip back to Grayson County to kill some hogs he had left there to fatten. Shortly after they left, his other step-son, Ed Parker, just home from the army on a furlough, and a man named Anderson went out a short distance from the ranch to kill a beef. A few hundred yards from the ranch they saw in the distance four or five men huddled together on horseback. Anderson thought they were Indians and wanted to go back to the ranch, but Parker, remarking that he never ran until he knew what he was running from, rode down where they were and discovered that they were in fact, Indians. He threw up his hand in token of peace and the Indians responded in like manner but when they did so he saw their quivers of arrows and hastily turning his horse, spurred away with the Indians in close pursuit. Anderson was riding a good horse and having a good start managed to make his escape, but Parker was riding a small pony and the Indians soon caught up with him, one riding up on his right side, one on the left and one behind him. Parker

was unarmed, and as they rode up he reached out to grasp one of the Indians by his long hair. As he did so, the Indian behind him shot him in the back with an arrow but he finally managed to reach the house, tumble from his pony and spring inside. There was an old gun in the house and Anderson, by displaying it in a threatening manner, kept the Indians at a distance and they finally withdrew. Mrs. White attempted to pull the arrow from Parker's back, the first time without success. On the second attempt she gave it a jerk and the shaft separated from the head, leaving the head inside. The head of the arrow was made of hoop iron, cut diamond shape with a groove cut in the arrow head to fit the arrow and attached to the shaft with green sinew which, drying out, had held it firmly in place, but the blood had softened the sinew and when Mrs. White jerked the arrow the head and shaft parted.

In the meantime, Mr. White and the two boys had started on the first stage of their journey to Grayson County. Mr. White was riding a small pony and Porter Parker and Charley White were working a yoke of oxen to a wagon. Two or three miles from home they heard a volley of shots over on Fish Creek and knew that the Indians were in the country. Mr. White told the boys that he would hurry back to the ranch, and directing them to follow with the ox team, he rode away.

When the boys finally reached the crest of the hill, they had a clear view down the valley to the ranch house and, to their horror, they saw a large band of mounted Indians down near the house apparently in hot pursuit of some one. The boys then turned back over the hill, took to the prairie and made for a small bushy creek bottom that ran close up to the house. Creeping cautiously through the bushes along this creek bottom they finally reached the house in safety. Mr. White had not arrived and their worst fears were confirmed when one of them finally saw something lying on the ground two or three hundred yards from the house. It was the dead body of Mr. White, horribly mutilated. His entire scalp had been torn off, both ears, his nose and one hand had been cut off and his body cut open.

The body of Mr. White was taken to Gainesville and buried. Ed Parker was taken along for medical treatment and carried

to the home of Dr. Bomar. Dr. Bomar was not a surgeon, in fact there was no surgeon in Gainesville and no operation could be performed to remove the arrow head. He lingered a few days in great agony and then passed away.

Following the death of Mr. White and his stepson, I, as the only member of our family at home able to do anything, was called upon to assist in moving Mrs. White's things from Bushy Elm back to Grayson County. I drove a yoke of oxen to a wagon and it was a long, hard trip for a boy of my age. West of Gainesville we struck the Indian trail, one-fourth of a mile wide, indicating quite a large band and that they were driving a big bunch of loose horses for many dead horses were scattered along the trail.

It was a terrible trip and I still feel its effects. I was almost barefooted, the weather turned very cold and my feet were badly frozen. They still give me trouble even to this day.

Mrs. White lived only a few days after her return to Grayson County. The loss of her loved ones and the great nervous strain she had passed through was too much for her and she passed away, leaving six children, one of them only four years old, without a home or a relative in the country, but kind hearted neighbors rallied to their support and these orphan children found homes among the people. My folks took one of the girls and raised her. These children all lived to years of maturity and most of them married in the community. The oldest boy, Charley White, a deaf mute, was killed near Marietta, Indian Territory, by a train shortly after the Santa Fe railroad was built through the Indian Territory, and I have long since lost sight of the other members of the family.

The effort on the part of the authorities during the Civil War to curb Indian raids and depredations was only partly successful. Only one regiment of soldiers was available for the protection of the border, and as these troops were necessarily scattered out in small bodies along a long frontier line, the Indians, availing themselves of advance information as to where they were posted, made numerous incursions through the line to the white settlements.

At one time a detachment of twenty men belonging to Capt. White's company, struck a warm Indian trail in the northern part of Denton County. They followed the trail for some distance and finally came in sight of a small band of Indians riding leisurely along. Believing this small party of Indians constituted the entire raiding force, the soldiers started in pursuit, but it developed that the Indians they were pursuing were being used merely as a decoy and before they realized it they were surrounded by a large force of Indians, 150 to 200 in number and were forced into a running fight in order to cut their way out. The Indians were armed with bows and arrows and the soldiers with a varied assortment of old time rifles, shot guns and a few old cap and ball revolvers.

An amusing incident occurred during the battle, which proves that comedy and tragedy are sometimes curiously intermingled. Among the detachment of soldiers was Henry McGuire and his son, Berry. The old man was riding a small yellow pony with very little speed, but his son was mounted on a good horse which could easily outrun the old man's pony. When the Indians began to close in on them the old man was continually falling behind and each time this occurred he would call out to his boy, "Wait for your old Papa, Berry." The boy would then check up his horse, hold the Indians off until his father got a little start and then spur ahead again, saying: "Rid up, pap." The old man finally became thoroughly exasperated under this continual urging and cried out: "By Gad! Do you think I am a riding jockey?"

Although overwhelmingly outnumbered, the soldiers finally broke through and made their escape. Only one of them, a man named Snodgrass, of Whitesboro, was killed in the engagement.

In the winter of 1866 a large band of Indians made a raid in the western part of Cook County.

Ed Shegog, his wife and children were living in the path of this raid. At the time the raid occurred, Mr. Shegog was away from home. Tom Manasco, Mrs. Shegog's father, who lived near the Shegog home, learned that the Indians were in the country and went over to his daughter's home to take her and her small children to his own place, and on the way to his ranch they were

attacked by the Indians and Mr. Manasco was killed and the helpless woman with her children, including her baby, were carried off by the Indians. When night came it became intensely cold. The Indians had taken her baby from her and for a long time she could hear it sobbing in the darkness. Finally its cries ceased and one of the Indians rode up to her and grunted: "Papoose gone to Heaven." Either they had killed it, or it had perished from exposure.

The night was so dark that the Indians seemed to lose their sense of direction and wandered aimlessly around over the prairie. Late in the night Mrs. Shegog, numbed with the cold and nearly exhausted, fell from her pony. One of the Indians threw a Buffalo robe over her and they all rode off and left her. When morning came she managed to make her way to a nearby house and tell her sad story.

In the fall or early winter of 1867, a band of about twenty-five Indians crossed Red River to the Texas side at Scivills Bend in the night time and made a raid on the white settlement. As soon as it was discovered that the Indians were in the country, a small posse of men started in pursuit. There were six men in the party as I recall it now, two brothers, John and Ike Hobbs, Steve Pruitt, a Mr. Morris, a boy named Pace, and a young man named Rousseau.

They trailed the Indians back across the river to the Indian Territory side. It was daylight by that time. The country was rough and broken and heavily timbered, and the Indians resorted to the old strategy of leaving two or three of their number behind to lead the white men into an ambush, with the usual result that while hotly pursuing the decoy Indians, they found themselves suddenly surrounded by the main body of Indians.

My brother and I were "batching" at this time on the Texas side about two miles from where the whites encountered the Indians. It was a still, clear, frosty morning and we distinctly heard the first shots fired and heard the Indians chanting their war song.

Repeating rifles were unknown at that time. The Indians were armed with Spencer rifles, old discarded army guns, and



the white men were armed with cap and ball shooters, shot guns and army muskets. As soon as the first volley was fired, everyone had to reload. During the intermission that followed one of the white men gave a loud hallo! And by a strange co-incidence, two hunters in the woods nearby heard the cry and answered it and the Indians, believing reinforcements were at hand, hastily gathered up their dead and left.

Three Indians were killed in this engagement. On the side of the white men, young Pace was killed, and Mr. Rosseau was seriously wounded.

These Indians came from the Indian Reservations. This was the last Indian raid made in the vicinity of where I lived as I now recall.

#### LIFE IN THE OLD CHICKASAW NATION

I moved to the Chickasaw Nation, Indian Territory, in 1871. When I came to the Territory there were very few white settlers here. The land embraced in what was then the Choctaw and Chickasaw Nations had, by treaty with the Indians, been ceded to them in consideration of the relinquishment of lands in Mississippi, Alabama and Tennessee. At the time of the removal of the tribes known as the Five Civilized Tribes, to the Indian Territory, the country was intended as a permanent abiding place of such tribes, where, as self-governing communities, they should be free from the interference and encroachment of the whites, but as years passed by and the population of the states contiguous to the Indian Territory increased, the whites overflowed into the Territory where they formed the commercial classes and improved and cultivated the land as tenants of the Indians.

Thus finally, partly as a result of the short-sightedness of the Indians, in admitting the whites into the country, and partly as a result of the pressure of the dominant race, which had over-ridden them in their homes east of the Mississippi and which they were again powerless to resist, the seclusion and isolation which they sought by immigration, was lost.

It is a matter of history now that their tribal laws and courts were finally abolished, the land once held by them in common

was allotted to them in severalty, and the old Indian Territory and Oklahoma came into the Union as one State.

I only refer to these matters here as a background for my description of life in the old Chickasaw Nation and the incidents I am about to describe, for those conditions grew out of the changes that time has wrought during the last fifty years.

At the time I came to the Chickasaw Nation the country was only thinly settled and as I have already stated there were only a few white settlers here, many of them intermarried white men who had contracted marriages with women of Indian blood. The Indians as a general thing lived in small settlements but the few white settlers were scattered here and there over the country and seldom located in the Indian settlements. Most of the Indians were adverse to manual labor and as game was plentiful they managed to get along very well with their stock and small garden patches. A few of the mixed bloods were more enterprising and had farms but, generally speaking, there was very little effort on the part of the Indians to put the land in cultivation. Originally no white people had any right to live in the Indian country and those who came in were really here on sufferance or permission of the Indian authorities. A permit law was enacted under the provisions of which white men were permitted to live in the Territory. The first permit law enacted provided that whites might live here by paying an annual permit fee or tax of twenty-five cents. This charge was later increased by the Indian Legislature, first to \$1.00 per year and later to \$5.00. There was very little objection to the first raise but when the annual permit was boosted to \$5.00 per head there was some dissatisfaction among the whites. Some few of them moved out but most of them paid the tax without question.

As the land was held in common, no one could acquire title to any particular tract of land. Right of possession depended on occupancy and improvements made upon the land. There was no law regarding land lines other than a trespass law making it unlawful for anyone to locate or reside nearer than one-fourth mile from the holdings and improvements of another.

As white people continued to drift into the country, some of the more enterprising Indians conceived the idea of making

long-time leases on their holdings from five to ten years, depending upon the amount of land put into cultivation and the kind of buildings erected. Under this lease system the country began to settle up very rapidly. The open range and plenty of grass and water began to attract cowmen and a number of stock ranches were established in the Indian Territory at an early date.

The fullblood Indians did not take kindly to the encroachments of the whites and would have been better satisfied without their presence in the country. I well remember a conversation at the Brier creek Court House on one occasion between Dr. Worthington an intermarried citizen who was County Clerk of Pickens County, and a bunch of full bloods, over the lease question. He was urging them to lease out their land, telling them that the game would soon be gone and that they would have to change their customs; that if they would rent out their land the rents would make them a living. The Indian listened attentively to his argument but rather scoffed at the idea, saying: "Tom Fuller mighty good, Doc; Tom Fuller mighty good."

As time went on the lease system was greatly extended. Cowmen were stocking the range with cattle, some of the pastures being fenced. Under the Indian law it was unlawful for a white man to hold cattle in the Indian Territory but this law was easily evaded by an arrangement with some Indian under which the pasture and cattle were held in the Indian's name.

Owners of herds of cattle on their way to the northern markets through the Chickasaw Nation from Texas were compelled to pay a tax of twenty-five cents per head on the cattle driven through the Indian domain. This law was also evaded by resourceful cowmen and Indians in many instances by giving a bogus bill of sale to some Indian who would meet them at Red River, the Indian for an agreed sum accompanying the cattle and claiming them as his own until they passed the Chickasaw border on the north.

During Governor Overton's administration in 1876 or 1877 the Indian Legislature again amended the permit law by raising the tax on each non-citizen from the five to twenty-five dollars. There had been some dissatisfaction some years before when the tax had been raised from one to five dollars but nothing to

compare with the tempest raised by this last increase. Many of the lessees and renters openly refused to pay and Governor Overton called out the militia and also the assistance of a squad of United States soldiers to collect the permit tax and remove those who refused to pay. These strong measures were effective and most of the white men paid off, their Indian landlords assisting them in many instances. Those who persisted in their refusal were removed from the limits of the Chickasaw Nation.

Meanwhile the tide of white immigration to the Indian Territory continued. A good many cowmen came in from Texas seeking new range for their cattle and all this tended to advertise the country. Many of the cowmen ran wire fences around their ranges, putting in large pastures to save expense and keep other cattle off their range. In this way a number of large pastures were enclosed in the western part of the Chickasaw Nation, some of them covering thousands of acres.

This illegal practice became so prevalent as to finally attract the attention of the Indian Government and a law was passed prohibiting Indian citizens from fencing more than a square mile or 640 acres of land and orders were issued for the removal of all fences enclosing holdings in excess of that provided by law. The owners refused to take down their fences and the militia was again called out to cut down the large pastures and put out permit evaders, and the Indian militia in obedience to these orders proceeded to cut the wire around the illegal pastures and considerable excitement followed.

W. E. Washington, an intermarried citizen, was the owner of one of these large pastures. A detachment of militia camped near his ranch with the view of cutting his fences the following day. During the night their horses were all stolen or run off, some twenty head were killed and the balance scattered over the country. It was generally believed that Washington's cowboys had run the Indian's horses off and Mr. Washington and some of his cow hands were arrested as I recall but the matter was finally adjusted in some way, Mr. Washington paying for the horses.

The early history of the Chickasaw Nation and so far as that is concerned, the whole Indian Territory, is crimsoned with blood. Many of the white men in the Chickasaw Nation could

hardly be classed as good citizens. The unsettled condition of the country and the difficulty of bringing criminals to justice made it an ideal refuge for renegades and outlaws from other states.

The United States Criminal Court with headquarters at Ft. Smith, Ark., was the only court having jurisdiction in the Indian Territory. It is true that there were Indian Courts but they had jurisdiction only in cases involving Indian citizens. A few Deputy United States Marshals, scattered over this vast territory constituted the only police force and energetic and efficient though they might have been, they were too few in number to apprehend many of the law violators and all round bad men of that day and time.

It was a violation of the United States law to introduce intoxicating liquor into the Indian country but this by no means prevented its introduction.

Among the notorious whiskey runners whose names were well known were the Wade brothers, white men, and two negroes, Dick Glass and George Mack. Their headquarters were in the Seminole Nation but as their supply of whiskey came from Texas, they had to pass through the Chickasaw Nation with their supplies, following what became known as the old whiskey trail. Another well known whiskey peddler and all round bad man was Frank Pierce Roberts, sometimes called Frank Pierce, who came from Texas. His headquarters was at Johnsonville, Chickasaw Nation. A bad negro, named Manual Patterson was another notorious character. He lived near old Cherokee town on the Washita. He finally killed one of the Ayers brothers, a Deputy United States Marshal, while resisting arrest and later died in the Ft. Smith jail.

To this list may be added the name of Bud Stevens. He committed a crime near Gardenville, Grayson County, Texas; when Deputy Sheriff Dallas Hodges tried to arrest him, Stevens shot and killed him and accompanied by his wife, fled to the Indian Territory and located near Sorgum Flats on the Washita in the Arbuckle mountains. Some of the brothers of Dallas Hodges learned of his whereabouts and went to arrest him. Stevens was in hiding in a secluded place in a rough broken country and

detecting their approach before they saw him, he opened fire, killing Babe Hodges and wounding Mr. Coleman and then made good his escape to a negro community near the foot of the mountains. Here he found a congenial spirit in the person of a young negro named Bully July and being of the same type of character they soon become cronies and boon companions and made frequent trips together to the mountain but July's cupidity finally resulted in Steven's death. Learning that Stevens had accumulated some little property, and desiring to possess it, the negro lured Stevens into the mountains, shot him down in cold blood and having concealed the body returned to the Stevens' home and informed Mrs. Stevens that her husband was badly injured in the mountains and needed her care and attention. The unsuspecting woman unhesitatingly accompanied the negro to the place where her husband was supposed to be located, where he murdered her and cast her body into a deep cave.

The protracted absence of Stevens and his wife excited little attention in the community where they had resided for it was known that he was an outlaw and on the 'dodge,' and it was generally believed that they had left the country. Probably their fate would never have been known if the lips of the murderer had remained sealed, but whiskey finally betrayed him. While attending a negro gathering and under the influence of whiskey he confidentially revealed the details of his crime to one of his colored friends named Loftus. Loftus later betrayed his confidence and told some of the other negroes. Bully became suspicious of Loftus and killed him but the details of the crime finally leaked out, probably through some of the negroes whom Loftus had told and officers were sent to the scene of the crime, the cave located in which Mrs. Stevens' body had been cast, and one of the officers lowered into the cave. When he reached the bottom he found that it was a veritable snake den and signalled his friends and they pulled him out. Procuring a gun he again descended and killed a large number of rattle snakes. The skeleton of Mrs. Stevens was found in the cave and with it a carpet bag containing her clothing. Bully was arrested, carried to Ft. Smith, tried, convicted and hanged in 1882.

I now come to the incidents leading up to the killing of my two brothers, Jim and Andy Roff, by the notorious Lee gang of

outlaws in 1885. At that time Jim and Andy and another brother of mine were ranching between Caddo Creek and the mountains about two miles west of the present location of Berwyn. Frank Pierce whose real name was Frank Pierce Roberts, Jim Lee and his brothers, Pink and Tom Lee, and their brother-in-law, Ed Stein, were operating in the vicinity of Red River some distance from where my brothers were ranching.

Frank Pierce had moved into the Indian Territory from one of the western counties of Texas and had located at Johnsonville, Indian Territory. His principal business was bootlegging and he was considered a very bad man. While he was at Johnsonville he killed Chub Moore, a Chickasaw Indian, but escaped conviction on a claim of self defense.

Ed Stein was running a small store at that time at Delaware Bend in Texas on Red River and from him Pierce obtained his supplies of whiskey. In fact Stein's place was the source of supply of most of the whiskey peddlers operating in the Chickasaw Nation. Jim Lee had married an Indian wife and as this gave him a 'right' in the country, he had a large pasture fenced in on the Indian Territory side of the river twelve or fifteen miles northwest of Delaware Bend near what was called Cold Branch, a tributary of Caddo Creek, a rather out-of-the-way place, and with him lived his brother, Pink. This place was the general "hold" of most of the bad men and outlaws passing through that part of the country.

These four men were all friends and associates in crime and the Lee brothers and Frank Pierce, in addition to their other criminal activities, were associated in rustling cattle.

For several years up to 1885 a number of cattle ranged in the mountains near the Roff ranch and in April of that year while my brother Jim was up in the mountains looking through the stock, he saw five or six men on horseback rounding up a small bunch of cattle. He started to ride over to where they were to identify them if possible and to see what they were doing with the cattle but when they saw him coming they left the cattle and rode off. He could not recognize any of the party but upon examining the cattle he discovered that they belonged to some of the settlers in the neighborhood, who owned small

herds. Some of them belonged to a man named Estes; others to a man named McColgin and others were 'off' brands. He left the cattle, rode off some distance and concealed himself, in a short time the rustlers returned and rounded up the cattle. Jim then went to Estes and McColgin and reported what he had seen. It was evening and they were late in striking the trail so they waited until morning and started out. They trailed the cattle across the river to Delaware Bend. When they rode up to Steine's store four or five men came out with guns in their hands, including Frank Pierce, the Lee Boys and also Ed Steine, who acted as spokesman for the party. My brother asked if he had seen anyone pass leading or driving a large span of black mules. Steine then turned to his followers, saying: "They are looking for some mules." Being greatly outnumbered and at a decided disadvantage, my brother and his companions did not deem it advisable to mention cattle and soon after rode away.

Later they got in touch with the sheriff's office at Gainesville and Mr. Hill, the sheriff, arranged to meet them on a fixed date and lay plans for the arrest of the rustlers. In accordance with this arrangement a meeting was held by a posse of men from the Territory, Sheriff Hill and some of his deputies. Sheriff Hill suggested that, inasmuch as he and his deputy, Pat Ware, were unknown to the Lee boys and Frank Pierce, they would go to the store and get inside on a pretext of wanting to buy something and in this manner locate their men and get the drop on them and in the meantime that the rest of the posse wait on the Territory side until they heard from them. This plan was finally adopted. Hill and Ware rode on to the store where they were met by Frank Pierce with a Winchester in his hands who brusquely asked them what they wanted and upon being informed by Mr. Hill that they were on their way to Dexter and wanted to know what road to take, Pierce pointed to the road with his gun and told them to 'hit it and not look back,' but to obey so they rode on to Dexter.

In the meanwhile the posse on the Territory side were waiting for some word from the sheriff but hearing nothing they finally became restless and sent a man who lived in that neighborhood and had sometimes traded at the Steine store to investigate, believing that he would not arouse any suspicion



among the people who were acquainted with him; when he arrived at the store Pierce ordered him to get in the house and be sure and stay there. As he did not return and no word came from him the posse finally decided to investigate the matter for themselves. There were six or eight men in the party, John Washington, Andy Roff, three or four Chickasaw Indians and possibly one or two others. They crossed the river and on approaching the store saw Frank Pierce come out of the back door and start across the lot. Mr. Washington, who had taken shelter behind a rail fence, called out to him to hold up, to which Pierce replied: "Hold up yourself." And he fired his gun at Washington, the bullet striking one of the fence rails and scattering a lot of splinters around him. Pierce then ran some distance, jumped on his horse which was already saddled, and started to cross the river, the members of the posse shooting at him and he returning their fire. He managed to reach the other side of the river but there he fell from his horse on the sand bar, literally shot to pieces, his record of crime at an end.

The members of the posse recovered a number of the stolen stock in a bushy pasture on the Texas side in a bend of the river. The Lee boys were not at the store at the time Pierce was killed but when they learned of his death they were much incensed and gathered together a number of bad men at Jim Lee's place on Cold Branch.

At this time Jim Guy, a brother of Governor Guy, was a Deputy U. S. Marshal, and also a member of the Indian Police force. He had a writ for Dallas Humby, an Indian negro charged with wife murder and finally located and arrested him at the home of his brother, Ed Humby, but his prisoner had a severe attack of sickness and Guy, thinking that he would not be able to travel left him with his brother Ed upon his promise that he would keep him until he was able to travel and then turn him over to the officer but before Guy could get back the Lee boys came and got him and took him to their place.

At this time Mr. Guy also had warrants for the arrest of Jim and Pink Lee and also an order from Governor Wolfe to cut their pasture, it being in excess of the acreage allowed by law.

With a view of arresting these parties and the negro, Dallas Humby, who was staying at the Lee place, Guy went to the Roff ranch and requested them to go with him as members of a posse to assist in apprehending these parties. My older brother, Andy, knowing that they would be on the lookout and were strongly fortified, did not believe it advisable to make any attempt at that time and tried to talk him out of the notion but Guy insisted telling them that if they would not go with him then he would not try to arrest them at all and finally my brothers seeing that it was a case of now or never, reluctantly consented to go. There were six men in the original party, my two brothers Andy and Jim, a cowboy from the ranch named Billy Kirksley, Deputy United States Marshal Jim Guy, and two regular posse-men, Windy Johnson and Emerson Folsom, a Choctaw. It was an ill-advised expedition for Guy's rashness cost him his life and that of three others of the party.

On the morning of the first day of May, 1885, Guy marshalled his forces at Henderson's store on the Washita some eight or ten miles from the Lee ranch. There were eleven or twelve men in the posse by this time. They left before dawn and arrived at the Lee ranch about sun-up. The Lee ranch house was a two room log house with an open hall between the two rooms. There was a small window on the north side of the east room with a board shutter and a stick and dirt chimney in the east end of the room. The house had been carefully arranged to resist attack with port holes through which to shoot, one port hole in the chimney and one on each side of the east room.

Some two hundred yards east of the house was a boggy branch and when Guy's forces reached the branch they found it so wet and boggy that they could not cross, only Jim Roff's horse reaching the other side, so they agreed to leave their horses with Mr. Johnson and walk up to the house. Mr. Guy told the boys that if the Lee boys refused to surrender he would not stage a fight but would withdraw his forces.

When the members of the posse came up near the northeast corner of the east room, someone, afterward said to be Ed Steine, the Lee boys' brother-in-law, opened the window shutter on the north side and asked them what they wanted. Mr. Guy

told him that he had writs for Jim and Pink Lee and an order from Governor Wolfe to cut their pasture; that he wanted them to come out and surrender and did not want any trouble and that he would see that they were protected. Steine told him to come around to the front and they would talk the matter over and shut the window. Guy and Folsom walked around to the front near a large Oak tree standing a short distance from the east end of the hall where Mr. Guy set his gun down. A moment later a shot was fired from the west room, the ball passing through his body killing him almost instantly. This shot was supposed to have been fired by the negro, Dallas Humby.

A few moments of silence followed and then from the port holes on the east end of the house was rained a volley of shots into the group of men outside most them were assembled near the east end of the house. My two brothers, Andy and Jim Roff and Billy Kirksey were shot down in the first volley. Jim Roff and Kirksey were killed instantly, two bullets passing through their bodies. Andy Roff, though badly wounded, managed to get some distance from the house. The other members of the party fled from the scene of danger, some of them reaching the shelter of a small gulch heading up near the northeast corner of the house and others running and hiding from tree to tree and firing back. They all eventually made their escape.

My brother Andy was last seen alive by some of the boys who escaped, sitting at the root of a tree some little distance from the house apparently in great agony. All indications show that he must have been alive when the general firing ceased for when his body was picked up later at the root of the tree where he had been seen, it was discovered that two shots had passed through his body, one through the lower part and the other seemed to have been fired when he was in a sitting position for the bullet had entered his breast under the collar bone and passed out at the back lower down and had evidently been fired at close range for his clothing was powder burned.

It was related by the survivors that ten or twelve men must have been concealed inside the house at the time the shooting occurred for the firing was incessant, five or six guns working from the port holes and others being constantly fired from other

parts of the house. It was the general opinion that the gang inside included the three Lee boys, Jim, Pink and Tom, their brother-in-law, Ed Steine, Tom Cole, a man named Copeland, the negro, Dallas Humby and possibly three or four more including the Dyer brothers who shortly afterwards were hanged by a mob in Lamar County, Texas, after killing the sheriff of that county. At the time of the hanging one of them had a gunshot wound which he said he had received in a fight in the Indian Territory.

Great excitement followed these brutal and unjustified murders and large bodies of armed men were organized and sent out to range the country and hunt down the outlaws. The day following the tragedy a small body of men on the look out for the Lees, were fired upon from the brush but fortunately no one was hurt for the shots were fired at long range. The Sunday following the shooting which occurred on Friday, a crowd went to the Lee ranch and finding the place deserted, burned the ranch house down.

A. B. Roff offered a large reward for the capture of the Lee boys and Ed Steine, dead or alive. This reward was posted at Gainesville and as a result officers and detectives came in from Dallas and other Texas points to join in the hunt.

Shortly after the reward was posted Ed Steine and Tom Lee slipped through the country to Denison, Texas, and surrendered to the officers. They were taken to Sherman, placed in jail and on a preliminary hearing before U. S. Commissioner Rickets were committed without bail on a charge of murder and were taken to Ft. Smith and lodged in the U. S. jail to await trial. They had considerable property, cattle, horses, and some money and were able to secure able attorneys to defend them. Judge Pierson of Denison, Texas, and Cravens and Duvall of Ft. Smith were employed in their defense. They were tried that fall and after a hard fought battle were acquitted. Ed Steine moved to Denison and resumed his favorite business of selling whiskey but as he was one of his own best customers he soon wound up his earthly career. The last account of Tom Lee was of his conviction and confinement in the penitentiary on a charge of larceny.

The real leaders of the outlaw band, Jim and Pink Lee were at large for some time. They went heavily armed, usually carrying two revolvers apiece in addition to two rifles on their saddles and as they had a wide range extending from Delaware Bend on Red River on the south to the Canadian River on the north and a host of friends of their own stripe to keep them posted, scattered all over the country, their apprehension was a difficult task. Many of the niggers on Caddo Creek were giving them aid and comfort, carrying them provisions, advising them of the whereabouts of the pursuers and hiding them on occasions.

But a tireless Nemesis in the persons of Heck Thomas and Jim Taylor, were on their track. Heck Thomas, then living at Ft. Worth, Texas, a former United States Marshal and at one time city marshal of Lawton, Oklahoma, is well known to most of the people of Oklahoma. Taylor was a resident of the Indian Territory and had the reputation of being extremely handy with a gun. These men working together kept persistently on the trail of these outlaws from early summer until the month of September 1885.

One of the principal hold outs of these desperadoes was at Delaware Bend where many of their old friends and some of their kinfolks lived including Doc Lee, a brother, and two sisters; the Lee boys were often hiding around with these people.

In the vicinity of the homes of the members of the Lee clan, Thomas and Taylor established headquarters, staying at Strather Brown's place out on a hill on the edge of the prairie.

On the morning of the 7th day of September, 1885, Jim and Pink Lee started out south towards Brown's place with the avowed intention of locating Thomas and Taylor and shooting them down at long range. While Thomas and Taylor were at dinner some of the women folks came in and reported that the Lee boys had just ridden by at the back of the lot and Thomas and Taylor immediately started in pursuit accompanied by Jack Brown and another whose name I do not now recall. Believing that the Lee boys had gone into the 'brakes' in the direction of Steine's store they went in that direction but could not locate them there. Mr. Thomas finally ascended a high point overlooking John Washington's pasture and with the aid of his

field glasses located them out on the prairie five or six hundred yards from Brown's house towards which they were intently gazing.

A long branch headed in the prairie in Washington's pasture up near where the outlaws were standing and Thomas and his companions, entirely concealed from them, traveled up this branch to a place where it forked near the top of the hill. Here Jim Taylor left the rest of the party and crawled up the hill until he could peep over the top. One glance was enough for the Lee boys were in plain view only about seventy-five yards away. They were evidently unmindful of danger for they were still gazing off towards Brown's house. They had discarded two of their guns and each carried only one rifle apiece, one of them of large calibre, a 45-90 as I now recall, probably intending to do their shooting at long range.

Crawling back out of sight Taylor signalled Thomas to join him. Brown and his companion then crawled up the left fork of the branch to a clump of small trees and Thomas went directly up the hill and joined Taylor and together they crept to the crest of the hill. Whether they commanded the outlaws to lay down their arms and surrender, history does not record. At any rate they shot, and shot to kill. Pink Lee was shot through the head and expired at once. Jim Lee was badly wounded but game to the last, he sprang to where his brother lay and opened fire on his enemies but his sights were raised for long range shooting and they all went wild. As he refused to give up another shot was fired which closed his earthly pilgrimage.

Years have come and gone since those tragic days. Most of the actors in this stirring drama, good, bad and indifferent are sleeping away the ages in some quiet grave.

This is a world of change and other days and times have come. The old outlaws of the past are known no more and are almost forgotten. The old Tribal laws and customs have passed away and Oklahoma is now a sovereign state of the Union.

In this narrative I have touched the dark side of life but there was a brighter side as well. There was light among the shadows, sunshine and roses as well as crime and bloodshed.

There were joys as well as sorrows. People lived and loved and lost in those early days as they do now. There were friends whom we loved; neighbors whom we honored and respected. A great many of them have gone but I feel sure that these early pioneers have done their 'bit' to make the world a better place in which to live.

And those old time Chickasaws who were our friends, how we cherish their memory. Let us hope that their vision of a "Happy Hunting Ground" is a reality.