

1-27-1898

Killing of Mrs. Laird by Seminole Indians. Letter from the Acting Attorney-General, transmitting, in response to resolution of the Senate of January 20, 1898, copies of all papers and correspondence in Department of Justice relating to the killing of Mrs. Laird in the Seminole Nation, and the subsequent burning to death of M'Geisy and Sampson by a mob.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

S. Doc. No. 99, 55th Cong., 2nd Sess. (1898)

This Senate Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

KILLING OF MRS. LAIRD BY SEMINOLE INDIANS.

L E T T E R

FROM

THE ACTING ATTORNEY-GENERAL,

TRANSMITTING,

IN RESPONSE TO RESOLUTION OF THE SENATE OF JANUARY 20, 1898, COPIES OF ALL PAPERS AND CORRESPONDENCE IN DEPARTMENT OF JUSTICE RELATING TO THE KILLING OF MRS. LAIRD IN THE SEMINOLE NATION, AND THE SUBSEQUENT BURNING TO DEATH OF M'GEISY AND SAMPSON BY A MOB.

JANUARY 28, 1898.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 27, 1898.

SIR: I have the honor to acknowledge receipt at this Department of a resolution of the Senate of the United States of January 20, 1898, requesting information of this Department as to what steps have been taken to ascertain the facts in relation to the killing of a woman in Oklahoma Territory by Seminole Indians and the burning to death of two Seminole Indians by a mob in said Territory, and also as to what steps have been taken to punish the alleged offenders.

In response to this resolution, copies of all papers and correspondence in this Department relative to the killing of Mrs. Laird in the Seminole Nation and the subsequent burning to death of McGeisy and Sampson by a mob are herewith sent.

Very respectfully,

J. K. RICHARDS,
Acting Attorney-General.

The PRESIDENT OF THE SENATE.

[Telegram.]

SOUTH MCALESTER, IND. T., *January 12, 1898.*

To ATTORNEY-GENERAL, *Washington, D. C.:*

Newspaper reports of Seminole uprising wholly unfounded. No trouble there.

BENNETT, *Marshal.*

OFFICE UNITED STATES ATTORNEY,
NORTHERN DISTRICT OF INDIAN TERRITORY,
Vinita, Ind. T., January 16, 1898.

SIR: Relating to the horrible murder of Mrs. Laird in the Seminole Nation, my assistant, Mr. L. F. Parker, jr., went to the Seminole Nation and into Oklahoma, and has thoroughly investigated the murder. He has also investigated as to who constituted the mob who took McGeisy and Palmer Sampson into Oklahoma and burned them at the stake. From the investigation of Mr. Parker it seems that the facts are as follows:

After the murder of Mrs. Laird the Seminoles themselves captured young McGeisy and Sampson and brought them before Mrs. Laird's son, a boy whose age will not exceed 10 years, but who is supposed to be about 8 years old, for identification; he identified Sampson as one of the party, but was not certain as to McGeisy. The mob then took Palmer Sampson out of the house and he made a confession, in which he stated that after Mr. Laird went to Oklahoma young McGeisy said, "Let's get some whisky and then go up to Laird's and have intercourse with the woman;" of course this was not the exact language used; that they went there and asked to borrow a saddle and made an attempt upon Mrs. Laird; that she broke away and ran out of the house and that McGeisy told him to pick up the gun and shoot her; that he picked up the gun, snapped it three times, but it would not go off, and then McGeisy grabbed the gun and struck the woman over the head, breaking the stock from the barrel, and then struck her again with the iron barrel, breaking her skull; that he and McGeisy were the only parties engaged in the murder. McGeisy, however, denied that he had anything whatever to do with it, and while they were being taken to Oklahoma they were strung up once to make him confess and he still denied it, and when they reached Oklahoma and were tied to the stake, McGeisy died protesting his innocence.

The names of all witnesses were obtained and they will be before the grand jury which convenes here to-morrow. We have three charges against the Oklahoma crowd for which they can be punished in this Territory.

In this connection, referring to the Senate resolution introduced by Hon. Matthew Quay, I beg to say that there is, in my opinion, no necessity for such an appropriation, as I feel confident that we can properly handle the matter in this district.

Upon our grand jury docket we have the names of twenty persons against whom my assistant advises me he will have ample testimony to indict and to convict of the crimes which they committed in this Territory.

We will have a full and complete judicial inquiry into this matter before the week closes, and if the Department desires the testimony before the grand jury for use by the United States attorney for Oklahoma, who can indict these same parties for murder, I will be glad to furnish it.

We can only indict them for arson, kidnaping, and assault with intent to kill upon other parties suspected.

Respectfully,

P. L. SOPER,
United States Attorney.

The ATTORNEY-GENERAL,
Washington, D. C.

CLIPPING.

Mr. Pettigrew, of the Committee on Indian Affairs, offered and secured the passage of a resolution directing the Secretary of the Interior and the Attorney-General to inform the Senate as to what steps the Government had taken concerning the killing of a woman in Oklahoma Territory by Seminole Indians and the burning of two Seminole Indians in the same Territory.

WASHINGTON, D. C., *January 20, 1898.*

SIR: The attached was clipped from the Star newspaper of even date, and in relation thereto I deem it proper to make the following statement as to the subject-matter:

On the evening of December 30, 1897, Mrs. Leard or Laird, a white woman, residing on the "McGeisy farm" 20 miles west of Wewoka, Seminole Nation, and probably 5 or 6 miles east of the post-office of Maud, Okla., was visited by an Indian who asked to borrow a saddle. This was refused him. He tarried a while and Mrs. L. became uneasy at his presence and ordered him away. He left, but very soon after returned, and entering the house unannounced picked up a gun and attempted to shoot the woman. The gun failed to fire and Mrs. L. started to run, whereupon he struck her with the gun, breaking the stock from the barrel. He then picked up the barrel of the gun and as she passed out the door he struck her several times in quick succession, the force of the blows crushing her skull and from which she died. The Indian then stepped into the house and made a search for money but did not find any. He then went out of the house and drawing the woman's infant of a few months from under her dead body he put the child in the house and left the place.

The only persons present were the woman and the Indian and the woman's children, the eldest a lad of 8 years, the next a girl of 4 years, and the infant. It was not possible for the children to get their mother's body into the house, and it laid outside during the night. Upon the coming of daylight of the following morning the little boy hastened away to the neighbors for assistance. Upon his return with some of the neighbors it was found that the hogs had gotten into the yard and had partially devoured the body of the woman. The body was then cared for and decently interred and a messenger dispatched for the husband of the woman, who was several miles away. Mr. Leard was accompanied to his home by a number of persons from Oklahoma, and as soon as the burial services were closed those present organized a posse to hunt down the woman's murderer. This posse was heavily armed, and rode all over the western border of the Seminole Nation, taking into custody nearly every Indian who came across its path. All were taken before the little boy for identification, and many of them he was able to state positively did not do the bloody deed. Others he was doubtful in so clearly stating their innocence, and all such Indians were then tortured in an effort to make them confess that they were the ones, or had had something to do with the crime.

Finally a confession of guilt was extorted from Palmer Sampson, an ignorant full-blood Seminole Indian, who also implicated Lincoln McGeisy. The latter denied the charge and until the very last declared his entire innocence. The mob held these boys (for I am advised they were about eighteen or nineteen years of age) several

days, and on the night of Friday, January 7, carried them over into Oklahoma, and chaining them together by their necks with chains, securely fastened them to a tree and piled hay and brush around them, and about 3 o'clock of the morning of the 8th set fire thereto and burned them alive. They continued to burn for about twelve hours, and when found by a searching party their legs and arms were burned from their trunks. The tree was cut down Saturday (8th) afternoon and their remains taken to the Seminole Nation and buried, still chained together.

The first information received of there being any trouble in that country reached me on Saturday night (8th) in a telegram from Deputy Marshal Buchner, who was at Holdenville, and who wired me that there was a raging mob in the Seminole Nation and asked instructions. I immediately endeavored to ascertain the cause of the disturbance, and was advised of the death of the two boys as above related; also that the mob had burned the farmhouses on the McGeisy place. The mob having dispersed before this information reached me, I consulted with United States Judge William M. Springer, and wired my deputies at Holdenville and Wewoka to meet United States Commissioner Fears at Wewoka and obey his orders concerning an investigation. Commissioner Fears went to Wewoka on the 10th and at once issued process for witnesses and a warrant for the interpreter who had served the purposes of the mob. On the 10th I also wired Assistant United States Attorney Parker, then at South McAlester, requesting him to proceed to Wewoka and aid in the investigation. Mr. Parker did so. I would have personally proceeded to the scene, but could not see the necessity for so doing at the time the information reached me. I was also preparing to transport some prisoners from Muscogee to the penitentiary and had all arrangements made to leave with them.

On the night of the 11th telegrams reached me describing scenes of bloodshed and terror because of an alleged uprising of the Indians, it being positively set forth that the town of Maud, Okla., had been burned and that more than twenty-five men, women, and children had been murdered by the Seminole Indians. This information was traced directly to the telegraph operator of the Choctaw, Oklahoma and Gulf Railway at Earlsboro, Okla., who gave them out as facts. Under such circumstances I felt justified in deferring my trip with the prisoners, and leaving Muscogee on the morning of the 12th I went to South McAlester en route to the scene of the alleged trouble, having wired the officials of the railroad that if the reports from their agent were true I desired a special train to convey myself and posse to the scene. I took but one deputy from Muscogee with me, it being my intention if a large force was needed to wire you the situation and ask authority to incur the extraordinary expense provided for under section 846, Revised Statutes, and have you answer me at Wewoka, where I intended to make headquarters, securing my extra deputies from Holdenville and neighborhood.

I was informed upon my arrival at South McAlester that the railway company could not furnish me an engine for a special trip until 3 o'clock p. m., and, as the regular passenger is scheduled to leave that point at 4 p. m., I advised the representative of the company that the special would not be needed. About noon I received telegrams from my deputies and other officials then at the scene of the alleged trouble that the reports sent out by the operator at Earlsboro were all fakes and wholly unfounded, but had been circulated for the purpose of creating a sentiment to shield the members of the mob who came from

Oklahoma and burned the two Indian boys. Commissioner Fears also wired me that there was no necessity for my going to Wewoka, as all was then being done that was possible to discover the identity of those who composed the mob.

Mr. Fears advised me that he had issued certain subpoenas and warrants, and that he had no doubt the facts would be developed. That night (12th) I received a telegram from one of my deputies that he had reached Wewoka with one of the parties, and asked instructions as to disposition of prisoner. I directed him to take the prisoner and subpoena witnesses before Commissioner Fears at Eufaula. That night I left for Boonville, Mo., Columbus, Ohio, and Washington, D. C., with United States prisoners. I am advised, under date of the 16th, that one of my deputies has secured a full list of the names of all persons who were implicated in the burning of the two Indians, together with the names of witnesses to the crime, and that the whole matter has been presented to the grand jury, now in session at Vinita. I have this list of names before me, but, for obvious reasons, deem it proper to omit giving them in this connection. Three or four of those on the list were residents of the Indian Territory, but the majority of the mob was made up of residents of Oklahoma.

I desire to assure you that every officer connected with the United States courts in the northern district of Indian Territory will use all lawful means at his and their command to bring the guilty party before the bar of justice. In another communication I will present to you certain suggestions, which are, in my opinion, proper for your attention.

It may not be out of place for me to advise you at this time of the fact that along the eastern boundary of Oklahoma, within 200 yards, in some cases a mile, from the west line of the Seminole and Creek nations, there has been established a great many whisky joints, from which there is daily sold to these Indians many gallons of the vilest of whisky and of alcohol. Such places are located at Maud, Violet Springs, Earlsboro, Keokuk Falls, Stroud, etc. Nearly all the crime along the western portion of my district arises from the presence of these saloons, just across the line, and I believe that fully one-half of the whisky introduced in the northern district comes from Oklahoma. The officers of this district hope to secure the cooperation of the officials of Oklahoma in putting a stop to this traffic by the prosecution of those who are engaged therein, and steps in this direction were taken several weeks since.

Very respectfully,

LEO E. BENNETT,
United States Marshal.

The ATTORNEY-GENERAL,
Washington, D. C.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, D. C., January 21, 1898.

BROOKS,
United States Attorney, Guthrie, Okla.:

What steps are you taking in the matter of the burning of the two Indian boys? Report by wire.

MCKENNA, *Attorney-General.*

[Telegram.]

GUTHRIE, OKLA., *January 21, 1898.*TO ATTORNEY-GENERAL, *Washington, D. C.:*

Nothing further than request the marshal to send deputies there, and I have directed my assistant to go there and investigate.

BROOKS, *United States Attorney.*

[Telegram.]

GUTHRIE, OKLA., *January 21, 1898.*ATTORNEY-GENERAL, *Washington, D. C.:*

Marshal informs me his deputy reported that his office had no jurisdiction over burning Indian boys. I will have full report from my asst. in few days.

BROOKS, *United States Attorney.*

[Telegram.]

DEPARTMENT OF JUSTICE,
*Washington, D. C., January 22, 1898.*UNITED STATES ATTORNEY,
Guthrie, Okla.:

Your reports in case of burning Indian boys very unsatisfactory. The case is of great importance and should have your prompt personal attention. United States Attorney Soper, at Vinita, Ind. T., is in possession of testimony. You can get it from him. Let nothing prevent prompt action in this matter.

MCKENNA.

[Telegram.]

GUTHRIE, OKLA., *January 23, 1898.*TO ATTORNEY-GENERAL, *Washington, D. C.:*

The marshal has three men at work on the matter of burning the Indian boys. He now has evidence sufficient against two of the guilty parties and with a little time will have the others identified. He has been at work on the matter from its inception, and we can get the people if we have jurisdiction. The crime was committed in an organized county in this Territory. Under what statute will we have jurisdiction? When we proceed to arrest parties, we must have authority to take them before the district judge at Oklahoma City. Can not try them in the community of the crime. All against us there. All has been and will be done to bring guilty parties to justice. Please advise us at once on jurisdiction. Will write more fully.

C. R. BROOKS,
United States Attorney.

[Telegram.]

GUTHRIE, OKLA., *January 26, 1898.*ATTORNEY-GENERAL, *Washington, D. C.:*

Please authorize the marshal here by wire to use all the men and money necessary to make arrests for burning Indian boys. There are

about 300 conspirators. Will issue warrants under section 5519, Revised Statutes United States, if you think proper.

C. R. BROOKS,
United States Attorney.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, D. C., January 26, 1898.

UNITED STATES MARSHAL,
Guthrie, Okla.

The United States attorney asks that you be allowed posse to assist in arresting those charged with burning certain Indian boys. Inform Department by wire as to how large a posse is desired and the amount necessary to pay same, when proper instructions will be given you.

RICHARDS,
Acting Attorney-General.

[Telegram.]

DEPARTMENT OF JUSTICE,
Washington, D. C., January 26, 1898.

UNITED STATES ATTORNEY,
Guthrie, Okla.

United States marshal has been wired as to posse.

RICHARDS,
Acting Attorney-General.

[Telegram.]

GUTHRIE, OKLA., *January 26, 1898.*

The ATTORNEY-GENERAL, *Washington, D. C.:*

I have completed careful investigation of burning of Seminole Indians and reported to United States District Attorney Brooks and hold myself in readiness to act immediately on his advice. There will be two or three hundred people to arrest. I have but 12 deputies in the entire district, only about 6 available, but if my force can not be increased will do my best with 6. Impossible to call on bystanders to assist, as the entire sentiment of the county is against arresting the offenders. Expense will be incurred in excess of amount allowed by law in making these arrests. How can it be covered?

C. H. THOMPSON,
United States Marshal.

BURNING OF TWO SEMINOLE INDIANS.

FEBRUARY 2, 1898.—Referred to the Committee on Indian Affairs and ordered to be printed.

The VICE-PRESIDENT presented the following

LETTER FROM THE ACTING ATTORNEY-GENERAL, TRANSMITTING LETTER FROM THE UNITED STATES ATTORNEY RELATIVE TO THE BURNING OF TWO SEMINOLE INDIANS IN OKLAHOMA TERRITORY.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 31, 1898.

SIR: Since forwarding to you the papers and correspondence in this Department relative to the burning of two Indian boys, in answer to your resolution a few days ago, a letter has been received from the United States attorney relative to the same matter, of which the inclosed is a copy.

Respectfully,

J. K. RICHARDS,
Acting Attorney-General.

The PRESIDENT OF THE SENATE.

OFFICE OF THE UNITED STATES ATTORNEY,
DISTRICT OF OKLAHOMA,
Guthrie, Okla., January 26, 1898.

SIR: Referring to the matter of the burning of the two Indian boys by citizens of this Territory, I have to say that both the United States marshal's office and this office have been earnestly at work investigating the affair and have acquired the following facts:

The mob directly and indirectly participating consisted of anywhere from two to three hundred Oklahoma citizens. They caught the two Indians in the Indian Territory and held them there, it seems, several days, endeavoring to satisfy themselves that the Indians were the parties who had murdered and outraged the white woman in the Indian Territory, and on the night of January 8 they took the two Indians into Pottawatomie County, this Territory, and there burned them.

We are now in possession of the names of about fifteen of the conspirators, and feel sure that we will in a few days have the names of many more. The people in the community of the burning and in the county of Pottawatomie are all very much in favor of the conspirators and aid them in every way possible, and condemn any officer or other person who they suspect of desiring information of the guilty parties. The conspirators are banded together for the purpose of resisting arrest

or interference of the officers, all of which has made it very difficult for us to get anything like authentic information.

Under the organic act of the Territory and other statutes these conspirators will have to be, when arrested, taken before a United States commissioner in Pottawatomie County for preliminary hearing, and a grand jury of that county will have to inquire into the case, and their case will have to be tried there, all of which renders the result much in favor of the defendants. Now, I am unable to find any authority in the United States statutes under which these people may be charged, except section 5519 of the Revised Statutes of the United States—on a charge of conspiracy, the punishment for which is not exceeding six years.

I have concluded to get out warrants for all of them whose names we have, under this statute, but in order to make the arrests the marshal must have authority to use all the men and money necessary; he can not expect to get any assistance from any citizen of that county, but must take men there with him. I think, if the conspirators knew that we can only hold them here on a limited penitentiary charge, they might surrender and waive a preliminary hearing, but they fear that we will hold them for the Indian Territory authorities. Now, if we have not the authority to punish them for the crime of murder in this Territory under the United States statutes, why can not they be punished for the crime of conspiracy and murder in the Indian Territory, where the United States has exclusive jurisdiction? It is true that the act of burning or killing occurred in this Territory, yet the conspiracy and a part of the acts to carry out and consummate the conspiracy occurred in the Indian Territory, under the exclusive jurisdiction of the United States.

The law of the United States requiring the defendant to be tried in the county in this Territory where the offense was committed will protect these offenders from punishment under the United States laws in Pottawatomie County. However, we will have proof enough in a few days to justify us to proceed to arrest a number of these men and have them before the United States commissioner at Tecumseh for preliminary hearing. I shall be obliged for any instruction you may give me relative to the statute and law covering this class of cases. If we can not punish them under the United States laws, I have no hopes of the Territorial authorities ever reaching them.

Respectfully, your obedient servant,

C. R. BROOKS,
United States Attorney.

Hon. JOSEPH MCKENNA,
Attorney-General, Washington, D. C.

BURNING OF TWO INDIANS IN OKLAHOMA.

LETTER

FROM

THE ATTORNEY-GENERAL,

TRANSMITTING,

IN FURTHER RESPONSE TO RESOLUTION OF THE SENATE OF JANUARY 20, 1898, COPY OF A COMMUNICATION FROM THE UNITED STATES ATTORNEY OF OKLAHOMA TERRITORY IN REFERENCE TO THE BURNING OF THE TWO INDIANS IN OKLAHOMA TERRITORY.

FEBRUARY 7, 1898.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF JUSTICE,
Washington, D. C., February 4, 1898.

SIR: Since I inclosed papers and correspondence in response to the resolution of the Senate in reference to the burning of the two Indians in Oklahoma Territory I have received a communication from the United States attorney for the said Territory, and now inclose a copy of the same.

Very respectfully,

JOHN W. GRIGGS,
Attorney-General.

The PRESIDENT OF THE SENATE.

OFFICE UNITED STATES ATTORNEY,
DISTRICT OF OKLAHOMA,
Guthrie, Okla., January 31, 1898.

SIR: I have caused warrants to issue for the arrest of seven parties whom we think we have proof to show were parties in the mob that burned the two Indian boys, and we expect that warrants will issue in a short while for many more. Evidence is difficult to secure and takes time and caution. The warrants are issued under section 5519, United States Revised Statutes, the only section that I have been able to find giving to the United States authorities of this Territory jurisdiction. If there is an additional statute under which we can proceed against these parties, I will be obliged if you will refer me to it.

Inclosed I hand you copy of a letter received from Assistant United States Attorney McMechan relative to the killing of the white woman and the burning of the Indian boys. Of course his information was gleaned from rumor in the neighborhood of the burning, but in the main it is correct.

Respectfully, your obedient servant,

C. R. BROOKS,
United States Attorney.

The ATTORNEY-GENERAL,
Washington, D. C.

OFFICE UNITED STATES ATTORNEY, DISTRICT OF OKLAHOMA,
Oklahoma City, Okla.

SIR: In obedience to your telegraphic message to go to Shawnee at once and investigate the burning of two Indian boys, I left Oklahoma City Saturday morning and proceeded to Shawnee, where I received a letter from you directing me to procure all the facts possible relative to the burning of the Indians, what was done, the cause of it, where the Indians were first taken, and all details up to the time of their burning or death, and my opinion as to whether our office had jurisdiction.

I have the honor to report for your consideration the following, which I believe to be the cold facts without any frills:

On the 29th day of December, 1897, and for some time prior thereto, a man by the name of Julius Leard, his wife and three children, resided upon a farm controlled by one Thomas McGisy, a member of the Seminole Indian tribe, said place being located about 3 miles east of the west line of the Seminole Nation, and east of Maude post-office in Pottawatomie County, Okla. Some time during the said 29th day of December the said Julius Leard left his family for the purpose of attending to some business in Oklahoma Territory, with the understanding that he would not return until the day following. According to the statement of the 8-year-old boy of Mr. Leard, an Indian came to his father's home and had some conversation with his mother about the borrowing of a saddle, etc., which request Mrs. Leard refused him. She told him that her husband was not at home, but was expected soon. A short time after this two Indians came to the house and made an assault upon the woman by striking her with a Winchester belonging to Mr. Leard, which resulted in her death, after which they defiled her body. The body lay in the yard until the next morning.

The fact of the murder of Mrs. Leard was not known until the little boy, the next morning, went to Maude post-office and there informed the people what had happened to his mother. A search was shortly afterwards made by some Oklahoma parties for the guilty parties. Some time during the day (Friday) Lincoln McGisy, a son of Tom McGisy heretofore referred to, was apprehended and taken in charge. He denied being guilty or having any knowledge of the murder. He was taken into the presence of the Leard children for the purpose of identification, but they failed to recognize him as one of the parties who had assaulted and murdered their mother, and he, McGisy, was allowed to go upon his way free from restraint. In two or three days thereafter (think Tuesday, January 4, 1898, not later) Palmer Sampson, an Indian, a member of the Seminole tribe, was arrested by an organized band of men at his mother's home in the Creek Nation. At first he declared he was innocent and that he knew nothing whatever about the murder of Mrs. Leard, but after he had been strung up to a tree for a few minutes and had been informed by his captors that they had Lincoln McGisy in charge and that he, McGisy, had made a confession in which he had implicated him, Palmer Sampson, as one of the guilty parties, he, Sampson, then, it is claimed, made a confession in which he declared that McGisy was guilty of the murder and that he, Sampson, knew about it, but did not have any hand in killing the woman.

It is also claimed that Mr. Leard's little boy identified Palmer Sampson as one of the Indians who killed his mother. The same crowd then sought to have Lincoln McGisy taken in charge. They found him at a church where the Seminoles were holding a religious meeting. It is claimed that they found blood on his clothes. He was then taken in charge by these people. The two Indians, Palmer Sampson and Lincoln McGisy, were then held as prisoners, without any authority of law, by these people, until Saturday morning, January 8, 1898, at which time their lives went out by being burned, which occurred about 2 o'clock in the morning. The place of execution was about three-fourths of a mile west of the east line of Oklahoma Territory, in Pottawatomie County, Okla., and about half a mile from Maude post-office, in said county.

The two Indians were kept in a room in the second story of Mr. Leard's house for a period of four or five days before they were executed. From what I can learn no friend or relative was at any time, while they were in the hands of the mob, permitted to see them. A certain Baptist minister, by the name of Hiram Holt, prayed for the two Indian boys on bended knee and a rifle in his hand. My information is that this preacher prayed for Palmer Sampson before he, Sampson, confessed that he had any knowledge of the murder of the woman. Lincoln McGisy, in a note which purports to have been written by him to his father while he was in the hands of the mob, and a short time before he was burned, states that he had been all day with Hiram Holt. After the arrest of the Indians the fellows who planned, sanctioned, and took part in the burning of the said Indians held what they called a "court of inquiry," where the question of the guilt of the parties was carefully considered. The verdict was "guilty."

The question of the degree of punishment then came on for consideration, and it was agreed that the two Indians should be burned. As to the place where the cremation should take place was then discussed, and the Baptist tabernacle, made of poles and brush, in Pottawatomie County, was the place selected, for the reason that the United States authorities would not have, as they thought, jurisdiction to prosecute them. At just what time the Indians were taken to the Oklahoma side and to the place of burning I am not well informed, but am impressed with the idea, from information gathered from various sources, that the Indians were brought across the line during the night, sometime between dark and 2 o'clock in the morning.

The Baptist tabernacle, the place of the undoing of the Indians in question, was a place where the Baptist people held religious meetings during the summer. As stated above, it was made of poles and brush. Near the altar stood a small tree, about 8 inches in diameter, which had been used in the past to hang a lamp to. Here the two Indians, Palmer Sampson and Lincoln McGisy, stood, one to the right of the tree and the other to the left, facing the same direction, with a chain closely fitted and riveted around each of their necks and the other end securely fastened to the tree—the chain of each was 4 feet from the tree to his neck—without fetters of any kind upon their hands, arms, or legs. The dry brush and poles of the tabernacle were piled in and about them.

While they thus stood with a chain around their necks, in the dark hour of the night, and in the presence of about three hundred men, a man plied a lighted match—think the husband of the murdered woman—to the brush and wood. The flames leaped forth. McGisy was the first one to move a muscle, and that not until the flesh was beginning to drop from off his right thigh and the flesh on his right arm began to burn, at which time the flame caught his right ear, and then his hand went up as though in the act of brushing off a fly. He then gave a loud whoop and bent over as far as the chain would allow him and sucked in the leaping flame, and then sank down and expired without showing any more signs of pain. But not so with Palmer Sampson. He did not move a muscle until after McGisy had inhaled the flames. Then he commenced to kick with both feet, throwing with his feet burning pieces of wood 25 or 50 feet away. It was with difficulty that they succeeded in getting him burned. Their entire bodies were consumed, with the exception of a few bones.

While these people had the said Indians in custody, I am reliably informed that the regular constituted authorities of the United States in the Indian Territory made a demand that the Indians be turned over to them in order that they might be dealt with according to law, which request was denied. The parties who participated in the burning were nearly, if not all, residents of Oklahoma.

The people of Pottawatomie County are very much in sympathy with the persons who burned these Indians. It is a very hard matter for one to get any information. However, if you should decide that these parties are guilty of a conspiracy, I think that we could easily secure the names of some of the parties that participated in the burning. I was informed that it would not be well for me or any other person to go into the neighborhood in which the burning took place if it was known that the object was to discover parties who participated in the burning.

Respectfully,

T. F. McMECHAN,
Assistant United States Attorney.

Hon. C. R. BROOKS,
United States Attorney, Guthrie, Okla.