

THE SALINE COURTHOUSE MASSACRE

By Omer L. Morgan

Rose, Oklahoma, is a small village on State Highway No. 33, about fifty miles east of Tulsa. Turning south at this village and following a country lane for about a mile, one arrives at a large old, two-story frame building standing among several large native trees. Out back of the buildings will be noticed a few tombstones marking the graves of people who lived and died there many years ago. Across the road will be seen a large spring with a small stone house over it. Moss and lichens attest to the age of this structure. Flowing from the spring is a sizeable spring-branch of clear coldwater which joins Snake Creek some distance away. The old building is the Saline Courthouse built by the Cherokee Nation in 1885, as the seat of government for the Saline District.

Our guide was Dave Sunday, a full blood Cherokee Indian who had lived his entire life of seventy-two years in the community. Also with us was Mrs. Sallie Davis Sunday¹ who moved to this community about sixty years ago with her father who was a missionary. They told us that the general appearance of the place had changed but little. Originally, there was an outside stairway leading to the second floor of the building, but this has been removed. Directly in front of the courthouse, and about one hundred feet away, there was a large store building and near it a blacksmith shop and a barn. No trace of these now remain. They also pointed out a few changes inside the building.

The building now serves as a residence of the Ransom family.² For several years it was a sort of country pleasure house where dances and week-end entertainment was furnished. This necessitated the minor changes which have been made. There is probably not a more beautiful spot in all Eastern Oklahoma nor a more peaceful one. There is not one indication that it has ever been otherwise.

¹ Mrs. Sallie Sunday was born February 23, 1879 at Leslie, Kentucky. Her father was Rev. Wm. E. Davis, a Baptist minister who was sent as a missionary to the Indian Territory in 1895. His first assignment was with the Chickasaws where he remained only a short time and was transferred to the Cherokees and stationed at Saline. They had been there only a short time when Mrs. Davis died, leaving seven motherless children. Sallie, being the oldest, cared for the family until 1897, when she married Andrew J. Sunday, oldest son of sheriff Jesse Sunday. She lives now near Tahlequah, Oklahoma.

² Mr. Ransom purchased the old Saline Courthouse and a few acres of land in 1953. He comes from Ft. Smith, Arkansas, and has remodelled the building somewhat and made it into a fairly comfortable home.

In 1839, when the Cherokee Nation was organized in the West, and a constitution enacted, the nation remained divided into four districts for the purposes of local government. Prior to that, the Old Settlers, or Western Cherokees had established a district court system and this was not changed at the time. In 1841, two years after the adoption of the new constitution, the Cherokee Nation was divided into eight districts, one of them being the Saline District. In 1856, a ninth district was added, making up the entire nation, which remained until the end of the tribal government.³

The seat of local district government in the Saline District was changed three or four times. In 1841, it was at or near the Samuel Bell place.⁴ In 1867, it was located at or near the Joseph Riley place,⁵ and again in 1875, it was moved to an old log building on the David Rowe⁶ place about a mile from the present building. In 1883 the Cherokee government enacted a new law providing for a uniform set of courthouses in all the nine districts, and provided the sum of \$9,000 for constructing the buildings, and an extra \$1,000 for furnishing the buildings. The new Saline courthouse was built between 1884 and 1889, and was this time located near the big spring and the home of James Teehee,⁷ where it stands today. It is the only one of the nine courthouses still standing.

The Saline District comprised parts of what is now Mayes, Cherokee, and Delaware counties and was centrally located in the Cherokee Nation. While it was not the largest of the districts, it was not the smallest, but included some very fine country. There are numerous large springs feeding as many small streams and finally several large beautiful creeks, abounding with fish. All this reminded the Cherokees of their old homes in the Great Smokies and exactly fitted their needs and customs.

Court was held at Saline Courthouse at stated intervals and a judge came, usually from Tahlequah—the national capitol—to preside. In this way, minor cases, and civil suits, or conducting grand jury investigations was settled locally. Always at such times, the courthouse was a very popular refuge from the daily lives of many people. Some came to visit, some as legal witnesses, and some on other business, camped near the spring, and remained throughout the term of court. Naturally such a place soon became a community center. Many of the Cherokees were well-to-do and since they were accustomed to all the conveniences of rural white people, and were able to afford such as they wanted, business men were anxious to establish near them. Saline, as the com-

³ Emmet Starr, *History of the Cherokee Indians*, (Oklahoma City, 1921), pp. 76-78; *Laws of the Cherokee Nation*, 1852, p. 41.

⁴ *Ibid.*, pp. 45-46.

⁵ *Laws of the Cherokee Nation*, 1868, p. 35.

⁶ *Constitution and Laws of the Cherokee Nation*, 1875, p. 117.

⁷ *Laws of the Cherokee Nation*, 1883.

munity was generally called, had a large general store, a blacksmith shop, a church or two, a doctor, and a school. As might be expected, the doctor, the storekeeper, the teacher, and the minister were important people living there under tribal permits, and some were Cherokees, both mixed-bloods and fullbloods.

Probably the most important official or citizen in the Saline community was the sheriff. He was an elected official and as such, must be a Cherokee citizen. Naturally, he must be popular and have influential friends or he could not be elected. His duties were varied and were set forth by the Cherokee Nation.⁸ They included making arrests, holding prisoners⁹ until they could be taken to jail at Tahlequah, assisting in court and keeping peace in general. His presence at any gathering, generally insured quiet and order. Such an occupation seemed to appeal to the Cherokees and thus brought out natural or trained leaders as candidates for the office. Then there were other requirements. Often there was gunplay or a fight, and he must be a fearless and dependable to cope with all situations or emergencies.

In September, 1897, Jesse Sunday was just completing a term as sheriff of the Saline District. Dave Ridge, who was a half brother to Jesse Sunday, had just been elected sheriff, and was to take office a little later. Sunday met all these requirements.¹⁰ He was forty-four years of age, a bullblood and had lived all his life in this community. His wife was the former Alice Hair,¹¹ who had also been born and spent all her life in the neighborhood. Both were educated and widely known. They had, at that time, six children—three sons and three daughters—the eldest son being nineteen and the youngest daughter five. He owned a good home and provided everything possible for the family. Their children went to the local school and later to the seminaries at Tahlequah.

⁸ Dale & Rader, *Readings in Oklahoma History*, p. 618. (Copied from *Report, Commissioner of Indian Affairs, 1886*, pp. 154-157.)

⁹ None of the districts in the Cherokee Nation had jails except Tahlequah District. Therefore, until prisoners could be moved to the National prison at Tahlequah, they were merely chained to a tree, wall or post for safe keeping.

¹⁰ Some years before Jesse Sunday became sheriff of the Saline District in 1885, he had in a posse under U. S. Marshal Jacob Yoes of Ft. Smith, Arkansas. They were searching for an outlaw named Barber who was scouting near Saline Courthouse. The posse encountered Barber, who began shooting on sight. Jesse Sunday, who was in an advantageous position shot him dead.—Told by both Andy and Dave Sunday to O. L. Morgan.

¹¹ Hair Conrad was one-half Cherokee. He was a captain in war of 1814; a member of the Constitutional Convention of the Cherokees in 1827; a captain of the first detachment of Cherokee emigrants leaving the old nation in 1838; was elected to National Council from Tahlequah District in 1843; died November 2, 1844. He married Melvina McGhee and their son was James. As was the custom of many Cherokees, the son took the first name of his father and James became James Hair, instead of James Conrad. James Hair became the father of Nicholas Hair, who married Lucinda Robertson and they were the parents of Alice Hair. *Record in private papers of Mary Sunday Morgan.*

While their native language was much used in the home and community, they all spoke English fluently. Jesse Sunday and his wife both belonged to the local church and took the family there, regularly. There was not a more modern or happy family in the entire Cherokee Nation. Dave Sunday, my guide mentioned above, was the second son and was fifteen years of age in 1897.

The merchant who operated the store at that time was also an outstanding man. He was Thomas Baggett, a white man from Alabama. Baggett had once been recommended and given a scholarship to West Point Military Academy, but was rejected when it was discovered that he had one bad eye. Later he graduated from Law School in Alabama and at the age of twenty-five came to the Indian Territory and stopped for a year in Going Snake District, near Westville. During this year he met and married Miss Pearl Holt, a native of one-fourth Cherokee blood. In 1889, soon after their marriage, the Baggetts purchased the store at Saline and moved there to occupy living quarters above the store. Four daughters were born to this happy union and on the fateful September 20, 1897, the youngest was two months old.¹² Both the Baggetts were ardent Christian people and had tried to promote Christianity in this community which seemed to need it so badly.

Naturally, any person doing business with the public will create, over a period of six or seven years, a certain number of enemies and Mr. Baggett seems to have created a little enmity, but no more than could have been expected. In this instance, there were entirely too many vices for a man of his ideals to have compromised with them all. Who these enemies were, we are not told, but certainly, one of them was deadly. Dr. Flickinger, who occupied a room in the store, had often admonished Mr. Baggett to sell his business and move to some community which would be more favorable to the rearing of a family. The doctor told him that he was too high a type man and too well educated to spend his time there.

Dave Ridge, the newly elected sheriff, lived in the community and was popular. His wife was the former Callie Paris and her family had been prominent in Cherokee affairs for many years. At the time, they had four small children. Dave was a hardworking and honest citizen, but would occasionally take a drink with friends. He was not a drunkard in the broadest sense of the term, and most of his drinks were probably of a political nature.

On this particular day, Mrs. Ridge dispatched Dave to the Baggett store, at about noon, to bring some necessary items for the family. However, when he arrived in the village he met some

¹² Told to O. L. Morgan by Mrs. Pearl Baggett. —*Private papers and notes of O. L. Morgan.*

of his friends and had a sample of John Barley Corn. From all accounts there were several around the store, and as Ridge knew them all, he probably took several drinks as the afternoon wore along.

It was the custom of Mr. Baggett to close his store at any time when he considered it dangerous to remain open on account of any neighborhood disorder. Therefore he closed early, before Dave Ridge had purchased his supplies. At about six o'clock, Ridge bethought himself of his errand and appeared at the front door of the store to find it locked. Realizing the situation, he beat and kicked the door all to no avail. He knew that Mr. Baggett was upstairs in their apartment, and began calling for him to come down and open the door. Finally, Baggett raised a window just above Ridge's head and told him to go on away as he had been drinking. Baggett explained that he had closed for the day and could not open again. Ridge was trying to explain his situation when a shot rang out from the barn or blacksmith shop and Baggett fell, mortally wounded in the room. Ridge, as he afterwards said, probably saw who fired the shot. The bullet struck Baggett in the face and he died within a few minutes. Realizing what had happened, Ridge spent some time trying to get inside to help the stricken family until a crowd gathered. It was about an hour before he decided to go home and started down the trail.

When the shot that killed the storekeeper sounded, Andy Sunday,¹³ oldest son of the sheriff, and Cooie Bolin,¹⁴ a friend, were at a spring some two hundred yards away, and did not know that a man had been shot. They had made an appointment with a bootlegger to deliver some liquor to them at the place where the trail crossed the spring branch and went from the spring to the appointed place. When they arrived, they stepped off into the bushes, and soon heard someone coming down the trail and at the same time, two men were coming from the opposite direction. Andy Sunday and Bolin stood still in the shadows and watched the three men meet. The lone man proved to be Dave Ridge on his way home, and the other two men were Sampson Rogers and Wilson Towery. When they met, Rogers said, "Dave, I hear that Tom Baggett has been shot and that you did it." Dave replied, "No Sampson, you shot Baggett and I saw you do it." Rogers flew into a rage and said, "So that is what you are going to tell?"

¹³ Andrew Jackson Sunday was born at Saline August 13, 1877 and died at Tahlequah July 6, 1930. Mrs. O. L. Morgan is the eldest daughter of Andrew J. Sunday and Sallie (Davis) Sunday.

¹⁴ Cooie Bolin was a fullblood Cherokee, law-abiding but fearless. It was he who shot and killed the outlaw, Jack Chewey, wanted by the federal authorities for robbing and killing a Jewish peddler on Spring Creek.—*Private Papers and Notes of O. L. Morgan.*

and struck Ridge on the head with either a gun or a bottle.¹⁵ Nobody seems to know or remember what Rogers used.

Young Andy Sunday knew that his Uncle, Dave Ridge, had been drinking and that Sampson Rogers was a man who might kill Ridge. So he stepped out and tried to stop the fray, but Rogers turned upon him and said, "If I ever hear of you or anyone else telling anything about this, I will give you the same that I have given Dave." At that point Wilson Towery came in and persuaded Rogers to stop and go away. Bolin helped Andy place Ridge in a more comfortable position where he died during the night. Perhaps it might be as well to explain that Rogers did not like either Dave Ridge or Mr. Baggett and could have planned the crime so that it would appear that Ridge had shot Baggett. In this way he would rid himself of them both, since Baggett would be dead and Ridge carried away to prison or hanged.

Sheriff Sunday was on Elm Prairie, some ten miles east of Saline, guarding some prisoners when the murders occurred. He was spending the night at the home of Tom Grider¹⁶ when a messenger arrived with the news that Mr. Baggett had been shot. He immediately deputized someone to care for his prisoners and together, with Grider, started to the scene of the crime. It was about midnight when they arrived and began asking questions. They were not told at first that Ridge was dead but that he was being accused of killing Mr. Baggett. Feeling that there was some sort of mixup, Sunday deputized Cooie Bolin, Wilson Towery, Jim Millerbug, and Gilbert Stop to help with the work. He then divided them into pairs, taking Bolin with him.

The Jim Teehee home being very near to the scene of the crime, they went there to see if anybody had heard or seen who fired the shot that killed Baggett. They used every precaution and approaching the house from two directions, Sunday leaving his horse at the east gate and Bolin his at the south gate. As prearranged, they both reached the porch at the same time and found John Colvard and Martin Rowe sitting on the front porch. Rowe lived at the Teehee home, and Colvard was visiting with him.¹⁷ For some reason never explained, Colvard was holding a Winchester across his knees, and the sheriff reached for it and said, "I will take this. What are you doing with it?" He then asked Rowe what he knew of the killing of Baggett. Rowe replied that he did not know any-

¹⁵ Related by Dave Sunday, Sallie Sunday and Martin Rowe, *ibid.*

¹⁶ Thomas Grider was a mixed-blood who lived on Elm (Sometimes spelled Ulm) Prairie and was a leading citizen in his community. For several years he operated a general store there. In later years the place became known as Leach, as the attorney John Leach ran the postoffice there and it had been named for him. Leach was prosecution attorney in Saline District at the time of the Saline Courthouse Massacre, *ibid.*

¹⁷ Statement of Martin Rowe, *ibid.*

thing as he had been in the barn feeding his horse when the shot was heard and had not seen who fired it. Sheriff Sunday and Rowe were supposed to be good friends, and the officer replied, "That is alright, Martin," and turned to leave. Bolin went to the south gate to get his horse and the sheriff started toward his horse when he heard Martin Rowe call to the sheriff, saying, "Wait a minute, Jess, I want to tell you something." Instead of untying his horse, he said that he waited a moment to see what would happen and saw the two men walking together toward the sheriff's horse. Just as Sunday untied his mount, a shot was fired, followed by two or three others, and Bolin ran to the aid of his friend only to find him wounded badly. Snatching the Winchester which the sheriff had just taken from John Colvard and which lay on the ground, Bolin began shooting at the fleeing Martin Rowe whom he could hear running through the bushes and trees. Jesse Sunday's horse was untied when the shooting started and shied away. In his wounded condition, the sheriff followed the animal, hoping to remount, but from all indications, he did not recapture it, and was lost in the night.¹⁸

Rowe tells a little different version of the same story.¹⁹ He says that he walked to the gate with Jesse Sunday and there they found Sampson Rogers with a bottle containing a small quantity of whiskey, which he handed to Rowe and asked him to drink. He says he took the bottle and said, "This is no whiskey, Jess. I know where there are two quarts hid there in the bushes". He explained that the sheriff had given him to understand that he was under suspicion of shooting Mr. Baggett and he wanted to escape. He invented this ruse to make the escape. According to Rowe, the Sheriff said, "Let's get it," and Rowe led the way to a nearby tree saying, "One quart is on this side and one is on the other side of the tree. You get this one and I will get that." Sunday knelt to search for the supposed bottle, and Rowe dashed into the bushes. When Sunday saw the trick that had been pulled, he began shooting at the fleeing man. According to his story, which he told in the final trial, Colvard soon joined him and they prepared to defend themselves. After about an hour, he said they met the posse and that the shooting started. It was then that the sheriff was shot and that nobody knew who had shot him.²⁰ It was this conflict that helped greatly in saving Martin Rowe's neck, later.

Bolin searched for the wounded sheriff for sometime but was unable to find either him or his horse and finally concluded that he had gone home. He went to the Sunday home a mile or so away and told the family what had happened. He said that he was tired

¹⁸ Bolin told this version to Dave Sunday, *ibid.*

¹⁹ Statements of Martin Rowe, *ibid.*

²⁰ *Ibid.*

and sleepy and would like to feed his horse and rest for awhile. Just as he was feeding his horse, Sunday's horse arrived with an empty saddle, and the family started to search for the father and husband.²¹

Immediately after Dave Ridge was struck down, and before he was dead, Andy Sunday left to carry the word to Mrs. Ridge at her home, and did not return to the village until daylight. On the way, he found his father sitting by a tree, a few hundred yards from the Jim Teehee home, and took him there and put him to bed. There his family found him and there he died the following night. Before his death, Sunday told his family that Martin Rowe shot him.²²

Rowe was immediately arrested and was in chains when Sunday was buried.²³ He was taken to Tahlequah, tried, convicted and sentenced to hang for the murder of the sheriff. Later his case was reviewed and it was decided that there was considerable doubt as to who had actually shot the sheriff. Therefore the sentence was commuted by Principal Chief Sam Mayes and the National Council, to ten years in the penitentiary at Tahlequah.²⁴

Three months after the sentence was commuted, Rowe managed to escape and went to West Texas, where he worked as a cowboy for a few months. One day he happened to see some men whom he recognized as being from the Cherokee Nation, and who were looking for him. Again he managed to evade them, and went to Quannah, Texas, where he joined The United States Army, then being raised to fight the Spanish American War. This conflict only lasting a short time, Rowe was soon discharged and returned home, a free man.²⁵ Since then, he has lived at Stilwell, Oklahoma, some fifty miles from the scene of the tragedy at Saline.

In short order, a Grand Jury was convened and Sampson Rogers was indicted for the brutal murder of Dave Ridge. He was duly tried, but as the witnesses hesitated to testify against him, he was freed.²⁶ Several years later, Rogers joined the Baptist Church and was baptized by the Reverend John Blossom,²⁷ a Cherokee minister, who still lives in the community at an advanced age of eighty-four. He speaks no English and told his version of the Saline Courthouse Massacre in his native Cherokee tongue, which was interpreted by Dave Sunday and Martin Blossom, a grandson. When asked how long he had been a minister, he replied, "Twenty-seven years," adding sheepishly, "Before that, I was a gambler and bootlegger."

²¹ Statements of Dave Sunday, *ibid.*

²² *Ibid.*

²³ Statements of Mrs. Sallie Sunday, *ibid.*

²⁴ Statements of Martin Rowe, *ibid.*

²⁵ Statements of Martin Rowe, *ibid.*

²⁶ Statements of Dave Sunday, *ibid.*

²⁷ Statements of Rev. John Blossom, *ibid.*

Today, fifty-seven years after that tragic September 20, 1897, when three fine and upright men were brutally slain, few of those involved remain alive. Mrs. Pearl Baggett and her daughters still live at Tahlequah, to mourn the loss of a dear and beloved father and husband. Three of the six children of Jess Sunday still remain with the memory of their father who met his fate in the line of duty as an official of his country. So far as is known, all four of the children of Dave Ridge are still alive. One son of Cooie Bolin still lives near the old Saline Courthouse to relate interesting stories of his fearless father. Also, Martin Rowe still lives in his little white house at Stillwell but is growing old and feeble.

While the stately old frame building²⁸ among the large spreading trees at Saline presents a beautiful picture to the casual observer it is a spectre of sad memories for all these people and their children.

²⁸ The contributor of this article, Omer L. Morgan, is of Cherokee descent. He has made acknowledgments to Dr. T. L. Ballenger, of Tahlequah, for his kind assistance for some of the references in completing the text of this story. Mr. Morgan lives in Newhall, California, and has been recently actively interested in locating the grave of Sequoyah, in Mexico.—*Ed.*