

A Not one that I know of.

Q All boys?

A All boys.

(Witness excused)

JOHN CAT

produced as a witness for and on behalf of the claimant
Joe Tiger, et al., testified as follows:

DIRECT EXAMINATION BY MR. PATTERSON:

Q What is your name?

A John Cat they call me.

Q Where do you live?

A I live about nine miles west of Muskogee.

Q Are you a member of any Indian tribe?

A Sir?

Q Are you a member of any Indian tribe?

A You will have to talk loud. I can't hear.

Q I say, do you belong to any Indian tribe, Creek Tribe?

A Yes, sir.

Q How old are you?

A I belong to the Creek. I am part Creek.

THE COURT: How are you enrolled?

A Creek.

THE COURT: Creek freedman?

A Yes, John McGilbra.

THE COURT: How old are you?

A I am ninety-two.

THE COURT: Been here long time?

A I stayed one place seventy-three years, never have moved.

Q How long have you lived where you now stay, Uncle Jehn? How long have you lived at your present home?

A Seventy-three years.

Q Where were you living --

A Sir?

Q Do you remember the Civil War?

A Yes, sir.

Q The war between the North and South?

A I served year and a half in the Civil War.

Q Where were you living when the Civil War broke out?

A In the Choctaw Nation.

Q Close to what place?

A Close to ~~Spife~~^{Scipio}, Barnett neighborhood.

Q How far is that from the Canadian River, the South Canadian?

A I think it must have been about five or six miles west.

Q Which way did your people go, north or south?

A North. North.

Q Did you ever get acquainted with a woman by the name of Thlesothle?

A Yes, sir.

Q Where did you first see her?

A There on the Canadian, Tuckabachie on the Canadian River.

Q Close to the Scipio Barnett place?

A Yes, sir, Thlesothle used to visit there.

Q Did she have any ~~ix~~ children at that time?

A Yes, sir.

Q Did you know their names?

A Yes, sir, Cumseh, Jackson, Petille, Chofumna.

Q What is the meaning of Chofumna?

A Needles.

Q Where did you next see that family? Did they ever leave that community?

A Well all come to Fort Gibson.

Q Did you ever know a man by the name of Leecher?

A Yes, sir.

Q Where did he live, close to Muskogee?

A He used to live down in the bottoms after peace declared.

Q What was his business?

A He run the flat boat.

Q Ferry?

A Yes, sir.

Q What did they call that ferry?

A Leecher's ferry.

Q Do you know any of the men who worked on that ferry?

A Yes, sir.

Q Do you know their names?

A Cumseh, Jackson, Petille, Needles.

Q What became of Tecumseh, if you know?

A Why Tecumseh got drowned ferry right there.

Q Were you there?

A No, sir, they said he was drowned. I never did see him do it.

Q What became of Leecher?

A Leecher died.

Q Where was he living when he died?

A In the bottom.

Q North or south of the river?

A On this side.

THE COURT: That is the south side.

Q What became of Thlesothle?

A After she left Leechers she went out to place they call Bristow.

Q Do you know whether she is living or dead?

A She is dead.

Q How do you know it?

A I know it. I never did see her any more. I used to have a brother close said she was dead, Jack Tobie, fighting Jack.

Q Do you speak the Creek language?

A Yes, sir.

Q What kind of a man was Leecher?

A He was fullblood Indian.

Q What sort of a woman was Thlesothle, was she an Indian?

A She was an Indian fullblood.

Q Did you know whether Petille was ever married?

A Yes, sir, Petille married a colored woman.

Q What was her name?

A Nellie Fife.

Q Did they have any children?

A Yes, sir.

Q What was the name of the oldest?

A One was Joe.

Q Joe what?

A Joe Tiger.

Q What was the other one?

A This was a girl, if I make no mistake. She is living.

Q Do you know her name?

A No, sir, I kind of forgot her name.

Q What was the other child's name?

A Dick Tiger. He is dead.

Q John, at the time you knew Thlesothle in the Choctaw Nation was any of her sons grown at that time?

A Yes, sir.

Q Which ones were grown men?

A Jackson, Cumsch.

Q What about Petille?

A Well Petille was grown. We had been boys together.

Q Which would be the older if you know, you or Jackson Barnett?

A I think I am the oldest. I know I am.

Q Did you go into the army the first year of the war?

A No, sir. Peace was mighty near declared. I went in year and a half.

Q Who was your captain?

A Captain Lowe.

Q Indian or white man?

A White man.

Q Who was your commanding general?

A Colonel Williams.

Q Uncle John, did you know where Petille lived when he died?

A Across the river.

Q How far from Leecher's ferry?

A It must have been about two mile, a place they call the big spring.

Q Did you know any of the people who lived in that bend of the river?

A A man by the name of Wiley Sookey.

Q Who else?

A Jacob Moore, Gabriel Jamison.

Q Is there a school in that country?

A Yes, sir.

Q What is that school, do you know?

A Well I don't know. I never did inquire.

Q Was there an old Indian mission?

A Yes, sir, old Tallahassee Mission.

Q What kind of a building was the first building?

A It was an old log cabin.

Q At the Mission?

A Yes, sir.

Q What was the next building?

A They turned it into frame house, then brick house.

Q Was there a brick house there?

A Yes, sir.

Q The old Mission?

A Yes, sir.

Q Did you know a place called the Fountain Church there?

A Yes, sir.

Q How far was that from Leecher's ferry?

A Why it must have been about three mile or two mile, I can't tell you which.

Q Did you ever know a white man in there by the name of Barr?

A Yes, sir, he had a sawmill.

Q What was his wife, white, Indian or negro?

A I can't say. Must have been a white woman. It has been so long I can't remember.

Q What was Barr's business?

A Saw oak logs, making planks.

Q Making lumber?

A Yes, sir.

Q Now, Uncle John, I believe you say Leecher's house was on the south side of the river?

A Yes, sir, he never did live on the other side.

Q Where was Wiley Sooke's place?

A He lived across the river.

Q About how many miles from the ferry?

A Must have been about two mile or three mile, close to the Verdigris.

Q Who was the closest man that lived to Wiley Sookey?

A Jacob Murry.

Q Did you ever know an Indian by the name of George Marshall that lived in there?

A Yes, sir, Ben Marshall's father.

Q Did George Marshall move out of that neighborhood?

A Yes, sir, he moved to Coweta.

Q Who else lived in there that you can thing of?

A Well it been so long I am not able to tell you that.

MR. PATTERSON: You may take the witness.

CROSS EXAMINATION BY MR. PINSON:

Q You lived in that community in there for how long, John?

A Sir?

Q Down there in the bottom?

A Leecher?

Q Yes.

A Many years.

Q How long did you live there?

A I didn't live there at all. I live place they call Blackjack. After peace declared I move there and I been there seventy-three years.

Q So you didn't actually live in this Leecher neighborhood

A No, sir, I used to ramble and go there.

Q You used that ferry to go across?

A Yes, sir.

Q Let me ask you whether you know a little more about these children of Thlesothle. Do you happen to know who Cumseh's father was?

A Old Andrew Sullivan.

Q Do you happen to know who Jackson's father was?

A Andrew Sullivan.

Q Do you know who the father of Petille was?

A Petille. Let me call over the names. Jackson, Cumseh, Petille, Chofumna. There was one woman child. There was one mamma.

Q How many fathers?

A Do which?

Q Tell me who Petille's father was.

A Why Petille's father was old Indian some relation to Jack ~~Tepay~~ Tebohee.

Q Hose?

A Yes, sir.

Q You mentioned one child named Needle.

A Cumseh was Andrew Sullivan. Jackson was Andrew Sullivan. And Petille and Chufunwa they was different daddy, some relation to old Jack Tebohee and they were Tarskegee.

Q You mentioned some Indian name that meant needle,

say it again.

A Chufunwa.

Q Did he have any other name besides Chufunwa or Needle?

A He might have. Indians have different name every time they go to these busks.

Q That is a common practice among the Indians?

A Yes, sir.

Q The only names you knew were Needle and Chufunwa?

A Yes, sir, Petille.

CROSS EXAMINATION BY MR. GIBSON:

Q How old do you say you are?

A I am ninety-two. I went in the Civil War I was twenty-one and after peace declared I moved right where I am living this March gone seventy-three years. That is my home.

Q How old were you when you first got acquainted with Thlesothle?

A I was a boy.

Q Where were you the first time you ever saw Thlesothle?

A My mammy was half Indian and she used to visit my mammy all the time.

Q Where?

A Over across the Canadian.

Q Were you a slave?

A I had a guardian. Now listen. My master was my kinsman but they didn't work us. My master was some relation to my mammy and he appointed guardian.

Q Was your mother a slave?

A Yes, sir.

Q Who owned your mother?

A We belongs to the McGilbras.

Q And you belonged to the McGilbras too?

A Yes.

Q That is the way you got on the Creek freedman roll because you belonged to McGilbra?

A Yes, sir, McGilbra.

Q You usually go by the name John Cat and sometimes John Robert?

A Yes, sir, John Robert they enroll.

Q You never did know of Thlesothle living with any man, did you?

A No, sir.

Q She just picked up men as they came along?

A Yes, sir.

Q Never was married?

A Well I don't know. She might have been married.

Q But you never heard of her being married?

A The woman wouldn't stay one place. She stayed in Choctaw Nation around old man Scipio Barnett.

Q This man Sullivan was a slave, a colored man, was he not?

A Well I couldn't tell you.

Q His name was Andrew Sullivan?

A Yes, sir, but he went everywhere. He didn't done no work.

Q He was half colored?

A His old mammy was what they call blue mulatto.

Q And he lived near Muskogee and died down in the point of the river?

A I kind of think so.

Q You knew he just died a few years ago?

A Yes, but he was living with ~~his~~ Patsy Maharty.

Q He went blind?

A Yes, sir.

Q Did he have a daughter?

A Yes, sir.

Q Rebecca that married Silas Smith at Okmulgee?

A Yes, sir.

Q And she was Josh Cudjo's mother?

A Yes, sir.

Q Silas Smith was a white man?

A Yes, sir.

Q You don't mean to tell me Josh Cudjo and Ellis Gentry are brothers?

A Becky's children.

Q What was Ellis Gentry's mother's name?

A Betty.

Q What was Ellis' ~~girl~~ father's name?

A Cherokee man.

Q Eli Gentry?

A Ellis Gentry.

Q Don't you know Ellis' mother was named Lucy and

wasn't named Peggy at all, lived over where the Baltimore Hotel is?

A Yes, sir.

Q And she had two children one called Ellis and one called Sissy?

A Yes, sir.

Q Getting back to Patille's family. Did he go by the name Petille or Patilda?

A Patilda we used to call him.

Q Do you remember they used to call his mother Temochee?

A Might have been.

Q Did you know anybody in his family named Temochee?

A It must have been.

Q You knew Petille's brother Chokote?

A Yes, sir.

Q And you knew his brother Sarfully?

A Yes, sir.

Q Is Sarfully and Chofunwa and Needle all the same person?

A Yes, sir.

Q Then Chofunwa that Joe said he visited at Bristow was the same as Needle?

A Old man nephew.

Q Sarfully and Needles are the same man?

A Yes, sir.

Q And you knew Chokote, Needle's brother?

A I don't know him.

Q Chokote that lived across the river.

A They called him Petille.

Q I mean the one called Checotah or Chokote.

A I don't know.

Q Joe said he had an uncle living across the river named Chokote.

A It might have been.

Q You don't know anything about -- Do you know one of Thlesothle's children who went by the name Haryaryeche?

A I didn't know whether she had any girl children.

Q This is a man Haryaryeche or Jim Lowe.

A They grew up to be children and they nickname them.

Q Did you know Haryaryeche?

A Yes, sir.

Q Did Haryaryeche have any children?

A Joe.

Q Joe Tiger was Haryaryeche's child was he? You are getting a little mixed.

A Which?

Q Too many fathers.

A I don't know but just the four children.

Q Did you know Joe, did you know Thlesothle's son Joe?

A I don't know whether he had any sons, Joe.

Q Did you know her son Haryaryeche?

A Yes, sir.

Q Do you know whether he is living or dead?

A One of them died at Bristow.

Q That was Sarfully.

A They nickname him, they go to these big doings. I never did go much.

Q Did you ever hear any member of Thlesothle's family called Timochee or Timohechee, did you ever hear Thlesothle called that? Do you remember that?

A Now I am just only acquainted with the four boys.

Q That is all you got ready to tell about, is it?

A Yes, sir.

Q You did know Tecumseh well?

A I know Tecumseh.

Q Did he have any other name?

A No, sir, just Tecumseh.

Q He got his allotment Tecumseh Andrew?

A Yes, sir.

Q And he fell off the ferry boat and got drowned?

A Yes, sir.

Q You knew Jackson?

A Yes, sir.

Q And you think you knew this fellow Haryaryeche. How many children did Thlesothle have?

A Four. Four boys. Four boys to my knowing. If she had any more I don't know.

Q Did she have any daughters?

A I don't know.

Q Give me the names of the four, just one at a time.

A Cumseh, Jackson, Petille, Chefunwa.

Q That is the same as Needles?

A Yes, sir.

Q And she never had any others?

A I don't know. She never stayed one place.

Q You don't know where she died?

A She died at Bristow.

Q That is what you heard?

A Yes, sir.

Q You weren't there?

A I know she died.

Q How do you know?

A I live right close, I went to see my brother; he said the old lady died and they buried her. Frank Gooden preached the funeral. Frank Gooden was a Methodist preacher.

Q About what year was that?

A I can't tell that. I don't know. I can't read.

Q You took her down south on an ox wagon right after the Civil War?

A No, sir. No, sir.

Q When did she die, before or after the war?

A No, sir, I didn't take her anywhere in that wagon.

Q Thlesothle died about 1860 before the beginning of the Civil War, didn't she?

A Before the Civil War?

Q Yes.

A No, sir. I think she must have died after.

Q You never saw her after the Civil War, did you?

A No, sir.

Q And you don't know of your own knowledge what year

51

she died?

A No, sir.

Q You did take a bunch of Indians on an ox train?

A Seminoles.

Q They were all Seminoles?

A Yes, sir.

CROSS EXAMINATION BY MR. LITTLE:

Q Where did this woman Thlesothle live when you saw her down at Scipio Barnett's?

A She had town they call Tuckabatchee. Well she wouldn't stay over there. She stayed amongst the niggers backwards and forwards.

Q Did you ever know where she lived in your life?

A She never stay one place long enough.

Q Did you ever know where she lived?

A Over on South Canadian River.

Q Were you ever there?

A No, sir, I never have been to her house.

Q And you have never seen her since before the war?

A Yes, sir, I was acquainted with her before the war.

Q But you have never seen her since?

A Oh I seen him afterwards, after she come down and stayed old man Leecher. Leecher was her brother.

Q Leecher was a brother of ~~Is~~ Thlesothle?

A Yes, sir, and after that Indians scatter and she moved up there to Bristow. I had a brother in there right

close there. And she died.

Q Thlesothle then lived with her brother Leecher?

A Yes, sir.

Q Up here in the bottoms?

A Yes, sir, in the bottoms. But she moved from there and went up to Bristow. We used to call it Choska.

Q Who died first Leecher or Thlesothle?

A Well it must have been Leecher. Been so long I can't tell. But they both died.

Q This man Needles was sometimes called Thlobotter?

A Might have been.

Q Well was he?

A Yes, sir.

Q Then the brothers you knew were Thlobotter, Cumseh, Jackson and Petille?

A Just the four.

Q Where did Petille or Patilda die?

A He died across the river and Chofun~~wa~~ died Bristow and they are both buried there. If you all don't believe it I can show you. It is all a lie I carried woman. I never did carry that woman.

Q Who did you carry down to Seminole?

A No, sir. No, sir.

Q Did you carry anybody?

A No, sir, I never go.

MR. PATTERSON: We object to the form of the cross examination, argumentative.

A She moved to Bristow and is buried there. Man by the name Frank Gooden preached the funeral. My brother told me, but I can carry you all to the graveyard.

Q Did you ever know where Thlesothle --

A Sir?

Q Thlesothle lived in your life?

A Why she was Tuckabatchee and lived on Canadian.

Q Is that the only place you ever knew of her living?

A I never did visit her, but she would come to my mother's house and go backwards and forwards old Scipio Barnett. Cumseh and Jackson old Scipio Barnett raised those children.

Q Jackson was about your age?

A I think I am older.

Q You are about the same age?

A I couldn't tell.

Q When you first saw Thlesothle how old a woman was she?

A Good size boys.

Q You and Jackson you mean?

A Sir?

Q You and Jackson you mean?

A Do which?

Q You and Jackson were good size boys?

A Yes, sir.

Q How old was Jackson when you went to the war?

A Must have been about twenty-one.

Q How old was Thlesothle when you went to the war?

A I didn't keep no count for her.

Q Did you ever hear in your life of Thlesothle being married to anyone?

A No, sir.

CROSS EXAMINATION BY MR. ANGLIN:

Q What kind of a fellow was this Jackson Barnett?

A Blue mullatto. I believe I saw the picture here today.

Q Did he have good sense?

A No, sir, he didn't have good sense.

Q Called him crazy Jack?

A He wouldn't stay one place. Old Scipio Barnett raised him. He ain't going stay with stinking niggers and come back long time. He went south and the other two boys went soldier and joined the Indian Company "I"

Q Did Jackson go into the war?

A No, sir, I don't think he did. I joined the colored.

Q You went north?

A Yes, sir, went on through Springfield, Missouri, and I come back peace declared.

Q Do you draw a pension now?

A I lost my pension.

Q What did you lose it for?

A Sir?

Q How did you lose it?

A Got sent up.

Q Does the government pay you?

A No, the government won't pay me. I fool with this lawyer and that tangled me up. I got duplicate and give it

to colored lawyer and he run off with it.

Q You served in the army a year and a half?

A Yes, sir.

Q And you don't get a pension?

A I am old soldier.

Q Does the government pay you?

A The government was to pay me but won't pay me. Haven't any paper to show.

Q Jackson lived over there with Siah Barnett too, didn't he?

A I know Siah Barnett and Jim Barnett.

Q Didn't Jackson live over there?

A He stay here with Leecher.

Q They moved down to Bryant after peach was declared. You knew Jim when he ran a store?

A Scipio Barnett.

Q You knew Jim Barnett?

A Jim Barnett.

Q And Siah Barnett?

A Yes, sir.

Q And Jackson Barnett lived with them after the war?

A They stayed there and then come down old man Leecher.

Q Did he live with Siah Barnett and Jim before he lived with Leecher or after?

A After.

Q Which was after?

A After peace declared he come there Siah Barnett's.

Q Stayed at Siah Barnett's a long time?

A Siah Barnett --

Q Then he went to Leecher's?

A Siah Barnett was his uncle.

Q But he stayed at Siah Barnett's after the war?

A He stayed all about.

Q I was trying to follow you, but you jump. After the war he stayed at Siah Barnett's?

A Part of the time and went to Leecher, and stay over Wiley Sooky awhile.

Q Then he went back to Siah Barnett?

A He must have been. After that he come back to Leecher and bought a house from Dr. Rich.

CROSS EXAMINATION BY MR. HARROD:

Q How long have you known Siah and Jim?

A Siah Barnett was Jackson's uncle.

Q How do you know that?

A Well I know Siah and Annie was sister to Andrew Sullivan. I know what I am talking about.

Q Why would he go over to Sooky's, was Sooky related to him?

A You know Indians visit all the time.

Q Do you know whether Sooky's wife was sister to Jackson or not?

A No, sir.

Q Do you know whether Jackson had any sisters?

A The only sister was Betsy.

Q How come you to think Betsy was his sister?

A I know it. Old man Andrew told me.

Q Andrew Sullivan?

A Yes, sir.

Q Andrew is the one told you he was the father of Jackson?

A Old man Andrew -- mulatto couldn't own nothing. They whip the death out of them and cut their ears off.

Q There were four children you know?

A Four boys.

Q There could be more than that?

A There might be. After the Indians scatter out I stay at one place and work.

Q How old was Jackson? You say you were boys together. How old were you when you first met Jackson?

A Well good size boy. We used to go in the river and swim together. Yes, sir.

Q Have you ever heard of any girl other than Betsy?

A Not to my knowledge.

Q Was Jackson a fullblood Indian?

A Mulatto.

Q Was this man Sullivan a fullblood Indian?

A No, sir.

Q What was he?

A He was half nigger.

Q Was Siah Barnett a fullblood Indian?

A No, sir.

Q What was he?

A Siah Barnett was old colored woman they call Hannah. Dave Barnett got this old lady and name of Hannah down and he got Jim and he got Siah Barnett.

Q How many times did you think he got her down?

A Just had only two children, Jim and Siah. They was no fullblood. They was half nigger.

Q And Jackson told you he wouldn't live with the stinking niggers any longer and left that country?

A Yes, sir.

Q He wouldn't stay with the negroes?

A He stayed on this side.

Q Who was Sookey?

A Wiley Sookey?

Q Yes.

A He was half nigger. He was blue mulatto. He was no fullblood.

Q Who did Jackson stay with after he left Leecher's ferry?

A He must have went back to Jim Barnett.

Q You don't know?

A He must have stayed there and he come down in the bottom and begun to live and the white woman run off with him.

Q You were not at the funeral of this particular person you claim that Methodist preacher preached the funeral?

A No, my brother was living not quite 100 yards. I went there and seen the grave and I carry you right there and show you where she was buried.

CROSS EXAMINATION BY MR. ANGLIN:

Q Tom Barnett was the father of Siah and Jim?

A Who?

Q Tom Barnett. Wasn't he the father of Siah and Jim?

A Yes, sir.

Q Tom had two wives, an Indian wife and a colored wife?

A I don't know. I know Siah Barnett's mother Hannah was a colored woman. Old Tom Barnett. Dave gave him to his brother to cook and he got Siah and he got Jim.

Q Just answer the question. Didn't Siah Barnett -- didn't Tom Barnett have two wives, an Indian wife and a colored wife?

A Now, mister, I don't know. I don't know anything about that. How many wives he had I don't know. Some of them had two or three wives.

CROSS EXAMINATION BY MR. JONES:

Q How old were you when you first saw Jackson Barnett, how many years of age?

A I can't read. I am telling you I don't know A, B, C.

Q What is your best judgment about it?

A Yes, sir.

Q Whether three or ten?

A Well I just count on from then. You see when peace declared and we went to Blackjack I didn't have anything to work with. When I move up there this March seventy-three years.

Q You were a big boy when you first saw Jackson Barnett?

A Yes, sir.

Q Who was the oldest, your or Jackson?

A I couldn't tell you about that, but I am satisfied I am the oldest.

Q Did you get acquainted with him the first time you ever saw him?

A We have been acquainted along sure, we would swim in the river together.

Q Where was that you first met Jackson Barnett?

A Why it was Scipio Barnett's store.

Q Where was that store located?

A West.

Q Did you know Jackson until he died?

A Yes, sir.

Q What was the number of the shoe he wore?

A I don't know. I can't tell you what kind of a shoe he wear.

Q Do you know how tall he was?

A Well he was good size man.

Q Five feet eight, nine or ten inches?

A I don't know. I don't know anything about that.

Q What language did he speak when you first met him?

A He spoke Creek and he speak little English.

Q After he married the white wife --

A I never saw him any more.

Q Do you know whether he learned English or not?

A He must, that white woman going with him couple of years.

Q When you first saw Jackson Barnett when you were boys where did he live?

A Scipio Barnett in the Choctaw Nation, about five or six miles west of us.

Q What is his mother's name?

A Thlesothle.

Q What was his daddy's name?

A Old Andrew Sullivan.

Q How do you know he was?

A They claimed it to be. Siah Barnett stays with his nephew, going to kill old Andy. He stays out there with his uncle.

Q Did you know that or did you hear that?

A I know it.

Q Did you see that or just hear about it?

A No, sir, I know it. The Indian was awful sick and they didn't have no jury, no judge. If the judge say kill him they kill him.

Q What was Andrew Sullivan?

A Part nigger, blue mulatto.

Q How much colored?

A I couldn't tell you that.

Q Who was it told you he was Jackson's father?

A That woman come to our house and they used to visit one another. My mammy talk dark. My mammy was part Indian, mighty near fullblood.

Q Do you know where Jackson come from, where he was born?

A Buzzard Hill.

Q Where is that?

A On the Canadian River.

Q Whereabouts?

A West of the old Tuckabatchee town.

Q How do you know he was born there, was you there?

A No, I didn't tell you I was there.

Q How do you know it?

A I am satisfied he didn't come from Alabama.

Q Satisfied he didn't come from Alabama?

A No, sir.

Q Did you come from Alabama?

A I born four miles down here.

Q Between here and Fountain Baptist Church?

A Yes, sir.

Q You don't know of your own knowledge where Jackson Barnett was born do you, of your own knowledge?

A Born at place Buzzard Hill.

Q That was the report?

A I just took the people's word.

Q You don't know where he was born do you?

A Buzzard Hill. He didn't born Alabama.

Q How do you know he wasn't?

A I know it. Mister, I didn't come to tell no lie.

Q I know you didn't. You couldn't tell one if you

to.

A I am ninety-two years old and I am known all over this country. I served for the Creek Nation light-horse until statehood.

Q You go by the name John Cat?

A That is just a nickname. My right name is Robert.

Q John Robert?

A Yes, sir.

Q You are ninety-two years of age?

A Yes, sir.

Q Are you enrolled as a Creek citizen?

A I enroll with the freedmen.

CROSS EXAMINATION BY MR. ANGLIN:

Q You testified in the case of Jimmie Barnett vs. The Carter Oil Company on May 9, 1932, in the Council House at Okmulgee, didn't you?

A Who.

Q You did, and on page 462 of that record didn't you testify to this?

A I testify.

Q You testified, didn't you: "But your recollection is Tom, Siah's father, had an Indian wife." You answered "Yes, sir." Why did you answer it the other way awhile ago?

A They said what then?

Q Why did you answer it that way then?

A I didn't know it.

Q "And he had a negro slave? A Yes, sir." Wasn't

Wasn't that the question and your answer at that time?

A No, sir.

Q Didn't you testify to that?

A No, sir.

Q And the question: "Hannah was the name? A Yes, sir, I don't know whether she was that Hannah."

A They claimed an old Hannah auntie, but that was a niece.

Q They say this testimony was probably taken at Muskogee, but you remember the time you testified about Siah and Jim, you remember testifying don't you in the Barnes Building in 1932?

A Yes, I told you. This is what they claim, old Hannah.

Q And you answered my question: "And he stole some children by the negro slave" and you answered "Yes, sir."

A Old man Tom Barnett was half-breed.

Q Did you testify that at that time?

A I don't remember.

Q "And he had some children by the Indian wife? A Yes, sir."

A That is what they said. I don't know none of them. This old Hannah -- Siah Barnett and Jimmie Barnett. I am telling you no lie. Just as I am sitting here I can prove old Tom Barnett got those children by Hannah.

(Witness excused)