

## WILLIAM PENN ADAIR

By *Cherrie Adair Moore\**

Mrs. Will Rogers wrote, in her book of Will's life: "On November 4, 1879, the last of Clem's and Mary's eight children was born and christened William Penn Adair, after a famous Cherokee statesman and soldier." It is a disappointment not to find the name of the donor, also, but perhaps no one had told Mrs. Rogers there was a guest in the home on that auspicious night. The guest was Mrs. William Penn Adair—"Aunt Sue", as every one called her. Aunt Sue said that she officiated at Will's birth and when she found no name had been definitely chosen for the newly born son, she suggested the full name of her husband. Will's father might have chosen the name even if Aunt Sue hadn't suggested it, for he and William Penn Adair were friends of long standing and had a lot in common. They had grown up under the same conditions in new country, had gone through the Civil War together and each had taken an active part in governmental affairs.<sup>1</sup>

There was also a kinship between the Rogers and William Penn's youngest brother's wife, Mary Delilah (McNair) Adair. She was a granddaughter of John Rogers. Clement Vann Rogers was the grandson of Robert Rogers. John and Robert married sisters, Sarah and Lucy Cordery. In another generation, William Penn's maternal great-great-grandfather, Joseph Martin, and John Rogers, Clem's great great paternal grandfather, married sisters, Susannah and Elizabeth Emory.

The pioneer father of the Adairs was John Adair, a Scotsman, who married Gehoga Foster, a Cherokee. Their son, Walter Adair, married Rachel Thompson, daughter of William Thompson, an Englishman. Walter and Rachel's son, George Washington Adair, married Martha Martin, June 25, 1829, in Georgia. They were the parents of eight children and of these, William Penn Adair was the oldest. The others were Brice Martin, Walter Thompson, Mary Ellen, John Ticonoaly, Benjamin Franklin (the writer's father), Rachel Jane, and Cherokee Cornelia—for whom the writer was named. Their maternal grandfather was John Martin, who was a

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<sup>1</sup> A statement signed by the writer, Cherrie A. Moore, lists the following as her sources used in the preparation of this article: Emmett Starr, *History of the Cherokee Indians* (Oklahoma City, 1921); Carolyn Thomas Foreman, "A Creek Pioneer" (Notes Concerning "Aunt Sue" Rogers and Her Family), *The Chronicles of Oklahoma*, Vol. XXI, No. 3 (September, 1943); data from the Indian Archives, Oklahoma Historical Society; stories handed down in the Adair family; McNair and Adair genealogies; the Adair Family Bible; and her father's "Day Book."—Ed.

member of the Cherokee Constitutional Convention of 1828, and was the first treasurer, and first Chief Justice of the Cherokee Nation.

William Penn Adair was born in Georgia on April 15, 1830. This year saw the enactment of a law providing for the removal of the eastern Indian tribes to the West beyond the Mississippi River, a plan that had been first promoted by President Thomas Jefferson. Six weeks after the birth of William Penn, Andrew Jackson, the newly elected President of the United States, signed a Congressional act setting forth the provisions for the removal of the Indian tribes to an Indian Territory lying west of the states and territories west of the Mississippi River. This act and the issues growing out of it had a deep affect on the life of William Penn Adair: They were the atmosphere in which he lived, they formed his character and gave him his place in the history of the Cherokees.

Following the Removal Act of 1830, pressure on the Cherokees from both U. S. and State officials finally culminated in a treaty at New Echota, the Cherokee capital in Georgia, December 29, 1835, providing for the sale of all the Cherokee lands in the East and the removal of the tribe to the Indian Territory. George Washington Adair, father of William Penn, was one of the signers of this treaty, and John Martin, the maternal grandfather, was member of the committee designated in the treaty to recommend those Cherokees who desired and were qualified to remain in Georgia as citizens of the State. Chief John Ross and the great majority of the Cherokee people were bitterly opposed to the New Echota Treaty, and refused to move west but were finally driven out of Georgia by U. S. troops. This was one of the great tragedies in Indian history. Yet those who signed the Treaty were patriotic citizens who did this for the good of all the Cherokees in the midst of grave conditions. These events caused a cleavage among the Cherokees that exists even to this day. Two bitterly opposing political parties arose: the Ross or Anti-treaty Party, led by John Ross, and the Treaty Party, in which the Adairs were outstanding leaders. Chief Ross and his followers arrived in the Cherokee Nation West in 1839. Members of the Treaty Party had left Georgia and settled in the new country west two or three years before this time.

Grandfathers, Martin and Adair, moved from Georgia in 1837, just before William Penn's seventh birthday—one year after the consumation of the treaty between the Chief, headmen, and people of the Cherokees. It isn't known just how long it took the families to make the journey, but with family, slaves and live stock, and only covered wagons in which to move, it must have taken them almost three months, if not more. Grandfather Adair settled on Saline Creek near Salina and Grandfather Martin made his home on Grand River near Locust Grove, two miles south of Grandfather Adair's.

The Adair residence, in Georgia, stood until a few years ago, when a lumber Company bought and wrecked it. The home of the McNairs-Mary Delilah Adair's people, is still standing, or was when some of the descendants visited it about three years ago. Both were large and roomy houses built in the old southern style.

The new homes for the families were soon built. Each was made of hewed logs filled with mortar. Spaces were left for windows, and a breeze-way and later when weather boarding was available, the home was dressed up with that. The house faced north and was two stories high, gabled roof, and, originally, had seven or eight rooms, but during the Civil War the rooms extending south from the west end were partially burned; these were torn away and never replaced. A smaller room extended from the east room called "the little room". Huge fireplace were in each. Living quarters finished, large fields were cleared and fenced; and to beautify the yard, old fashioned lilac bushes were set out. These had large bunches of fragrant lavender flowers, and were growing there so long, one row of five small lilac bushes set out, spread into a wide tangled hedge that was beautiful in the Spring.

It was an ideal place for a large family to live and grow up. Woods in which to hunt, creek and river in which to swim and fish, church and school within riding distance, relatives and friends not too far and who expected you to visit for a day, or week, if you desired. Slaves helped to make living much easier. There were always nurses for the little ones, maids for the kitchen and household chores, and plenty of farm hands. Grandfather planted a large orchard that furnished many a row of apples to roast in front of the fire, winter evenings. Both William Penn and Benjamin Franklin played the violin, and if the evenings were similar to the evenings during the author's life there, playing the "fiddle" was usually the evenings entertainment. Franklin played regular old fashioned "fiddling tunes." "Great big taters in Sandy Land," "Devils Hornpipe," "Pop goes the weasel," and many others.<sup>2</sup> He knew one classic, a cradle song, that was exquisitely lovely.

The Cherokees built many schools, for their greatest wish was to give all their children a good education. There were the Male and Female National Seminaries, which had courses equal to a Junior College, and, also, an Orphan Asylum, in which Cherokee orphans were well cared for mentally, physically and morally. Then there were church schools, or missions, built, by different church denominations. Dwight Mission was originally located in Arkansas, but when the Cherokees moved west into the Territory it was moved with them. Benjamin Franklin Adair spent some of his years there and once told of a scrape he got into. It seemed there was an apple orchard near by and some one suggested raiding it.

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<sup>2</sup> The old Adair home burned in October, 1948.

When the boys got there they found no one had brought a sack. Franklin, being the tallest of the bunch, took off his pants and offered them. The legs were tied and filled with apples, and "did fine as a substitute," he said.

William Penn Adair studied in the schools of the Nation, and later in the States, where he graduated in law. In due time, he became a member of the Cherokee Supreme Court, organized under the Constitution of the Cherokee Nation in 1839. This court was given jurisdiction over all members of the Nation whether by birth, marriage or adoption, continuing the jurisdiction of the court that had been established by the Western Cherokees when they moved from Arkansas to this new country assigned them in the Indian Territory, under the terms of their treaty with the United States in 1828. They had arrived the next year and established their government with written laws. A space of one mile square was set apart for the accommodation of the U. S. Agency for the tribe, a location about seven miles east of Fort Gibson. The agency building here was where the Cherokee Court was held in the trial of criminals. This was the meeting place of the court for many years after the arrival of the Eastern Cherokees or Ross Party.

The Masons were active in Arkansas and Flint Lodge No. 74 near present Stilwell was chartered by the Grand Lodge of Arkansas, in 1853. William Penn joined and was chosen secretary. The Grand Lodge was discontinued in 1867 but Flint Lodge continued its organization until the Grand Lodge of Indian Territory was organized at Caddo seven years later. Flint Lodge then applied for membership and was accepted, but became known as Lodge No. 5 of Vinita.

William Penn first married in 1861, Sarah Ann Adair, a second cousin. She was the daughter of Walter Scott and Nannie (Harris) Adair. Two daughters were born. Martha Caroline, who married George H. Lewis; and Mamie Elizabeth, who married Colonel Johnston Harris—chief of the Cherokees from 1893 to 1895. Sarah Ann Adair died in the late years of the Civil War.

In 1868, William Penn Adair married Susannah McIntosh Drew, daughter of William and Delilah Drew. After a honeymoon at Washington they made their home east of Adair, near the mouth of Spavinaw Creek and lived there intermittingly for seventeen years. When not at home they were usually at Washington; he as a delegate representing the Cherokees. They lived in a hotel at first, but found it inconvenient and too small for meetings with the other delegates, so moved to a large apartment. On reading an account of Aunt Sue's life there, as she told it, she leaves an impression that her life as a delegate's wife was more than glamorous. She and William Penn attended the inaugural ball when General Grant became President of the United States, and she frequently went with him on his missions to the White House. She also had

the pleasure of meeting both President Hayes, and President Garfield.

Aunt Sue described Uncle William as "having dark hair and eyes", and said he "stood six feet-two in his stocking feet". "He wore his hair long", and "was quiet and reserved". She also thought him "a fine lawyer." This was also the opinion of the historian, Joseph B. Thoburn, who said that William Penn Adair "was a shrewd lawyer and generally regarded as a leader among his people."<sup>3</sup> The picture of Uncle William verifies the length of his hair. It reached his shoulders and was in the same style and length as the hair dress of the Benjamin Franklin of early days. Starr, the Cherokee historian, said of him, he "was frankly agreeable—the ablest and most brilliant of all Cherokees."

William Penn was also kind, and a man of his word. For he kept to the best of his ability, a promise he made to his brother Brice Martin before his death, the first year of the war. Brice Martin asked him to care for and educate his four sons—the youngest was only a baby; in order that the promise be carried out, William Penn recorded it in his will. In this he spoke of the boys, and his desire. He wrote:

"Brice Martin left considerable property for them [the four boys] but the U. S. Army, and the ravages of the late war destroyed all the property. I have however, provided for the children out of my own means, and still feel it my duty to do so. I desire my beloved wife, Sue M. Adair, out of proceeds of my claims mentioned, to give these children as good an education as possible and, as far as possible, look after their welfare."

Judging from his roles as mediator, senator, delegate, etc., William Penn's ambition, and one desire, was to use his knowledge of law to promote the welfare of the Cherokees, and their Nation; and the quickest and surest way of doing this was to plunge into politics. So in 1855, at the early age of twenty-five, he ran for the office of senator from Flint District and was elected. He was re-elected in 1857 and 1859. Each was for a term of two years. War broke out between the States in 1861, and being a true Southerner, he joined the Confederates.

At first the Cherokees were divided in their opinion as to allegiance. Some thought that because the five civilized tribes, Cherokee, Creek, Chickasaw, Choctaws, and Seminoles, were wards of the U. S. Government they should remain neutral, and decided so. As the war progressed, the Cherokees saw how the Northern Indians were being mistreated, and being in sympathy with the Southern States decided to throw their forces into the Confederate cause. Their chief, John Ross had first talked neutrality, then later in a message to his people, he said that he had decided to make a treaty with the Con-

<sup>3</sup> Carolyn Thomas Foreman, *op. cit.*; Editor (J.B.T.), "The Indian Territory in 1878," *Chronicles of Oklahoma*, Vol. IV, No. 3 (September, 1926).—Ed.

federates with the stipulation that food and clothing be furnished the soldiers. This Treaty was made. In 1862, Chief Ross and Lewis Ross, his brother, who was treasurer of the Cherokee Nation was captured by Kansas troops of the Union Army, which escorted him and his family, and some of his friends to Fort Knox, Kansas. From there they proceeded to Pennsylvania and remained for the duration of the Civil War. John Ross' repudiation of the Confederate cause disrupted the Cherokee Nation. The Cherokees were divided in their sympathies: The followers of Chief John Ross were aligned with the Union cause, and were organized in the Federal Army forces operating in the Indian Territory; members of the old Treaty Party, followers of Stand Watie, remained with the Confederate forces, and were organized within the ranks of the Confederate Army in the Indian Territory. The Confederate Cherokees soon had to depend upon their own resources. The Confederate authorities sent some supplies at first but later supplies for the Cherokees were commandeered at Fort Smith. Then still later, reverses in the fighting and lack of Confederate funds meant discontinuance of everything promised the Indian troops in the Territory.

After John Ross went north the Confederate Cherokees called a Convention, and chose Stand Watie as Principal Chief, and Samuel Taylor, assistant Chief. Each district in the Nation sent three delegates to the convention. From the district of Saline, the delegates were James M. Bell, Joseph Lynch Martin, and Dr. Walter Thompson Adair. All were Adair kin. Dr. Walter Thompson Adair, was William Penn's brother. Leroy Keys, John Scrimsher, and Clement Vann Rogers (Will Rogers' father) represented Cooweescoowee District. Both Federal and Confederate Cherokees maintained a government throughout the war, from 1862 to 1867. Ross was retained as Chief of the Federal Cherokees. Stand Watie had already organized a company in 1861, that became a part of the Confederate Army and William Penn, Benjamin Franklin (brothers) and George W. Adair, (father), were members of Watie's company. George W. Adair was Quarter Master.

A year later a Cherokee Mounted Regiment was recruited, and William Penn was chosen Colonel. Joel Bryan Mayes, who later became the Principal Chief of the Cherokee Nation, became Quarter Master. Clement V. Rogers was First Lieutenant. Later he was made Captain, and Benjamin Franklin Adair, Sergeant.

On October 28, 1863, in the midst of the fighting, Colonel Stand Watie's confederate forces burned the log capitol buildings at Tahlequah. And on the 29th of the same month and year they burned John Ross' home.

The Keetoowhas, or "Pin Indians," as the Cherokee secret society was called, joined the Federals. They were called "Pin Indians", because during the war, they wore two pins crossed on the

left coat lapel as an insignia. The organization was formed in 1859 by the Baptist missionary, Evans Jones for the betterment and good of the Cherokees but its members became partisan in the War. As Federals, they harrassed the Confederate Cherokees and made a practice of capturing valuable property and soldiers for exchange.

Word came to William Penn Adair that the "Pins" were after him, but he always managed to escape. One night, however, his company camped near the old home place and he couldn't resist visiting it and spending the night there. The family being in Texas for the duration of the war, no one was at the homeplace except the slaves who were caring for the place. It was said that William Penn had gone to bed in "the little room" and was asleep when he was awakened by a dream. He dreamed his brother Brice Martin, who had died early in the war, and was buried in the family cemetery nearby, came to him and told him to get up and dress. The Keetowhas were coming. The dream was so real he got up and dressed, with the exception of his boots, then decided he had been foolish and went back to sleep. The dream came more urgently a second time, but being so completely tired he didn't rise. And the next thing he knew the "Pin Indians" were pulling him out of bed. They wouldn't even wait for him to pull on his boots and took him in his stocking feet. The Federal army headquarters were at Tablequah at that time and they took him there, but liberated him a month or two later when the war ended.

The war over, both Northern and Southern Cherokees were called in by authorities at Washington to straighten up their national affairs. Each selected a delegation. The Southern delegates were John Rollin Ridge, Richard Fields, Soladin Watie, Elias Boudinot and William Penn Adair.

The Federal party included John Ross. He became ill during the new treaty negotiations at Washington and died there on August 1, 1866.

The gist of the new treaty was that the Ross treaty made with the Confederate States be declared void. The Cherokee Nation was recognized and all properties were restored regardless of any transaction during the War. New and more complete laws were made, giving the Cherokees more jurisdiction over their own affairs. Former negro slaves were given permission to choose their own place of residence. In fact every phase of Cherokee affairs was discussed and rectified to the best advantage. On the return of the delegates from Washington an election was held. Reverend Lewis Downing, who had served in the Union Army as Colonel in the Home Guard, was elected Principal-Chief.

The trip to Washington with the Southern delegates began a twelve year period in which William Penn represented his people

regularly from 1866 to 1879 as delegate, with the exception of 1876. He also was mediator, along with H. D. Reece, to parley with the Shawnees in regard to their adoption into the Cherokee Nation, a few years after the War. The payment stipulated was for the land they were to occupy, and for their educational purposes.

Conditions after the war were pretty bad according to an eye witness who had been in the Nation before and after the war. Only blackened chimneys stood where most homes had been. Fences were burned and farms laid to waste. None entirely escaped. So to overcome this sad condition, and to replenish their treasury and try to obliterate all outward traces of the war, the Cherokees sold some of their unoccupied land to various tribes who removed to the Territory. The sale of the Cherokee Outlet, or "Strip", was later made and opened to white settlement by the famous run of 1893.

To bring in more revenue, the Cherokee National Council decided to develop their natural salt springs. These had been reserved by the Nation as national property. The salt springs, near the old Adair home place were leased to William Penn and he was given five years in which to develop the springs into a paying concern. During that time he was to receive all profit from sales of salt, but after the time limit expired, he was to pay the Nation two cents for every fifty pounds he sold. He gave bond, and security, as required by the laws regulating salines in the Nation, and started the project immediately. All springs were deepened. Large hollow logs were inserted, so a clear, clean flow of salt water—free of sand—could be obtained. Huge, very shallow iron pots were placed on brick structures, and in these the salt water was poured and evaporated. The salt turned out to be a dull gray and wasn't saleable, perhaps because of so much sulphur content; so the salt-making plant was abandoned. Full Blood Cherokees made use of the salt pots as long as they were there. They liked the salt; and liked making it. The salt-sulphur water looked very refreshing as it bubbled up out of the hollow logs, and fooled many a thirsty traveler. It took only one sip, however, to convince them it must be "Satan's own brew."

In 1879 the Cherokees bestowed upon William Penn Adair the honor of Assistant Principal Chief, for four years, but he was not to enjoy the distinction long. He died at Washington, October 23, 1880.

On receiving the message telling of his passing, the Council drew up resolutions of respect and grateful appreciation of his services to the Cherokees. The resolutions were as follows:

Whereas Col. Wm. Penn Adair, Asst. Principal Chief of the Cherokee Nation died in the City of Washington D. C. Saturday the 23rd day of October 1880.

And whereas his remains now lie in state in the capital of the Nation—and whereas the Senate & Council now in session are desirous of hearing testimony to their high appreciation of the character and public services of their late distinguished fellow citizen—Therefore—

Be it Resolved by the National Council: That we record with deepest sorrow the death of Wm. Penn Adair, Asst. Principal Chief of the Cherokee Nation—which occurred in the City of Washington D. C. Saturday the 23rd day of October A. D. 1880.

Resolved that the long, able efficient and faithful services rendered by Col. Adair as a member of the National Council, Asst. Principal Chief and as a delegate from the Cherokee Nation before the Government of the United States, entitle him to the thanks of the Cherokee people.

Resolved that the national Council desire to express of their approval and gratification that the remains of their Assistant Principal Chief have been brought to Tahlequah the seat of Government of the nation for interment—and will adopt the necessary steps to properly mark and perpetuate the place of his burial.

Resolved that a copy of these proceeding be entered upon the Journals of the two Houses of the National Council and also forwarded to the widow of Col. Adair with assurance of our sympathy and condolence for the said afflictions and bereavement which she is called upon to endure in the loss of her husband and protector.

Resolved that as a further testimonial of our respect for the services of Col. Adair as an Officer of the Nation and for his many virtues as a man and a fellow citizen—we will attend his funeral in a body today at such hour as may be appointed for his interment—in the following order to wit: first the Masonic Fraternity, next the Executive, Supreme Court & Bar, Senate and the Council, and will wear for the usual time (30 days) the customary badge of mourning and the Capital building shall be draped in mourning.

Resolved that our thanks are due and are hereby tendered to Lafayette Chapter No. 5 and Columbia Commanders No. 2 of the District of Columbia for the consideration and Honor bestowed upon the remains of Col. W. P. Adair, and also to Col. Graham of Columbia Commanders No. 2 and Lafayette Chapter No. 5 for accompanying the remains to this place.

Resolved that the National Council shall adjourn at 12 M. today to meet at 9 A.M. Tuesday Nov. 2nd 1880.

C. V. Rogers  
Senate Committee Eli Spears  
R. M. Wolfe

And three weeks later, in his annual message to the Cherokees, Chief Dennis B. Bushyhead—1879-88 said:

“It is with feelings of deepest sorrow and regret, that I inform you of the death of Hon. William Penn Adair, Assistant Chief of the Cherokee Nation. He died in the City of Washington Saturday, Oct. 23rd, at the age of 50 years. It is not necessary for me to repeat the history of his life; for his life is a prominent part of the history of this nation and embalmed in the memory of all its people. . . . Born in the old nation, Colonel Adair removed to this country in 1837. The foundation of his education was laid in our public schools, to which he added in the State, until he rose to the prominent position of an eloquent member of the bar, of the Supreme Court of the Cherokee Nation. In 1852 he was elected

to the Senate of your legislature, in which he had served since almost continuously. In 1867 he was sent by you to represent and defend interests in Washington and . . . since, with but two exceptions. In 1879 by the votes of our people, he was elected to serve assistant chief for four years. In the discharge of this honor and trust he acted well his part. A faithful honest and true patriot, and able statesman and kind friend, his death is a National loss—it is more, it is a loss to the Indian race, and will be felt keenly by every Nation and tribe, for his voice has been heard in appeal or defense for all, and they, as well as we, have looked up to him as a leader, counsellor and guide”.

The body of William Penn Adair lies in the cemetery at Tahlequah, Oklahoma, formerly the capital of the old Cherokee Nation.

Only a few months elapsed between the birth of William Penn Adair Rogers, and the death of William Penn Adair. William Penn may not have had the pleasure of seeing Will Rogers, his young name sake, but it would have been natural for him to be very proud of him. Will lived six years longer than William Penn, but in their own way, their last days were somewhat alike. William Penn was trying to help the Cherokees regain their pre-war happiness and prosperity; and Will Rogers, home spun comedian, and movie-star, was contributing time, money, and spontaneous fun to lighten the load of our every-day living.

Will Rogers would say, “Get a few laughs, and do the best you can”. He wasn’t joking, and proved it, when he said, “It’s great to be great, but it’s greater to be human”. He was human and became great. This could also be said of William Penn Adair, of whom Emmett Starr, the Cherokee historian, wrote: “He was frankly agreeable—the ablest and most brilliant of all the Cherokees.”