

The JOURNAL



Friendly & Brotherly:

Letters of 1826 from the Department of War



Vern Ussery:
Death March in Germany
During World War II



*Hangin' Times
in Fort Smith*



Avenue of Memories
Fort Smith Native Shares
Recollections of Garrison



MISSION: The mission of the Fort Smith Historical Society, Inc., founded in 1977, is to publish The Journal of the Fort Smith Historical Society and through The Journal and other activities to locate, identify and collect historical data; to publish source materials and historical articles, all pertaining to the City of Fort Smith and the immediate surrounding area. Preservation of Fort Smith history is our primary mission and to this end, we always welcome the loan of Fort Smith historical material and will return it promptly.

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See the Google group, Fort Smith History Forum, for a bulletin board of current research questions. Readers may post their own research questions or topics in hopes of furthering their own research.

Webmaster: ben.boulden@gmail.com

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Journal Editor & Co-Founder 1977-2004

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COVER: William McIntosh, a Muscogee chief who took part in negotiating the first Treaty of Indian Springs (1821), is shown with a letter handwritten by Secretary of State James Barbour in 1826.
 Photos courtesy of the Five Civilized Tribes Museum.

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News & Opportunities

Pauline Beckman Wins Award From Arkansas Press Association



FORT SMITH HISTORICAL SOCIETY
Fort Smith writer Pauline Beckman holds the plaque she won from the Arkansas Press Association Better Newspaper contest.

Pauline Beckman, 92-year-old Fort Smith writer, received first place for Freelance Writing in Small and Medium Weeklies in the Arkansas Press Association Better Newspaper Editorial Contest, on June 23, 2007. Beckman, a Journal contributor, has been a columnist with the Van Buren Press Argus-

Courier for several years, with a weekly column relating her experiences growing up in Crawford County.

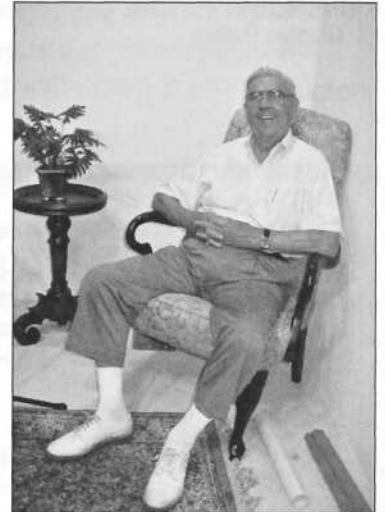
Fort Smith Historical Society Receives Grant From Fort Smith Area Community Foundation

The Fort Smith Historical Society recently received a grant of \$1,864 from the Fort Smith Area Community Foundation to purchase equipment for our Oral History Studio, which has been completed at the Fort Smith Museum of History at 320 Rogers Avenue. This grant will enable us to buy a camcorder and tripod, microphones, and lights to use in recording the oral history of area residents.

A donation from Melanie Speer Wiggins made

it possible to begin construction of the studio, a longtime dream of those involved in the oral history project. Society member Joe Wasson has been interviewing and recording the experiences of World War II veterans and has now done 58 interviews, with more lined up. The Fort Smith Oral History Studio will make it possible

to do professional recordings under controlled surroundings, adding to the quality of the videos produced on DVD. We hope to have other area residents and groups make use of the studio when we have completed all phases of development of our project. The studio will be available for the collection of the oral history of Fort Smith and



FORT SMITH HISTORICAL SOCIETY
World War II veteran Carter Hunt is interviewed for the Fort Smith Historical Society's oral history project.



FORT SMITH HISTORICAL SOCIETY
Joe Wasson conducts an interview with a World War II veteran.

surrounding areas, with this material stored for use of historians and future generations.

Al, Steve, and Mike Whitson are to be commended for the excellent job they did on constructing the studio, which consists of a suite of rooms with an entry hall, office and recording

studio. The Whitson brothers have completed the area with carpeting, studio lighting, drop ceilings, and a wall cabinet and built-in desk in the office, donating not only their time and considerable skills but also the materials used in the construction.

Others who assisted with labor, cost of materials, and professional services are Ted Neal's Heat & Air, Mike Corley Electric, Alford's House of Carpets Inc., Bedford's Camera and Video, and Lowe's Home Improvement Warehouse. Suzy Hestand-Laird donated two lovely chairs, rug and side table for furnishing the studio. The generosity of these individuals, businesses and professionals has given us an attractive and comfortable setting for recording the history of Fort Smith. We wish to express our sincere gratitude to all of them.



FORT SMITH HISTORICAL SOCIETY

Bill Higgins and Tom Wing accept the award for Best Use of Graphics from Tom DeBlack of the Arkansas Historical Association.

The Journal Wins Two Awards From State Historical Association

The county and local journals awards committee of the Arkansas Historical Association chose *The Journal* as winner of the Walter L. Brown Award for Best Use of Graphics for 2006. In addition, *The Journal* article entitled "Who Took the Trees" by Bradley Kidder Sr. was cited for the Best Article award.

Presentation of awards took place at the association's annual banquet on April 27, 2007, at the William J. Clinton Presidential Library in Little Rock.



PHOTO COURTESY OF LYNN WASSON

The 2007 Frontier Achievement Awards winners include, in back from left, Dick O'Connell, Marcus Woodward, Bill Hanna, and in front from left, Claude Legris and Suzy Hestand-Laird.

Frontier Achievement Awards Presented By Secondary Social Studies Educators Of Fort Smith

The 26th annual Frontier Achievement Awards were presented on April 19, 2007, at the River Park events building in Fort Smith. The Secondary Social Studies Educators of Fort Smith recognized individuals, businesses and industries that have made an outstanding contribution to the historical development of our city, and/or have helped to preserve the heritage of Fort Smith.

Winners were U.S. Marshal Richard O'Connell and Fort Smith Convention & Visitors Bureau Director Claude Legris for their work with the U.S. Marshals Museum Steering Committee and their success in bringing the U.S. Marshals Museum to Fort Smith. Other winners were Suzy Hestand-Laird, director of the Fort Smith Museum of History, for creating and directing the Murder and Mayhem Tours; Bill Hanna, with Hanna Oil and Gas Inc. for design and construction of the company's new office building at 520 Parker Avenue as well as the conversion and landscaping of the 500 block of Parker Street surface into a park; and Marcus Woodward, for his outstanding contributions to historical development in re-enactments of Fort Smith's past.



FORT SMITH HISTORICAL SOCIETY
Waymon Betterton speaks to the group during the "Remembering the Camps" program at the Fort Smith Public Library in April.

Remembering the Camps: Veterans Remember World War II POW & Concentration Camps

The Fort Smith Historical Society, as a part of its World War II Veterans Oral History project, presented "Remembering the Camps, Veterans Remember World War II POW and Concentration Camps." The program was held April 15, 2007, at the Fort Smith Public Library, with more than 50 people in attendance.

Following a brief overview of the European theater by Dr. Robert Willoughby, a history professor at the University of Arkansas at Fort Smith, a panel of local veterans provided personal accounts of experiences in prisoner-of-war camps and the liberation of concentration camps in Germany and occupied Europe. Those participating on the panel were Jose Bunda, Jim Champagne, Waymon



FORT SMITH HISTORICAL SOCIETY
The Fort Smith chapter of the National Society Daughters of the American Revolution provided refreshments during the event.

Betterton, Wendell Foran, Warren Taylor, and Wayne Treadway. Time for a question and answer session with the audience was followed by time to get acquainted. Refreshments were served by the Fort Smith Chapter, National Society Daughters of the American Revolution.

Darby House Reception For World War II Veterans

On June 14, 2007, the Fort Smith Historical Society held a reception for veterans of World War II at the William O. Darby House, boyhood home of



FORT SMITH HISTORICAL SOCIETY
Warren Taylor attends a reception honoring World War II veterans at the Darby House in Fort Smith.

Brigadier General William O.

Darby. Hosted by Lynn and Emory Dockery, the vets were given a tour of the home, with a brief program presented by Emory Dockery.

Brigadier General William Orlando Darby, founder and leader of the American Rangers known as Darby's Rangers in World War II, was killed in

action two days before the German forces in Italy surrendered on May 2, 1945. Darby was decorated with 10 high military honors and the old Fort Smith Junior High School was renamed in his honor.

In Memoriam

World War II Veterans – 2007

Participants in World War II Oral History Program

Bob Carson
Garth Pybas
Gerald Sloan

Bill McGrew
Albert Rogers
Vern Ussery

Book Reviews

Captain Jack and the Dalton Gang: The Life and Times of a Railroad Detective. By John J. Kinney. (Lawrence: University Press of Kansas, 2005. 270 pp., illus., bibliography, index, maps, paper \$17.95.)

John Kinney, an adjunct history instructor at the University of Arkansas at Fort Smith, offers us a biography of another 19th-century lawman with this informative book written in places in first person because Captain Jack is John J. Kinney Jr., the great-grandfather and namesake of the author. The author became curious about his "ordinary" relative because of an oft-repeated family story about a shoot-out between Captain Jack, a Missouri-Kansas-Texas (Katy, for short) railroad detective and the famous Dalton gang. Kinney's investigation of that event is at the core of his book, and the Captain Jack who emerges is anything but ordinary.

The author used public records and private sources in his possession to shed new light on a convergence of July 14, 1892, near Adair in Indian Territory. That is when and where Captain Jack and his posse of from eight to 13 men, hidden in the smoker car on a Katy passenger train, attempted to foil a robbery by the famous Dalton gang. In the engagement, many shots were fired and Kinney was wounded.

A few contemporary sources blame Kinney and his posse for a lack of action against the surprised and outnumbered outlaws who got away with the loot, perhaps as much as \$17,000.

Kinney concluded after his analysis of the conflicting reports that Captain Jack and his men, including U.S. Deputy Marshal Sid Johnson and Captain Charles Le Flore — head of the Cherokee National Police, did fight with determination and exchanged fire from close quarters in the "Battle of Adair." As if to bear out the fact that the Daltons had a hard time in the Adair fracas, the gang subsequently abandoned train robbing and turned to bank robbing. This was a fateful decision by the notorious bandits because 14 months later, five of the gang were gunned down in Coffeyville, Kansas, when they tried to knock over two banks. There, Kinney wrote, the townspeople sprang to the defense of their main street much as did the farmers of Northfield,

Minnesota, in 1876 when the James-Younger gang blundered into the same kind of hornet's nest trying to hold up a small-town bank.

The book is an example of how good history can be written from meager primary sources if the author is thoroughly familiar with his subject and adept at historical deduction. Though some scholars might complain about the long quotations from questionable magazine "histories" that the author includes, these articles are, in a sort of way, primary sources.

Kinney, proving that he is a social historian, surrounds the basic story with eclectic historical morsels such as his observations on the fountain pen, on the longevity of walnut trees, on the formation of the Ku Klux Klan, and on Benjamin Franklin's inventions. Some of Kinney's chapter titles — i.e. "A Dairing Adventure," "Wrestling with Wolves," and "Dunn Deals" — give additional clues to the wit and whimsy of the author.

As he develops Captain Jack's career as a railroad detective, author Kinney fits in some worthy descriptions of Fort Smith's historical persons and events as with Alexander S. Lewis' murder trial. In that trial, J. Warren Reed represented the defendant, and William H.H. Clayton called on Captain Jack as a witness when he prosecuted the case before Judge Isaac Parker. Kinney's exciting and amply illustrated book gives us a reliable piece of work on the colorful story of crime and punishment in Indian Territory.

— *Reviewed by Billy D. Higgins*

Fort Smith: Vanguard of Western Frontier History. By Billy D. Higgins. (Lawrenceburg, Indiana: The Creative Co., 2007. 72 pp., illus., notes, bibliography. \$12.95.)

This well-researched book tells the full story of the unique history of the Fort Smith National Historic Site.

The booklet is illustrated with full-color historical and re-enactment photographs, period artwork, maps and vignettes of people and events significant to the development of Fort Smith. The narrative, which is derived from primary sources and recent scholarship, highlights natural, social and military history and is

divided into 12 chapters.

It is available for purchase at the Fort Smith National Historic Site book store. Funding for this publication was provided by Eastern National, which provides quality educational products and services to the visitors to America's national parks and other public trusts.

— *Reviewed by editorial staff*

Fatal Ascent: H.M.S. Seal, 1940. By Melanie Wiggins. (Stroud, UK: Spellmount, 2006. ix, 209 pp., illus., notes, bibliography, index. \$38.)

Author Melanie Wiggins makes extensive use of primary sources to recount the World War II experiences of the British submarine Seal and her crew. The author covers the submarine's activities against German naval forces until its capture in May 1940, then discusses the internment of the crew for five years as prisoners of war in the Third Reich.

Wiggins also describes the experiences of the crew in German captivity. Conditions varied widely from one prison camp to another, and the sailors found better treatment in camps run by the German navy.

It is available for purchase on Amazon.com.

— *Reviewed by editorial staff*

Notice of Proposed Amendment Change

(Changes marked by brackets.)

An Executive Board composed of no less than nine, and no more than twenty-one members shall be the official governing body and shall have full authority to transact business for and in the name of the Fort Smith Historical Society. The Board at any duly called or annual meeting of the society shall determine the number of members of the Executive Board. The editor, or editors, not to exceed three, of the official publications shall be full participating members of the Board.

There is no specified length of term for Board members who are editors, [but as long as the editors serve their annual membership dues in the FSHS shall be waived]. Other members of the Board shall be elected by the general membership and shall serve for a term of three years. The Executive Board is empowered to elect a new member to complete the unexpired term of any Board member who has not served out his entire term and such election may be made at any duly called or annual meeting of The Society.

This amendment will be presented for vote at the general membership meeting in April 2008.

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Southwest Region (Fort Worth)

Go to the box labeled: Type of Archival
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Fort Worth TX 76115-3405

Phone: 817-334-5620

Fax: 817-334-5621

e-mail: ftworth.archives@nara.gov

For information and assistance contact:

Jerry Akins

e-mail: thepoet13@cox.net

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Friendly & Brotherly:

Letters of 1826 from the Department of War

**By Joseph Frankovic (Five Civilized Tribes Museum)
and Jeremy Lynch (Fort Smith National Historic Site)**

One morning in 1898 near Hitchita, Oklahoma, nine-year-old Walter Foshee found a leathern pouch. His discovery went unreported until March 10, 1929, when the Muskogee Daily Phoenix ran a front-page article entitled “Faded Records Reveal History of Creeks.” Those “faded records” pertained to the Creek Nation when it still lived east of the Mississippi River. In 1967, twenty-nine years after Foshee’s death, the Five Civilized Tribes Museum of Muskogee acquired the contents of the pouch.¹ Ranging from 1805 to 1835, twenty-one documents remain from the original find. Five of them, however, have no visible date.

Store ledgers, receipts, land deeds, an incomplete list of Tucabatchee residents, and fourteen letters constitute the collection. Tuskehena of Tucabatchee, Hock Cornells, Susan Cornells, and Big Warrior (of the Creek Nation) are names associated with a number of the documents.² Our article centers on four of the letters, two of which were signed by Thomas McKenney, one by James Barbour, and another by a quartet of Muscogee Indians. These men composed their letters between

January and May 1826.

Barbour’s and McKenney’s letters represent official War Department correspondence. All three have similar dimensions and bear the same

watermark. At first glance, Barbour’s letter appears to be a fragment, but it may be a complete, hastily written piece of privately delivered correspondence. McKenney’s letter of April 12 is only partially legible because a large stain obscures eight of its lines.

For the Muscogee, the year 1826 was a time of deception and loss. As a result of a compact made in 1802 between the federal government and Georgia, the former was obliged to extinguish all Indian claims to territory within the latter.³ These letters illuminate how the Treaty of Washington came into existence, the legerdemain accompanying the process, and the pressure that the federal government applied to dislodge the Muscogee Nation.

In 1825, two commissioners from Washington were negotiating with the Indians for what

remained of their ancestral land in Georgia. As the commissioners worked, they faced resolute opposition by the majority of the chiefs. To circumvent the resistance, they approached William



COURTESY OF THE FIVE CIVILIZED TRIBES MUSEUM
A photo of William McIntosh taken by J.F. Standiford is shown on a postcard.

Map of the Muscogee Nation

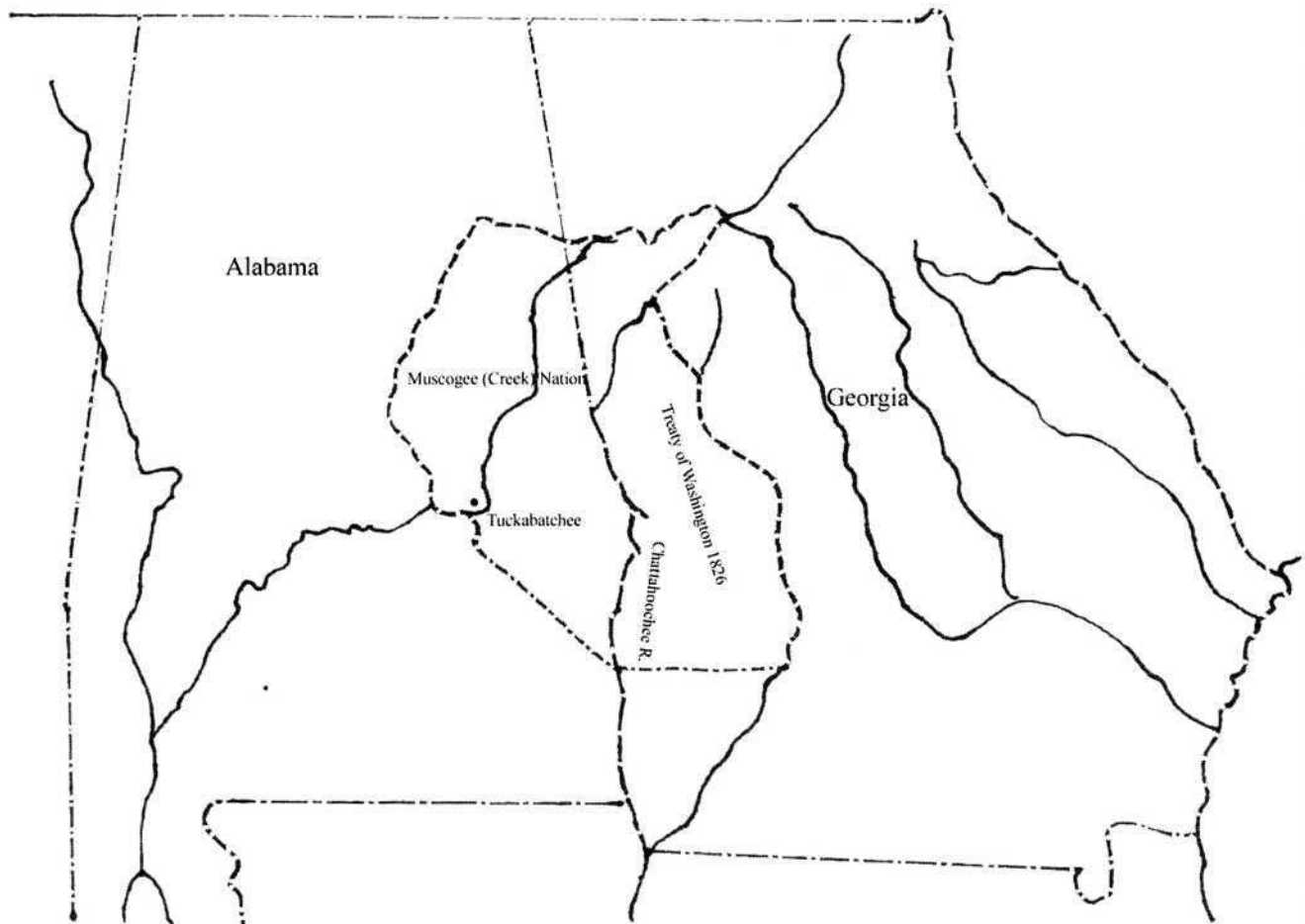


IMAGE COURTESY OF JEREMY LYNCH

McIntosh, one of the lower town chiefs, because the federal government already had been successful in negotiating the first Treaty of Indian Springs (1821) by relying on him. They, therefore, assumed that a similar strategy would work again. Muscogee leaders, however, had passed a law forbidding the sale of any more land, because the cession of 1821 had outraged them. Violators were now subject to death. Looking out for his own welfare, because of the role he had played in the 1821 treaty, McIntosh became the law's most vocal proponent.

As plans for a clandestine treaty unfolded in 1825, President James Monroe advised his two commissioners not to treat with only the McIntosh

faction, as it did not have the authority to cede tribal land. Taking liberties in the execution of their assignment, they negotiated with the McIntosh faction, signed an agreement, and returned to Washington. Congress ratified this second Treaty of Indian Springs, thereby making it official.⁴ McIntosh had sold all of the Muscogee land in Georgia, along with millions of additional acres in Alabama, to the federal government.⁵ Because their traditional way of life required that large tracts of land remain undeveloped, nearly all of the Muscogee Nation rejected McIntosh's treaty.⁶ Moreover, the Indians threatened any surveyors who tried to delineate the border between Alabama and Georgia.⁷ By

signing his name, McIntosh had surrendered not only most of his homeland, but his life, as well. Muscogee warriors quickly mobilized, surrounded his home, and set it ablaze.⁸ Forced outside by flames, McIntosh was executed in front of his family. His death did not change the fact that the Senate had approved a major land cession to the federal government.

Newly elected President John Quincy Adams recognized that hostilities were likely to follow, but hoped that the Indians would remain calm. He dispatched General Gaines to keep the Muscogee Nation and State of Georgia from blows. The arrival of federal troops enraged Governor Troup, who also enjoyed sympathetic support from other plantation states.⁹ Gaines sought to bar Georgia surveyors from drawing the state line until the time stipulated by the 1825 treaty.¹⁰ He also came to realize that only a small minority of the Muscogee had endorsed the treaty and hence recommended that surveying should be postponed until a more consensual and representative agreement could be obtained. Underscoring the fidelity of Muscogee allies in previous conflicts and that an Indian war could be construed as an attempt to exterminate them, he supported the Muscogee.¹¹ In defiance of the general, Governor Troup proceeded with the surveys, even after being reprimanded by the president.¹² Troup claimed that Georgia law already applied to the newly acquired land and that he was obliged to uphold that law. Tensions escalated between Georgia and Washington as Troup treated with venal Muscogee chiefs for surveying rights.¹³

At the end of 1825, federal officials reopened negotiations in Washington with leaders from the Muscogee Nation.¹⁴ Secretary of War James Barbour's letter of January 16 allows us to hear an echo of the coercive language the government used

in order to persuade the Indians to cede land and remove beyond the Mississippi River. The secretary wrote that their "destiny" would be "dark and doubtful" if they did not acquiesce. The Muscogee chiefs held their ground and refused to relinquish their homes.¹⁵

The Senate rejected initial drafts of a new treaty, because they did not cede any Muscogee land in Alabama and all tribal land in Georgia. The federal government feared that if it failed to extinguish

Muscogee rights to land within Georgia, that state would secede and even take up arms against the United States. About this time, Senator Thomas Benton approached Barbour about enticing the chiefs to negotiate by offering gifts. Barbour refused to resort to bribery. Benton, however, pointed out to treaty negotiator Thomas McKenney of the Office of Indian Affairs that the \$160,000 being offered to those signing the treaty was bribery enough. McKenney's letter of May 20 to the Muscogee delegation explains to the chiefs their responsibility to disperse the money (i.e., what remained of the \$160,000) to the tribe. Accusations of corruption were soon heard, because two Cherokees, namely Major Ridge and David Vann, received \$5,000 out of Muscogee reparations for their efforts as secretaries of the treaty.¹⁶

The new Treaty of Washington (1826) restored all Muscogee land in Alabama according to the boundaries of 1825, but it reaffirmed the cession of all land within Georgia.¹⁷ The treaty further stipulated that \$217,600 was to be divided among the chiefs and warriors, but it did not state in what proportion, and it promised that \$20,000 would be paid annually to the Muscogee Nation forever. Part of the treaty also set in motion the removal of the Muscogee Nation beyond the Mississippi River by

At the end of 1825, federal officials reopened negotiations in Washington with leaders from the Muscogee Nation. Secretary of War James Barbour's letter of January 16 allows us to hear an echo of the coercive language the government used in order to persuade the Indians to cede land and remove beyond the Mississippi River. The secretary wrote that their "destiny" would be "dark and doubtful" if they did not acquiesce.

moving the McIntosh party for its own protection.¹⁸ True to his character, Governor Troup proceeded with surveying the state line between Alabama and Georgia even before the time allowed by the new treaty.¹⁹

The Muscogee chapter of Indian Removal illustrates how well democracy can work for those who possess a political voice and capital. The people of Georgia repeatedly threatened to attack the Indians, while the federal government repeatedly warned the state against such actions. By threatening secession and armed conflict and ignoring federal policy, Georgia achieved its goal. Native Americans tend to blame Andrew Jackson for the Trail of Tears, but removal was set in motion years before he entered the White House. To keep the United States one nation, the voracious appetite of the South's Cotton Kingdom had to be satiated by bountiful land and labor.²⁰ Similar to the infamous Compromise of 1850, the Treaty of Washington (1826) also served as an act of political expedience. In this case, the Indians paid the price to placate Georgia and maintain the union of the White Man's Nation.

The following letters of 1826, which begin on page 12, are literal transcriptions of the autographs. The original formatting was retained as much as possible. For example, each transcriptional line corresponds to a specific line in the autographs. A column of line numbers in the right margin allows the reader's eyes to move between exemplar and transcription with minimal effort. Square brackets enclosing letters indicate doubt or correction. Some letters the editor could not identify with certainty, whereas others were corrected by the original letter writer. When writing words like "pressing" and "firmness," McKenney used an old form of the letter ess. To represent the old orthography, the editor adopted the Germanic ess-zett character (ß).

End notes

¹Walter Alexander Foshee, who died on September 3, 1938, at age 50, was laid to rest in Greenhill Cemetery (section 29, row 8) of Muskogee. Penciled on the outside of a legal-size, manila folder are the following words: "Donated April 1967 by W. Foshee." The original

documents were removed from the aforementioned folder in June 2007 for archival purposes. Obviously, Foshee himself could not have donated the documents in 1967. His widow, Odie Foshee Wiggins, probably donated them on his behalf to the museum. She died on September 22, 1972.

²Foshee found the pouch in a dilapidated log cabin near Hitchita. When Opothle Yoholo and his party removed to Indian Territory (Oklahoma), "most of them settled in the fertile valley at the junction of the North and South Canadian." Angie Debo, *The Road to Disappearance: A History of the Creek Indians* (Norman: University of Oklahoma Press, 1941), 102.

³Thomas H. Benton, *Thirty Years View: A History of the Working of the American Government for Thirty Years From 1820 to 1850*. (New York: Appleton and Co., 1856), 58.

⁴Michael D. Green, *The Politics of Indian Removal: Creek Government in Crisis*. (Lincoln: University of Nebraska, 1985) 74-95.

⁵Benton, 58.

⁶Georgia, the United States, and the Creeks, *Arkansas Gazette*, Sept. 13, 1825, 2.

⁷Benton, 58-59.

⁸Ibid.

⁹Benton, 59.

¹⁰Andrew Young, *The American Statesman: A Political History*. (Derby and Jackson: New York, 1857), 365-366.

¹¹The Creeks, *Arkansas Gazette* Sept. 6, 1825, pg. 2.

¹²Georgia, the United States, and the Creek Indians, *Arkansas Gazette*, Sept. 27, 1825, 1-4.

¹³Young, 366-367.

¹⁴Benton, 58-59.

¹⁵Green, 121.

¹⁶Benton, 60.

¹⁷Benton, 59-60.

¹⁸Indian Affairs: Laws and Treaties, "Treaty with the Creeks, 1826," (Oklahoma State, n.d.) <http://digital.library.okstate.edu/kappler/Vol2/treaties/cre0264.htm>

¹⁹Young, 370.

²⁰Neither the sovereign rights of Muscogee, Cherokee, Chickasaw, and Choctaw Nations nor Mexico's constitution (Banning slavery and applying at that time to land which is today located in Texas) could halt the expansion of cotton. See Walter Prescott Webb, *The Great Plains*, (Lincoln: University of Nebraska, 1981), 181.

SECRETARY OF WAR JAMES BARBOUR 16 JANUARY 1826

Single Folio Folded in Half (Two Leaves)
Leaf Dimensions 18.5 x 23 cm

1st Leaf (recto)

Cannot answer for the consequences. Upon the other hand if you approve, and will act according to his advice, you will entitles [sic] yourselves to his special protection & friendship. You will in addition be paid for your country, and have one given to you in its stead in all respects suited to your prosperity. There is too much of reason in this proposition, to authorize a belief that you will reject it. By acquiescing [sic] you have a bright prospect before you & every thing to gain; by rejecting it, your destiny, viewed in regard to the present question, is dark, and doubtful, certain however as to the wasting away of your people, like the nations which once lived like you but are now no more!—

I wish your answer as soon as you can think well upon the proposition; that you bring it in person as it is my wish to see you all before you return to your homes

I am your friend & Brother
James Barbour

2nd Leaf (verso)

Secy of War
[to] the Delegation
of the 16th Janry
1826

Watermark

W HURD NEWTON

01

05

10

15

21

Cannot answer for the consequences. Upon the other hand if you approve, and will act according to his advice, you will entitles [sic] yourselves to his special protection & friendship. You will in addition be paid for your country, and have one given to you in its stead in all respects suited to your prosperity. There is too much of reason in this proposition, to authorize a belief that you will reject it. By acquiescing [sic] you have a bright prospect before you & every thing to gain; by rejecting it, your destiny, viewed in regard to the present question, is dark, and doubtful, certain however as to the wasting away of your people, like the nations which once lived like you but are now no more!—

I wish your answer as soon as you can think well upon the proposition; that you bring it in person as it is my wish to see you all before you return to your homes

I am your friend & Brother
James Barbour

COURTESY OF THE FIVE CIVILIZED TRIBES MUSEUM

THOMAS L. McKENNEY TO OPOTHLE YOHOLLO
12 APRIL 1826

Single Folio Folded in Half (Two Leaves)
Leaf Dimensions 18.7 x 23.1 cm

1st Leaf (recto)

Department of War	01	
O[pot]hle Yoholo	Off: Indian Affairs	
[-----]	12th April 1826	
[Friends &] Brothers		
The Secretary of War	05	
has [-----]ed letter & is much pleased		
with [-----] Little Prince & Tuskenaha		
& s[-----] has paid great attention		
to [-----] children] & that his children		
have [-----] themselves well since they	10	
have [been -----] made by their good		
conduct -----] friends		
	Your friend & Brother	
	Thos L McKenney	14

2nd Leaf (verso)

[-----]
[-----]
to Opothle Yoholo

Watermark

W HURD NEWTON

OCFUSKE YEH-HO-LAH ET AL. TO TUSKE-HENA OF TUCABATCHE 24 APRIL 1826

Single Folio Folded in Half (Two Leaves)
Leaf Dimensions 20.6 x 31.5 cm

1st Leaf (recto)

April 24th 1826

Tus ke-hena of Tuca batche
I send you some talk by
Me co-Chate -- I wish you to let me know how much
I am indebted to you, when the washington Chiefs
come home & I will pay you -- I think I owe
you six hundred & eighty four dollars -- Let me know
if I am Correct -- I think I am indebted to the
Indians on the Chata hu chee -- tell me how much
-- I am indebted to Tus te nug-ge hopoi -- Let me know
how much -- Co-sah-hopoi he thle -- Says he heard
that the Agent told you that the Chatuha chee
River Indians money was out, & that the Agent
had to take the tucka batchee money to pay
a debt which they owed -- I think the agent
did [S]o, because you very seldom take out
money & th [O]we very frequently --

Oc fus-ke X Yeh-ho-lah

Oat chess X Me-co

E-pha X Me-co

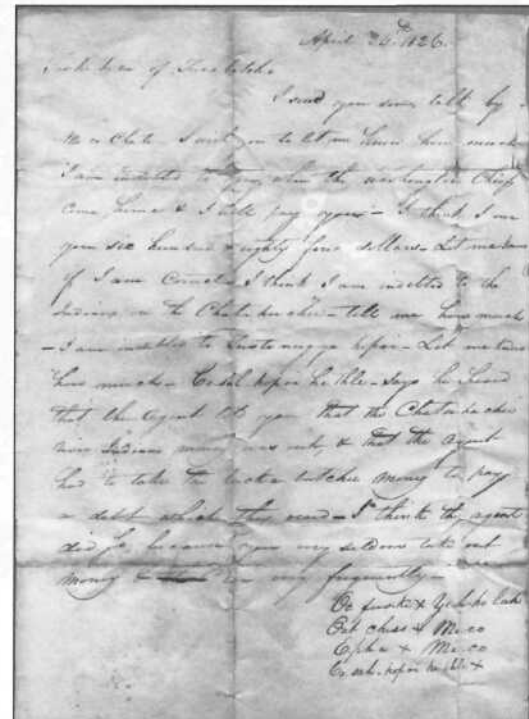
Co-sah-hopoi he thle X

01

05

15

21



COURTESY OF THE FIVE CIVILIZED TRIBES MUSEUM

2nd Leaf (verso)

Tus-ke he-ne-hah

Tuck[a] batchee

Me-co Chate

[present--]

THOMAS L. MCKENNEY TO OPOTHLE YOHOLO & OTHERS

20 MAY 1826

Single Folio Folded in Half (Two Leaves)

Leaf Dimensions 18.6 x 23.1 cm

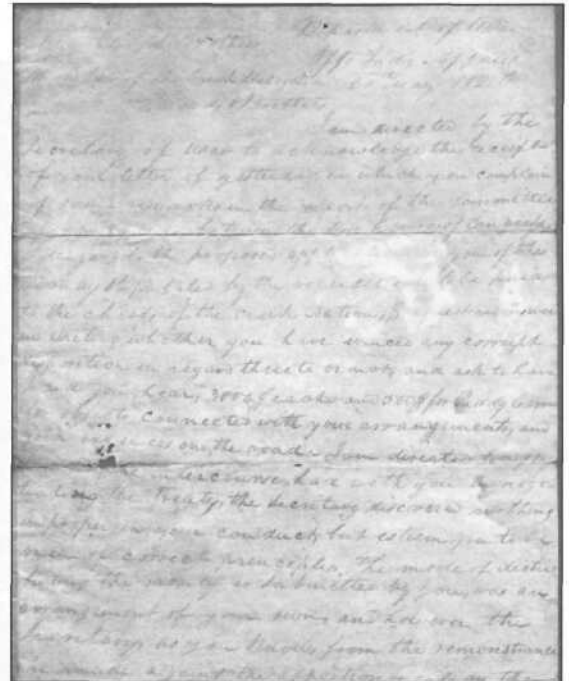
1st Leaf (recto)

Department of War 01
Opothle Yoholo & others
Off: Ind: Affairs
Members of the Creek Delegation 20th May 1826
Friends & Brothers
I am directed by the
Secretary of War to acknowledge the receipt
of your letter of yesterday, in which you complain
of some remarks in the report of the committee
of [conference] between the two houses of congress,
in regard to the proposed application, by you, of the
money stipulated by the recent treaty to be paid
to the Chiefs of the Creek Nation; [-] request an answer
in writing whether you have evinced any corrupt
disposition in regard thereto or not, and ask to have
paid you, hear [sic], 3000\$ each and 500\$ for Paddy Ca[rr]
ler objects connected with your arrangements, and
your expences [sic] on the road -- I am directed to [re]ply
[-----] [t]he intercourse had with you in nego=
tiating the treaty, the Secretary discovered nothing
improper in your conduct, but esteem [sic] you to be
men of correct principles. The mode of distri=
buting the money as submitted by you, was an
arrangement of your own, and however the
Secretary, as you know, from the remonstrance
he made against the apportionment, on the

10

20

26



COURTESY OF THE FIVE CIVILIZED TRIBES MUSEUM

Watermark

W HURD NEWTON

Single Folio Folded in Half (Two Leaves)
Leaf Dimensions 18.6 x 23.1 cm

1st Leaf (verso)

grounds that it might lead to disagreeable
consequences among your people at home,
disclosed his apprehensions on this head, yet
he considered you as acting with such a know-
ledge of the whole matter as led him to hope
after the explanations he had with you, that
the consequences he had apprehended would
not take place

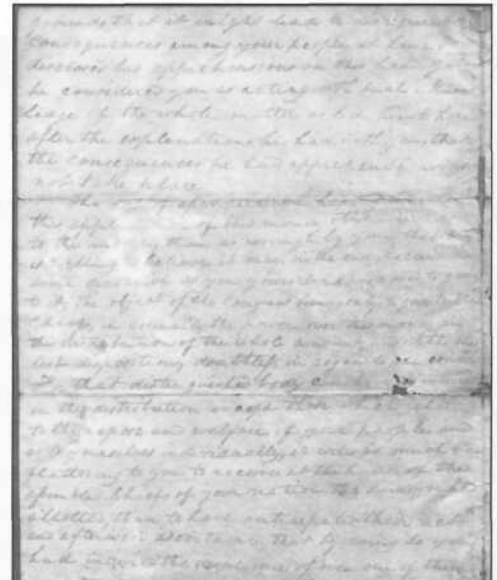
The act of appropriation having [directed]
the application of this money, otherwise, as
to the mode, than as arranged by you, the Secy
is willing to believe it may, in the end, receive the
same direction as you yourselves proposed to give
to it, the object of the Congress [sic] being, only, to give to the 40
Chiefs, in council, the power over the money in
the distribution of the whole amount, and with the
best dispositions, doubtless, in regard to all concern-
ed For that distinguished body can have [no] interest[s]
in the distribution except those which relate
to the repose and welfare of your people and
as to yourselves individually, it will be much more
flattering to you to receive at the hands of the
assembled Chiefs of your nation the sums you had
allotted, than to have anticipated their act
and afterward ascertained, that by doing so you
had incurred [sic] the displeasure [sic] of even one of them 50
52

Watermark

W HURD NEWTON

27

30



COURTESY OF THE FIVE CIVILIZED TRIBES MUSEUM

THOMAS L. MCKENNEY TO OPOTHLE YOHOLO & OTHERS

20 MAY 1826

Single Folio Folded in Half (Two Leaves)
Leaf Dimensions 18.6 x 23.1 cm

2nd Leaf (recto)

The delay may be a little inconvenient to you but th[is] you will know how to bear, it is hoped, with both temper and firmneß

The Secretary directs me to State in reply to your request to have the sums you have specified paid to you, out of the appropriation, [here] that the same act of congress which would prevent him from paying the whole of the appropriation will prevent him from paying any [pa]rt of it, except in the way which has been directed—but the means necessary for your expences [sic], on an estimate being handed in for that purpose, by the agent will be furnished out of another fund; and if your engagements are [very] pressing, Five hundred dollars to each of the [---]ee Chiefs will be paid out of the annuity -- [our] order for the same, which it is hoped may enable you to meet and Settle up your affairs to your Satisfaction

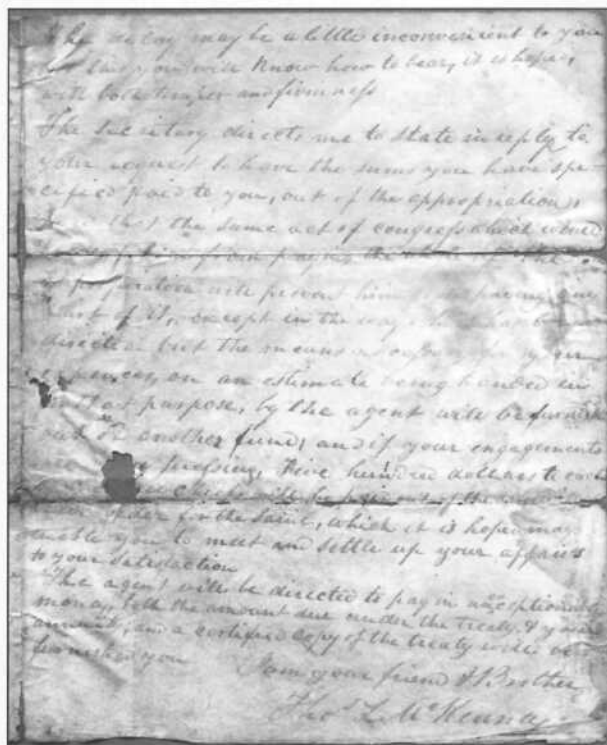
The agent will be directed to pay in unexceptionable money, both the amount due under the treaty, & your annuity; and a certified copy of the treaty will be furnished you

I am your friend & Brother
Thos L McKenney

53

60

70



COURTESY OF THE FIVE CIVILIZED TRIBES MUSEUM

77

Watermark

W HURD NEWTON

Corrections

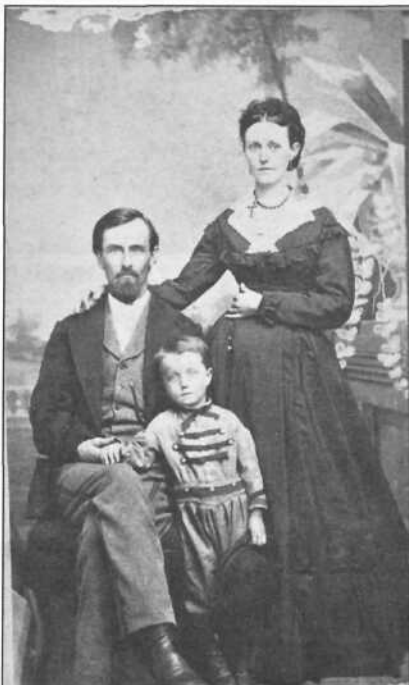
In the April edition of the The Journal, the editors regret some errors made in our publishing of "Prairie D'Ane and Poison Spring from a Southern Perspective" and the transcriptions of the William Murphy Cravens letters. The errors are ours and not the authors'.

- First, the credits on the photographs reproduced with the "Prairie D'Ane" should have been credited to Fadjo Cravens. Below you will find them printed again with the proper credits.

- Secondly, we failed to include the endnotes that accompanied the introductory essay. The principal sources used for the

essay by Joseph Frankovic, Jeremy Lynch, Julie Northrip, and Sam Trisler were *With Fire and Sword* by Thomas DeBlack, the *Official Record of the War of the Rebellion* and the *Civil War Diary of Private Henry Strong*, edited by Tom Wing. To read the essay with end notes, simply go to <http://www.fortsmithhistory.com/archive/May2007/PrairieLets.html>.

In one of the omitted notes, the authors expressed appreciation to Fadjo Cravens for allowing access to the letters of his great-grandfather William Murphy Cravens and for granting permission to publish them. We regret the errors and omissions and also wish to extend our thanks to Mr. Cravens.



Lieutenant William Murphy Cravens is shown with his wife, Mary E. Rutherford Cravens, and his son in 1870.

Camp Wood Lake
14 miles west of Cambridge
Sept. 19th 1864

My darling I have cause this
morning to think you that I am
safe after another fight and that
in that fight you gave me a
decisive victory. We fought a
party yesterday of three thousand
Yankees pursuing a train of about
275 wagons we whipped them
badly and captured the entire train
we found about 200 wagons with
all mule teams harnessed up
and loaded with corn and bacon
which they had stolen in the
country. We fought one African
Regt. and I got me a lovely boy
about 15 years old. I gave him
to a Christian man to keep when
the fight was over he told me the

boy was a white man about
four years old.

The man who was taken
from the train is waiting and
I only write to tell you of our
victory and that I am safe
and that is the thickest of the
fight I am not going to leave
my dear suffering angel.
I love my sweetest but God
help you for a long
your Ellen

ALL IMAGES COURTESY OF FADJO CRAVENS

Judge Isaac C. Parker:

The Legacy of Fairness and Racial Cooperation in His Court

Introduction by Angela Y. Walton-Raji

Congressional Record Transcribed by Tonia Holleman



Judge Isaac C. Parker was interviewed in June 1884 about the jurisdiction of his court, the kinds of cases over which he presided, and the composition of the juries that sat in on those cases.

THE LIBRARY OF CONGRESS

Q. How are your juries selected?

A. "The names of jurors are put into a box, so many from each county, in proportion to the population of the county, and they are selected regardless of politics, race, qualification or previous condition of servitude."

Q. Were the juries composed of colored and white men?

A. Yes, sir; and in all the time I have served here I

have never seen any manifestation of race prejudice."

Source: 49th Congress 2nd Session, Report 1278, "Condition of Certain Indian Tribes." June 4, 1885

A little known in-depth interview with Judge Isaac C. Parker was discovered recently in the records of the second session of the 49th Congress of the

United States. This interview, made in the mid-1880s, provides some insight into the community of the city of Fort Smith, and the composition of the juries and the nature of the cases that came into the court.

Judge Isaac C. Parker was interviewed in June 1884. A number of issues had been brought to the attention of the United States Congress in the 1880s, particularly pertaining to the various tribes that occupied the Indian Territory. As part of an investigation of affairs in the Territory, Judge Isaac C. Parker was questioned about the jurisdiction of his court, the kinds of cases, and the composition of the juries that sat in on cases heard in his court. Many of the questions presented to Judge Parker pertain to Indian-white relations. However, there were several references to Negroes in the Fort Smith vicinity as well as from the Territory, and the interview reveals a climate of racial tolerance, and cooperation, not often spoken about, nor widely known in the city's history. It also uniquely reflected a sentiment rarely seen in 19th century communities. This is consistent with the climate fostered during the Parker years, and also reflected in his policies of law enforcement, and appointment of U.S. deputy marshals.

This particular interview occurred in 1885 and was made part of the official Congressional Record to illustrate how the law was applied in the Western District Court of Arkansas. Beyond questions pertaining to the selection of the juries were also questions pertaining to the treatment of prisoners, of participation of all races in his court, and whether or not his court acted appropriately in the decision to hear a case. The congressional document also devotes attention pertaining to the penalty applied to those receiving guilty verdicts. As expected, there were many questions regarding executions and how they were applied. It is revealed that occasionally there were cases where the president commuted four or five sentences each year.

Submitted as part of this Report 1278 was a letter written earlier by Judge Parker to Washington pertaining to convicts. The letter provides a glimpse into the mindset of Parker, who presents himself as a judge who had the interest of the community at heart and who saw himself as contributing to their reform. One of his concerns was the effect that a sentence had on the future behavior of the inmate after serving time.

He stated, "The object of punishment is to revive

that, in some case, almost extinct spark; to lift the man up, to stamp out his bad nature, and wicked disposition, that his better and God-given traits may assert themselves and govern and direct him, that he becomes a good citizen, of use to himself and his fellow citizens."

He later points out that he did occasionally receive visits from former prisoners sentenced out of his court. "These men have come on their way home by Fort Smith to see me, as they said and thank me for having sent them there; that it had made men out of them; that they learned there from the teachings of the good men and women who visited them what they never knew before. I have been touched by these examples of apparent sincere reform." The "typical" prisoner is illustrated by Parker in his letter to Congress, and he points out that many were youthful offenders, "Boys whose character is not yet formed."

The significance of this document taken from the Congressional record should not be ignored. The document follows in its entirety, and it provides more depth to what is known about Judge Isaac C. Parker, the man, his thoughts, his court and the community that he served.

EDITOR'S NOTE: The following text was transcribed exactly as it appeared in its original form. Most anachronisms of spelling, style and punctuation were retained. A very limited number of edits, especially in regard to comma usage, were made for the purpose of giving the text greater clarity.

The Testimony

49th Congress, 1st Session

Testimony of Judge Isaac C. Parker.

FORT SMITH, ARK, June 4, 1885.

Judge ISAAC C. PARKER sworn and examined.

By the CHAIRMAN:

Q. What is your full name?

A. Isaac C. Parker.

Q. You are the judge of this district?

A. Yes, sir.

Q. How long have you been judge of this district?

A. I have been judge of this district since the 24th day of March, 1875. My commission was dated on that day.

Q. Did you reside here before you were appointed the judge of this court?

A. No, sir.

Q. What was your residence before that time?

A. My residence before that was at Saint Joseph, Mo. I was a member of Congress for four years, and at the end of the Forty-third Congress, at the close of the last session of that Congress, in 1875, I was appointed the judge of this court.

Q. Did you have something to do with the Indian question while in Congress?

A. Yes, sir. In 1871, at the request of the people I represented, I introduced a bill to organize the Territory. I carried it through the committee and it was reported favorably from the committee in the Forty-third Congress I was a member of the Committee on Appropriations and I gave a great deal of time to the Indian appropriation bill. At that time President Grant asked me to take charge of this court here, because he was satisfied I had some knowledge of Indian affairs. He thought it better to have some lawyer come here who had some knowledge of their affairs. This district is composed of eighteen counties in the State of Arkansas. Since the act of Congress of the 6th day of January, 1883, it comprises the five civilized tribes of the Indian Territory; before that date it embraced the whole Territory, including the wild tribes.

Q. What portion of the business of the court comes from the Indian Territory?

A. Do you mean the criminal business?

The CHAIRMAN. Yes, sir.

The WITNESS. Well, I would say at least seven-eighths, if not more.

Q. Is there much civil business before the court?

A. None at all, except cases brought by the Government upon the defaulting officials, and occasionally a suit upon a trader's bond and sometimes upon the bond of a postmaster.

Q. What portion of the business is criminal cases?

A. I have said that seven-eighths of it was criminal business. That is, of course, making a rough estimate.

Q. Do you agree with the attorney who testified

here about the number of days you held court?

A. I do not know what his testimony was, but I think the court for active business is open all the time, and I will explain the reason. It is kept open two hundred and sixty or two hundred and seventy-five days each year. There is a great deal of civil business submitted to the judge without a jury, and some parties submit their cases with a jury. Our order of business is to dispose of criminal cases first, and we do that because every man is entitled to a speedy trial, and it is also done to avoid expense to the Government. There is always a large number of witnesses on hand, and then we have a jury. During that time we set apart special days for civil cases. Then we proceed with jury cases. In civil cases,

no witnesses are kept here at the expense of the United States Government.

Q. Do you reside here?

A. Yes, sir; I live here in this town.

Q. Most of the attorneys live here?

A. Yes, sir; a majority of the attorneys live here or in the district. Where attorneys are absent they are communicated with by the court regarding the cases they are interested in, and the cases are fixed to suit them.

Q. A large number of cases are submitted to the court without jury

A. Yes, sir.

Q. Do you keep the witnesses in attendance to accommodate the bar?

A. No, sir; we discharge them as rapidly as we can.

Q. What is the character of the offenses you try here?

A. Of course, you will understand that the criminal law extended over that country is limited as to the number of offenses — murder, manslaughter, assault with intent to kill, larceny, arson, and violation of the intercourse law by the introduction of liquor and the sale of liquor without license.

Q. In the case of an offense of a white man on an Indian, or vice versa, does this court have jurisdiction?

"Our order of business is to dispose of criminal cases first, and we do that because every man is entitled to a speedy trial, and it is also done to avoid expense to the Government. There is always a large number of witnesses on hand, and then we have a jury."

— Judge Isaac C. Parker

A. Yes, sir; I have held that in such cases this court had jurisdiction, and I have held that the law applies to colored people as well as white men. In cases between Indians this court has no jurisdiction whatever.

Q. In cases between Indians this court has no jurisdiction?

A. No, sir; in cases between Indians we have no jurisdiction whatever. Those cases are looked after by the local Indian courts. In the case before the United States Supreme Court of the United States vs. Rogers at Little Rock, Ark., it was held that a white man who had arrived at the age of majority, who goes into the Cherokee Nation and marries an Indian, that would give him tribal rights, but he would still remain under the jurisdiction of the United States.

Q. Would he not have the privilege of being tried in their court?

A. I think not. It was held that the Indians had no power to adopt a citizen of the United States, so far as to extradite a man and take him from under the jurisdiction of the laws of the United States.

Q. In this case was it held that the Indian authorities could not by their own laws bring him within their jurisdiction?

A. No, sir; this was the case of the United States against Rogers. It was held in the case that if a white man committed a crime there upon one of the Indians, or one of the Indians committed a crime on a white man, the case must be brought to this court. As far as his tribal relations are concerned, the local courts prescribe what rights he shall have the same as they would adopt in regard to any other citizen; but I have never been in attendance on their courts. I have never been fifteen miles into the country, and I have no actual knowledge of the proceedings of their courts.

Q. Of the people you sentence for the commission of crime you think seven-eighths come from the Indian Territory?

A. Yes, sir. Well, I think the colored people and white people would be in excess of the ratio of Indians, but the great body of criminal business here is furnished from the Indian Territory. The State criminal business is very small. We have internal-revenue violations and cases of that kind.

Q. Your juries are selected from the State?

A. Of course. The law of the United States requires that a man must be a citizen of the United States and a resident of the district and a qualified

elector of some county in the district.

Q. How are your juries selected?

A. The law provides for two commissioners; one shall be the clerk of the court and the other of the opposite political party from the clerk of the court. The names of the jurors are put into a box, so many from each county, in proportion to the population of the county, and they are selected regardless of politics, race, qualification, or previous condition of servitude. I was a judge in Missouri 27 years ago. I served in court as a lawyer and judge, and I never saw a better class of jurymen than I have here now, and they try to do their duty and avoid all feeling of race prejudice.

Q. Were the juries composed of colored and white men?

A. Yes, sir; and in all the time I have served here I have never seen any manifestation of race prejudice.

Q. Are the white and colored jurors harmonious?

A. Yes, sir. In cases where the case has been submitted by the court, they have been kept together sometimes. They have been together two and three days. They have remained together in the same room and discussed the cases in perfect harmony and good feeling.

Q. Do you keep the jury exclusively to themselves in capital cases?

A. No, sir; I do not think it is done in any part of this country. If I had a court-house with a room in which I could lodge them, it would be best.

Mr. MORGAN - In the Southern States a juror is permitted to have no conversation with anybody except the officers of the court who have the jury in charge.

The CHAIRMAN. Is that done in any except capital cases?

Mr. MORGAN. No, sir.

By the CHAIRMAN:

Q. Your jury-room is the old soldiers' barracks?

A. Yes, sir.

Q. And your jail is now in the basement of this court, which was formerly used as cooking and dining establishment for the soldiers?

A. Yes, sir.

Q. How much below the surface of the ground is the bottom of it?

A. I don't know. I think it is four feet. There has been a less percentage of disease and sickness in the ten years that I have been here than any prison

I know. Sickness and disease are kept away by the sanitary regulations that we enforce here. Of course the jail is unsuitable in many respects. We have only two rooms for the prisoners, where they are confined regardless of the offenses they commit. There should be more space, so that those who are imprisoned upon the charge of committing different offenses could be kept separate. It is a center of crime, for young criminals. They are thrown in contact with old criminals, and they learn many things that they would not learn if kept separate.

By Mr. MORGAN:

Q. Don't you think that many conspiracies to commit crime are commenced here in this jail?

A. Yes, sir; I suppose that is the case. Attempts have been made to get witnesses from the jail to swear each other out of imprisonment, but they have not succeeded,

Q. When you have a man from the Territory who cannot speak English, how do you manage things?

A. In a case of that kind we, of course, have interpreters.

Q. In taking your jury then from the State you never have any danger, because those who cannot speak the English language are not selected to serve on the jury?

A. O, no, sir; of course not.

Q. So the cases of persons who cannot speak the English language are confined to the prisoner and the witnesses?

A. Yes, sir.

Q. Do you ever have anybody from the Territory to defend these men?

A. Yes, sir; sometimes attorneys come with them, and they are generally assisted by white attorneys.

Q. Is there any method in the Territory of educating attorneys for the bar?

A. Well, I think they get their classical education outside of the Territory. There is not that standard in the Territory that they should have.

Q. Do these attorneys from the Territory conduct their cases with propriety?

A. Yes, sir.

Q. Do they have due regard for the administration

of justice?

A. Yes, sir.

Q. Do they have the same regard as anybody else?

A. Yes, sir.

Q. How do the criminals, as a rule, take the administration of justice?

A. Our guard system under the marshals is perfect. I have been here 10 years and I have never had but one demonstration. That was in the case of a prisoner who sprung from the floor to my desk. I think his effort was to make an escape through the big window at my back. I caught him by the collar and stopped him.

Q. What offense had he been indicted for?

A. Murder.

Q. Do you have many murder cases?

A. Yes, sir.

Q. How many during the year?

A. Well, I would say they would average—that is, making a rough estimate—18 or 20 cases in the year.

Q. You inflict the extreme penalty of the law upon murderers?

A. Yes, sir.

Q. Where are your executions held?

A. They are held in the jail yard.

Q. Are they public or private?

A. We hold private executions.

Q. How long have they been private?

A. They have been so eight or nine years.

Q. Does the President sometimes commute?

A. Yes, sir. The President sometimes commutes four or five prisoners each year.

Q. Do you have any knowledge of the conduct of criminals from the Territory after they have served out their sentence at Detroit?

A. Yes, sir; I have now in my possession a copy of a letter I wrote to the Attorney-General on that subject. I think the effects of a sentence as a rule are highly salutary.

Q. To what prison do you send them?

A. We send them to Detroit, Mich. The Attorney-General designates the place of imprisonment, and

"We have only two rooms for the prisoners, where they are confined regardless of the offenses they commit. There should be more space, so that those who are imprisoned upon the charge of committing different offenses could be kept separate."

— Judge Isaac C. Parker

the court has to comply with that designation. The Government has made the designation of the Detroit House of Corrections, and that has been designated for the prisoners of this court.

Q. You spoke of a letter you had written to the Attorney upon this subject of sending prisoners from this court. You can make that a part of the testimony.

A. Well, Mr. Senator, I will read that letter.

The CHAIRMAN. Very well.

The WITNESS reads the letter, which is as follows:

FORT SMITH, May 22, 1885.

Hon. A. H. GARLAND,

Attorney General:

SIR: I have received your letter of April 20, with inclosures, relating to sending convicts from my court to the penitentiary at Little Rock, as well as yours of the 19th inst., bearing on the same subject. I should have answered your letter of the 20th ult. sooner, but pressing business in court caused me to lay it aside. Be assured that my delay is caused by no disrespect to you.

I regard the subject of your letter as one of the first importance, because it is one in which is involved the public good, to some extent at least, as well as the great principle of humanity that by the mandate of duty we must observe toward even the meanest of God's creatures. The whole system of punishment is based upon the idea of reform, or it is worse than nothing. More than this, if there is no reform in it, it becomes criminal. Courts and governments can view it in no other light. Now, you will permit me to say that, having to sentence so many men to imprisonment, I several years ago quietly but quite thoroughly investigated the different places of imprisonment throughout the country, and to my regret I find that the idea of reform has but little to do with the manner of conducting the most of them. They are run on the purely speculative principle of getting the most dollars and cents out of the transaction by those who conduct them, be they the States or lessees under the States. In all my investigations I have found but two prisons in the whole West and South that I regard as fit places to send prisoners to — one at Chester, Ill., the other, and the best one by all odds, the house of correction at Detroit. The Government cannot afford in its consideration of the place of punishment of its prisoners to consider alone the cost of the same. This must not be the primary consideration. First must be

considered the good of the man sentenced, for in this way only can be cured the diseased member of society. I have in the last 10 years sentenced to prison hundreds of men, and when I sat and looked in the faces of these men the impression filled my mind that not one of them, no matter how depraved, had entirely lost that better part of human nature which makes a man a good citizen and a friend — sparks of which linger in the nature of the worst and most depraved culprit who ever paid the penalty of the law for his crime.

The object of punishment is to revive that, in some cases, almost a extinct spark; to lift the man up, to stamp out his bad nature and wicked disposition, that his better and God-given traits may assert themselves, and to govern and direct him, that he becomes a good citizen, of use to himself and to his fellow citizens. This cannot be done at prisons conducted upon the principle of the one at Little Rock. The Government should have its own prisons, and be otherwise directly responsible for the treatment of its prisoners. But as it does not have them, at any cost it should ascertain the very best state in local institutions of this kind, and send its prisoners there, no matter where the prison may be. It is not a matter of State pride or local benefit, but a matter of high, solemn duty, which has governed me in my investigations of this matter. The house of correction at Detroit is conducted on humane principles. The discipline is regular. The food is plentiful and healthy. The clothing comfortable and good. The moral influences thrown around the prisoners are the best that can be held out to men under restraint. Prisoners have the benefit of at least a limited education there. Lectures are delivered to them once or twice a week. Two evenings in the week they have school, where they are taught the elements of an education. I have sent there many—many men who could neither read nor write—who have come back able to read pretty well, to write a good letter, and who have some knowledge of arithmetic. These men have come on their way home by Fort Smith to see me, as they said, and thank me for having sent them there; that it had made men out of them; that they learned there from the teachings of the good men and women who visited them what they never knew before. I have been touched by these examples of apparent sincere reform. I knew at heart these men were better than when they went to the house of correction. The most of the men sent to prison in my court are young men— boys whose character is not yet unformed—

whose moral traits had not yet become sufficiently strong to dominate the mind. These criminals are largely criminals from surrounding circumstances. Change the circumstances, hold out to them an inducement to reform, and there are but few of them who will not avail themselves of it, and at heart make an effort in the right direction. The want of proper training, ignorance, bad associates, and bad advice, in my experience with this kind of people, has more to do with making these men criminals than natural wickedness and depravity. Among the hundreds whom I have sent to Detroit, there cannot be found one who has ever complained of mistreatment. On the contrary, they all say they have been treated well. Several years ago I used to, under the order of the Attorney-General, send prisoners to Little Rock, and I never knew of one, and I never heard of one, who did not complain of mistreatment,

When the penitentiary at Little Rock can present the evidences of efforts at reform that are exerted in behalf of prisoners at Detroit I will gladly recommend their imprisonment there. But under the system by which that prison, as well as many others in the country, is governed there is no reform in it, but, on the contrary, men come from it more hardened and more desperate, and feeling more bitter hatred of society and its laws, than when they went there. I say nothing of the men who are conducting it. I have no doubt they are good men. It is the system I write of. Now, a word as to the matter of expense. Under the proposition submitted by the people who run the Little Rock penitentiary the only difference in the expense between it and Detroit is in the matter of transportation. To enable you to see what this difference is I submit a showing made by the records of my court since June 1, 1884. From then to the present time I have sent to Detroit 172 prisoners, at an average expense of \$42.15 for transporting them. The same prisoners could have been taken to Little Rock at an average expense of \$24.26. Additional expense of transportation to Detroit per head, \$17.50.

Total for sending 172 men to Detroit	\$7,250.22
Total for sending same to Little Rock	4,225.00
Difference	3,025.22

It costs more per man in proportion to the distance to take him to Little Rock than to take him to Detroit; this is caused by the fact that under the law the marshal

gets 10 cents per mile more each way for transporting a prisoner to the prison in the State where the court is held than when he takes him to a prison outside the State. It is true that a small amount of money is saved by sending the prisoners to Little Rock. But this is not the only, nor the principal, consideration actuating those in authority. Some years ago I sent men to Little Rock who were sentenced for not more than one year, and the dread and horror of the prison became so great among prisoners that they would ask to be permitted to go before the grand jury and plead guilty to some other crime, so they could get their punishment above one year and go to Detroit. You make the order now for the prisoners to go to Little Rock and I believe the jurors in my court would hesitate long before they would convict in many cases where they should convict, as the aversion among the people here to the prison at Little Rock is quite as strong as it is among those who are convicted of crime. The order to send to Little Rock cannot be justified on the ground that \$3,000 per year will be saved thereby. I do not consider there is anything reformatory in that penitentiary. The only thing it does is to prevent men from committing crime while they are confined there. In behalf of humanity I hope you will let the order stand which designates Detroit as the place of imprisonment for criminals sentenced in my court. I have written at length and with candor, because I feel a deep interest in the matter. As you know, a great many men are sentenced by me, and when I am performing this disagreeable duty I dread to feel that they are being injured rather than benefited by such sentence.

Very truly, your most obedient, &c.,

I. C. PARKER.

By the CHAIRMAN:

Q. Are not most of the witnesses from the Territory Indians?

A. Yes, sir.

Q. Are these witnesses from the Territory who have a knowledge of the crimes that have been committed intelligent upon the witness stand?

A. Yes, sir; most of their leading men come here as witnesses.

Q. Do you have females who come here as witnesses and who are examined in the witness box?

A. Yes, sir.

Q. How do they compare with the male witnesses in point of intelligence?

A. There is about the same average between the

males and females; probably the females don't, as a rule, average as high as the males.

Q. Do you find that the Indian witnesses, as a rule, are as reliable as the white witnesses?

A. Yes, sir; I think they are just as reliable as the white witnesses.

Q. Do you know how it is among the wild tribes — the Cheyennes and Arrapahoes, for instance?

A. I do not know that we have had any Indian who told anything else but the truth. I think they don't know anything but the truth. I think that through the interpreter they give a clean statement, devoid of anything but the facts.

Q. Do you think they are more biased by outside influence than other witnesses?

A. Yes, sir.

Q. Have the Indians any knowledge of the solemnity of the oath?

A. Yes, sir; I think they are religiously inclined. They have a great deal of veneration for religion and are generally disposed to be a religious people.

Q. Is it the public sentiment of the Indians and their desire to have crime suppressed?

A. Yes, sir; the better class of people are in favor of suppressing crime. They are divided into two classes, the law-abiding class and the criminal class. The Indian, as a rule, desires to see the laws of the United States enforced; and I would like to remark that in my judgment that their mingling with the people from the United States has made a remarkable improvement in that respect. All the Indians are disposed to hold up the arms of this court and to help this court in punishing crimes and carrying out the rules of justice. I can give you an illustration of that. A man named French was shot by some Indians. He was an adopted citizen. The chief was doubtful as to the jurisdiction. I caused a copy of the Supreme Court rulings to be sent to him and he promptly sent the man down here.

Q. Is that true of all the civilized tribes?

A. Yes, sir; it is true of all of the civilized tribes. Their leading men evince a desire to see the law enforced and to enforce the law in the courts to its full

extent.

Q. They have no system by which refugees from the States can be taken out of the Territory?

A. No, sir; that was reviewed in this court in the case of *The United States vs. Morgan*. Young Morgan was accused of shooting a man on the border. The United States Government issued a requisition, but in examining the law I could not discover that it was one thing or the other. I did not find that there was any law to require him to be delivered up. A law of that kind is very much needed. It can be the subject of law under the clause of the Constitution regulating intercourse with the Indians. It is much more needed by the States than by the Indians, because it is rare that an Indian

leaves his people, though he is charged with crime.

Q. Do these border States desire a thing of that sort?

A. Yes, sir.

Q. Have they made any representation of their need to the United States authorities?

A. I think not.

Q. Do you know of any sentiment hostile to the United States court here?

A. Of course there is a sentiment made up of the criminal class in the Territory. My judgment is, it is confined entirely to the criminal class; but I think that this court here has had a very great influence over the people

in that country. They have an exaggerated idea of the powers of this court and it is well that they continue to have it.

Q. What do you think as to the extension of the laws of the United States over the Indians in regard to crimes committed between themselves, with the exception of those committed by the Indians in the Five Civilized Tribes? Would it be a good thing to extend this law over the five tribes?

A. I don't think it would be a good idea to extend it over the five tribes. I think I would [reserve] those matters to their local courts; but I think the United States Government should sustain them in their court. The United States should sustain their judges, head-officers, sheriffs, and men of that kind, because I think that they, as far as my observation goes, are disposed

"I do not know that we have had any Indian who told anything else but the truth. I think they don't know anything but the truth. I think that through the interpreter they give a clean statement, devoid of anything but the facts."

— Judge Isaac C. Parker

to do everything they can to enforce the law; but there are many things to contend with there that a person not familiar with the country cannot understand. That is the difficulty, to get men to stand up as witnesses.

Q. Are they improving?

A. Yes, sir; I think so. I would encourage them; and I think they have been encouraged by the example of the court here. The enforcement of the law here has been vigorous, and will continue to be so as long as I am here. It has lifted them up and encouraged them to do the same thing.

Q. Is it your observation that those tribes are advancing in civilization?

A. Yes, sir.

Q. And in material prosperity?

A. Yes, sir.

Q. They are becoming more enterprising?

A. Yes, sir; and they are evincing more desire to accept civilization.

Q. Are there any special obstacles to that advance?

A. The influence of the bad white men in there — I don't mean the men who are there properly, but I mean the intruders — they lead their young men into crime.

Q. Is that class increasing?

A. Of course it is increasing largely over old times. If the intercourse provision of the treaty was enforced vigorously by the surrounding States crime in this court would decrease one-third. These criminals don't stay long in one place unless it is where they can be harbored by other criminals.

Q. Do you know anything about their schools?

A. Only from general knowledge.

Q. Do you know anything about their progress in the care of their crops and in agricultural pursuits?

A. Their crops are increasing.

Q. Do they live better than they used to?

A. Yes, sir; I think so. Their homes are improving; they have agricultural societies and agricultural fairs.

Q. How about their personal industry?

A. They are not remarkable for that.

Q. This improvement is somewhat attributed to their getting in industrious white people, is it not?

A. Yes, sir; I think so. The intermarriages are increasing all the time, and the class of men who marry there are of a higher order than those who went in there formerly. I think that is one way by which this problem is to be solved.

Q. They are gradually being taken up and are assimilating?

A. Yes, sir.

Q. And improved by the process?

A. Yes, sir.

Q. I understand that your jurisdiction, so far as the Indian Territory is concerned, is taken up entirely upon the question whether the person proceeded against is a citizen of an Indian tribe or not?

A. Yes, sir; the person must be a citizen of the United States.

Q. You consider a party a jurisdictional citizen if he is not an Indian by blood?

A. That applies to all the tribes except the Choctaws. By the language of their treaty, the party becomes an Indian by marriage to the full extent of that term. If a man intermarries there, he goes beyond our jurisdiction. They passed a law that if he marries out of the country again he ceases to be a citizen of their nation.

Q. In the construction of a treaty or any other law you have to enforce, you regard the Constitution of the United States as being in force in the Territory?

A. I have held time and time again that the common law is in force there, especially upon black men's marriages. I would like to say that there is no positive law there governing the marriage of white people, and in the interest of good morals there should be.

Q. You regard the Constitution of the United States as being in force in the Territory?

A. Yes, sir; that is the supreme law there as it is everywhere else.

Q. But you don't regard the local courts as being in any sense under your control?

A. No, sir; except in this way: If a citizen of the United States should be tried there and convicted of crime, I have held upon a writ of habeas corpus that I could inquire into the question of jurisdiction.

Q. You have the party brought before you, and you decide the question the court has jurisdiction?

A. Yes, sir; I issue the writ and the man is produced, and if I find there is no such jurisdiction, I order his discharge.

Q. And they recognize your authority?

A. They have never yet refused to obey the writ.

Q. In case of a refusal there to produce the prisoner or execute the order, what then would you do?

A. I would hold the party in contempt and arrest him for contempt, no matter who it was.

Q. Even the chief?

A. Yes, sir; upon the ground that he is amenable to the laws of the United States. Where the treaty-making power has not ceded to them the right of local government it is still in the Government of the United States. Where the States did not cede their power to the United States they have it still. If a State officer should put himself in contempt, I would treat him as I would an Indian officer.

Q. Suppose you were aware of the fact that the chief of the Choctaw Nation had condemned to death a citizen of the United States without trial, could you issue a writ and examine into the case?

A. Yes, sir; I have done it. A case was brought here upon a writ, and I found that the Indian authorities had proper jurisdiction, and I remanded him. The same man is here now for larceny.

Q. Do you ever have occasion to examine into rights of property arising under the laws of the Indian country?

A. Not directly.

Q. I mean the property rights of the nation?

A. Oh, yes, sir. A case came up once upon a statute in the matter of cutting timber upon the public land. It was *The United States v. Ross*. The question as whether this land came under the land laws of the United States. I decided that the proprietorship had passed out of the United States, and they had only a possibility of reversion.

Q. Do the laws of the Indian Territory define personal property clearly?

A. Oh, yes, sir; they have statutes. The Cherokee statutes and constitution are quite thorough upon this question.

Q. Do you as a judge enforce those laws?

A. I have had no direct occasion to do that. In the case of larceny the crime is so well defined by the general law that I have never looked at their laws to get their definition. I have had no occasion to look into that.

Q. The laws of inheritance, descent, &c., don't come before you?

A. Except incidentally. To determine, for instance, as to who the real owner is in a case of larceny.

Q. So you give no such attention to the Indian statutes as the United States circuit and district judges are required to give to the local laws of the different States?

A. Those laws, in defining the right of inheritance and property by descent of course would govern me.

For instance, a man is charged with being the owner of property that has been stolen. He may have gotten the property by inheritance.

Q. You have then to consider that law and determine what it is. The United States statutes and Constitution are in force in the Indian country indirectly in that way. The Government of the United States can not exercise its judicial powers in the Indian Territory without on some occasion putting in force their laws?

A. Yes, sir; the Government of the United States is using Indian law for the government of the Indian people to that extent; the courts recognize their laws of property as fully as in the States. It would be impossible to concede legally that the Indian tribes have any judicial power in their own country that rises above the United States laws.

Q. That seems to make a short step to inducting those people into citizenship?

A. I think it is easy of solution, and they will take it earlier than we can think.

Q. After looking over the condition of the real estate in the Territory, it being the property of the tribe as such, their laws permit also occupancy, by which there is a segregation of the common property?

A. Yes, sir.

Q. Do you think the Constitution of the United States would protect a man against a violent expulsion from a homestead he owns in the Indian country, provided that expulsion was justified or admitted to be just?

A. I don't think it would.

Q. Take a criminal case. A man is defending his homestead and family circle and door-sill, and in such a defense he exercises the right of self-defense until death ensues. The party is a white man, and that brings the case before you, and you would have to decide whether that man was protecting his property, family circle, and door-sill; that man had held that property for twenty years, and was armed with power to expel the Indian. Don't you think the Constitution of the United States would step in and guarantee him the rights of property?

A. To the extent of the right of defense against an act of violence the Constitution would step in, but not so as to give him a title; but he being there with his family, possibly the matter of the Constitution is there to protect him against unwarranted violence.

Q. As I understand it, the Indian is growing -up

into a fixed ownership, in the land he is permitted to occupy in that country which it is not likely the courts will disturb?

A. Yes, sir; that is a very important question for the Indian and with all their efforts to prevent their property from becoming individual property, their system has fastened individual ownership upon the land in spite of Indian and United States laws.

Q. Do you think the lawyers of the Territory, men educated there, and practicing law there, have any broad comprehension of the great questions involved in their situation?

A. No, sir; except an occasional attorney, who has assisted them, and goes to Washington, and has become familiar there. The main body of lawyers is scarcely up to this point.

Q. What do you think of these intermarriages?

A. My observation is that they are beneficial. Among the better class of Indians there is a disposition to educate their daughters, and they readily contract marriage with white men. It seems to be a pleasant and generous way to destroy race prejudices, and the Indian people are to be absorbed in that way.

Q. It is a rapid process?

A. Yes, sir; their laws are very rigid as to permits to marry. The party has to be recommended by 12 responsible citizens that he is a man of good character and habits, who would make a proper person to live amongst them; then the license is issued, and the minister marries them. They have with great wisdom sought to hedge around their marriage system so they will be benefited rather than injured by intermarriage. Before these laws were enacted men went in there and married, and abused their women, and skipped off.

Q. Have you any jurisdiction of public morals, adultery, fornication, &c.?

A. No, sir.

Q. You have no means of knowing whether the social evils are on the increase or not?

A. No, sir.

Q. What sort of crimes are women brought here for?

A. Belle Starr, formerly the wife of one of the James gang, she married Sam Starr, and induced him to steal horses. She was brought here and convicted and sent to the penitentiary. She has all the accomplishments of a highway man. She is now in the Territory. She served out three terms. She is suspected of being engaged in this robbery of the Creek treasury.

Q. Judge, you have a good deal of acquaintance with the educated ladies of the five tribes, have you not?

A. Yes, sir; and as far as my observation goes, they take rank with ladies of intelligence everywhere. Considering the surroundings they have made more progress than women elsewhere.

Q. Those women must exercise a powerful influence for good?

A. They do

Q. It would be almost impossible to conceive that a nation could lower its standard of morality under the influence of such people?

A. It could not be; their standard of morality is increasing every year. You may take their educated and accomplished ladies and put them with white ladies of the same character, and you would never notice a distinction.

Q. I will take the average men who come before you as witnesses from Arkansas and the Indian Territory, and I wish you would

draw a line of comparison between the intelligence of an equal number of Negroes, white men, and Indians.

A. Well, of course the nation is made up of a mixed population, white refugees from the States, Negroes, and Indians. The average of intelligence because of that would not be, perhaps, as high as we find among the witnesses from the States—that is, those who come before me. That may be on account of the class of crimes. Take the class of cases, such as violation of postal or revenue laws, the witnesses are intelligent farmers, post-office officials, &c.

Q. I wish to get your idea, from your observation

“Belle Starr, formerly the wife of one of the James gang, she married Sam Starr, and induced him to steal horses. She was brought here and convicted and sent to the penitentiary. She has all the accomplishments of a highway man. She is now in the Territory. She served out three terms. She is suspected of being engaged in this robbery of the Creek treasury.”

— Judge Isaac C. Parker

and experience, of the comparative degrees of intelligence between Indians, whites, and Negroes.

A. I think the intelligence among the Indians will compare favorably with that of the whites and colored people who come before me.

Q. Now, upon the question of commissioners in the Territory.

A. I have never appointed a commissioner in the Territory with full power to examine criminal cases. I have never appointed but one commissioner and that was Captain Peck. If we undertook to enforce the law here as it is done in the States, the law would not be enforced, and for several reasons: A large number of people in the Territory are afraid to become informers. That is evidenced by the marshal getting confidential communications from people who have been injured, begging not to make it known that they gave the information. If we undertook to enforce the law by people giving information and swearing to the information, there would be little information. That is the experience of every officer who has been connected with this court. If the law of the United States is to be enforced, these men must be permitted to give information and swear to affidavits upon which are based warrants. As stated yesterday, they go on their trips with writs prepared before they go. On the trip they gather information. That is putting into the hands of the executive officer extraordinary power. But it is necessary.

By Mr. MORGAN:

Q. It is hardly a constitutional power; the officer makes the affidavit, and upon that the warrant is issued. The Constitution is complied with, and the warrant issued after the arrest?

A. But if we take that right or power away, as I have already stated, the enforcement of the law would be a failure practically, because of the fear the people have of assassination at the hands of people who have committed crime, or their friends. We require before a writ is issued that the case shall be investigated by the district attorney, and he writes his approval upon the application for the writ. That goes to the marshal, and if there is any cause why it should not be executed he holds it, notwithstanding the approval of the district attorney. It is not good policy to trust power of that kind, to the deputies to be executed there, because of the surrounding circumstances; the deputy gives the information, and there is no district attorney or law officer there to advise him whether he has a case or

not. The marshal seeks to get men, of course, who are familiar with the laws. Applications have been made to appoint commissioners, and I have refused to do so. It would be a convenience to the witnesses and other parties to have a preliminary examination there if it could be conducted properly, and it would be a saving of expense. They are apt to exceed their power. There is one suggestion I would like to make. The penalty for larceny under the laws is only one year, no matter what the character of the case. There was a noted case at the term when Judge Clinton was here. Three parties went to the house of Watt Greyson and stole \$32,000 in gold. One of them was convicted, and he could be sent to the penitentiary for only one year. The penalty should be changed so as to leave the court a discretionary power. There are many cases where the punishment ought to be more. There should also be a law protecting the people in their religious worship. If I should shoot a man's horse, there is no law to protect him. There should be a change in the law in reference to malicious mischief.

Q. I will suggest that no man could draft a law as well as you. In reference to the matter of malicious mischief your representative, Mr. Rogers, and myself inserted such a provision in the Indian appropriation bill along side of the provision now there, but it created intense opposition on the part of the agents of the tribes, and we were forced to abandon that particular provision.

A. I was going to say that if you will give me these additional statutes, or such as the States have, and facilities for holding court, and there is no trouble in keeping the country peaceable, and the laws as well enforced as anywhere else. It is a little inconvenient for the people to come here, but they have become familiar with the jurisdiction, and with the officers of the court. The judge has become familiar with their treaty provisions and property rights.

Q. What difference would there be in having a term of this court carried over there?

A. I would beg to be excused from acting as judge. I would not care about having two charges in a case. I would, while charging the jury, have some desperate character on the outside charge me with a shot gun.

Mr. MORGAN. Mr. Chairman, I suggest that we put into this record a complete copy of the statutes of the five civilized tribes, as far as that can be had, relating to general laws.

The CHAIRMAN. Very well.

Bill and His Cub Lion

Young Boy Gets Unusual Pet When Circus Comes To Town



PHOTO COURTESY OF BILL ENGLAND

Billy England and friends look at his cub lion in front of the Goldman Hotel on Garrison Avenue in the 1930s.

By Bill England

It was winter time around the year 1936 or 1937, and things were not going well for the entertainment business, particularly the circus business.

When the Parker and Watts Circus became stranded in Fort Smith, my father took them under his wing and arranged for them to house their equipment and animals on a lot across from the coffin factory in South Fort Smith. Then he put the

permanent employees up in the Goldman Hotel for the duration of the winter. When the sun finally came out and the circus got its first job with an advance in money, they paid up their accounts in Fort Smith.

I remember going out to where the animals were kept many times and was always thrilled. One day the owner called up my dad and told him they had a gift for his son. Well, you can imagine

my surprise when they sent a cub lion in a small cage to the hotel. My dad and I met the truck in the alley between Happy Hestand's Garage [now Abilities Unlimited] and the hotel. We had two of the bellhops help us unload that beautiful, loud cat. The cage was about 2 feet by 4 feet and maybe 18 [inches] tall.

I remember one of the bellhops was the then Bell Captain, Ison Keaton, but I can't remember who the other person was. Anyway, we just about had the cage and the lion unloaded when he growled loudly.

The helper dropped his end of the cage and ran away. If Ison hadn't held on tight, we would have sure enough had bad trouble.

My father let me keep the lion in the basement of the hotel, down by the ice plant. (That's where they made the ice for all of the hotel needs. It was made in 100-pound blocks, 50 at one time. It took 24 hours to make, but then that's another story.)

I bought a dog collar and a leash, put the collar on him and took him for a walk. It wasn't easy getting that little job done. My mother put about six bandages on my arms, and she was not at all happy about any of this.

I remember going out on Garrison Avenue to start my walk and mother making me stop so she could take my picture, just me and my new pet. By the way, I forgot to tell you I had my left arm in a cast at the time; I had broken it at Peabody School. We took off down Garrison Avenue, me pulling him for a while, then him dragging me for a while.

He didn't seem to want to take a walk at that time, so we went back to the hotel.

That night was pure hell, both for me and my pet. You could hear him all over the hotel. Guests were calling my dad all night to complain of the noise. The next day we discovered that someone had told the Health Department about my pet and, sure enough, here they came.

To make a long story short, after about five days my dad called the circus owner and asked what we should do. The nice man said he would take my lion on the road with the rest of his animals, and I could visit him anytime I wanted to. I did see my lion twice after that, but I don't think he remembered me. I certainly do remember him, though.

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Hangin' Times in Fort Smith



By Jerry Akins

Three of Seven Men Hang

Jackson Crow • George Moss • Owen D. Hill

"The execution at the Federal court yard last Friday was unattended with any special incident of importance. The culprits passed rather a restless night before their death, praying and singing much of the time." Weekly Elevator May 4, 1888

On February 10, 1888, Judge Parker passed sentence of death on seven men but on April 27, 1888, only three would remain to hang. The sentence of William Alexander, the second person condemned to death for rape, would be commuted to life in prison. Dick Southerland received 20 years. Jeff Hilderbrand and Emanuel Patterson were granted a respite of 10 weeks. The Elevator predicted accurately that Hilderbrand would not live out the respite. He had been in the jail since November 14, 1885, and was in the last stages of tuberculosis. The editor felt that Hilderbrand "should be pardoned at once and allowed to go to his home and spend what little time he may remain on earth."

Jackson Crow

Jack Crow took the fall, literally, for 10 other people, at least one of whom was more guilty than he. On August 7, 1884, Charles B. Wilson was found dead on a road near Kulla Chaha in the Choctaw Nation. As Wilson was a well-known merchant, both in the Nation and in Fort Smith, his murder caused quite a stir. Wilson had been returning from an election when he was confronted by Robert Benton, Jack Crow, Peter Coinson, Ned McCaslin, John Allen, Dixon Perry, Charles Fisher, Jim Franklin, Cornelius McCurtain, Joe Jackson and John Slaughter. Benton and Wilson exchanged words over a disagreement they had had the day before the election, and Benton shot Wilson three times. Wilson fell to his knees and was wrestling with Benton when Crow shot him in the back with a rifle. The group then proceeded to bash his head with their guns. These details were brought out at the trial when Jackson and Slaughter testified as government witnesses.

All of the people involved in the crime except Crow

were Choctaw citizens. As Indian citizens committing a crime in their own tribal territory, they were not subject to the jurisdiction of the U.S. District Court. Since they were all prominent citizens, the tribal court dealt lightly with them. In the words of *The Weekly Elevator*, "hence Jack must suffer the extreme penalty of the law while they go scott free, as the Choctaw courts here long ago disposed of their cases by acquitting them." Crow, who had earned the reputation of a bad man in the territory, was classified as an Indian Negro, his father being a Creek Indian and his mother "a Negress." At the time of the crime Crow had not taken advantage of the Choctaw Nation's Freedmen's Act, which would have put him in the same position as the others, so he alone was subject to U.S. government law.

After the murder, Crow went on the scout and remained at large until the winter of 1886, during which time his cohorts succeeded in getting him registered as a Choctaw citizen. However, his name, or any variation of it, does not appear today on any Freedmen roll. In December 1886, Deputy Marshal

Charles Barnhill and his posse trailed Crow to the Poteau Mountains where his family lived. Crow would not surrender, and Barnhill continued to besiege the place until one of his feet became frozen. He then was able to get close enough to set fire to the house. Only then did Crow, for the safety of his family, surrender, and the fire was put out. When arrested, he was in possession of the murdered man's pistol.

When brought to the court, Crow argued the court had no jurisdiction, but the court declared that argument invalid since the crime occurred before he became an Indian citizen. At trial, the facts as stated previously were brought out. Crow's defense was that he had been summoned to be part of a posse by Benton to arrest Charles Wilson who, contrary to the law of the Nation, was carrying a pistol. Wilson resisted arrest, Benton shot him, and it was Coinson who shot him in the back. "Crow was a man of extraordinary nerve and will power, stubborn as a mule and non-communicative." (*Elevator* 4-27-88) During the trial, he pretended to neither speak nor understand English, and an interpreter had to translate the reading of the sentence. However, when the president refused to interfere in his case, he quickly acquired a good command of the language.

It was regrettable that none of Crow's cohorts paid along with him for the crime. But it was reported that this was probably not his first murder. Several people who had been seen with him for the last time had never been heard from again.

George Moss

"George Moss was convicted on the 17th of September last (1887) for participating in one of the most diabolical murders that ever occurred in the Indian Territory, and is the last of four men who took part in it." (More hyperbole than fact. *Elevator* 4-27-88) The murder of George Taff was indeed wanton, but "most diabolical" when compared to other diabolical crimes in the territory it was not. On November 26, 1886, Moss, Sandy Smith, Factor Jones and Dick Butler decided to kill and steal a beef steer from the range of Red River County, Choctaw Nation. Their plan was to steal the animal and kill anyone who might interfere. They carried out their plan by going to the Red River bottom and shooting a steer belonging to Taff, a prominent farmer. Unfortunately for them and the farmer, Taff was in the area tending to other stock when he heard the shot. He went to the scene and was shot. Moss' horse ran away during the shooting, the men abandoned the

beef and escaped in their separate ways, and Moss went home afoot. Taff's failure to return home caused alarm, and the next day, a search party was organized. In a short time, they found the body and found Moss' horse grazing in the bottom still wearing the saddle and bridle. Moss was arrested and informed on the other three. Moss and Smith were turned over to a deputy marshal and were brought to Fort Smith for trial. Jones and Butler were registered citizens of the Choctaw Nation and as such did not come under the jurisdiction of the U.S. court. The local citizens, knowing that the culprits would probably never be punished under tribal law, took matters into their own hands. They took the murderers to the exact spot where they had killed Taff and riddled them with bullets and left the bodies where they fell. Smith had tried to escape on the way to Fort Smith and was shot and wounded by the deputy marshal. He died of those wounds on the day of the trial, leaving only Moss to expiate his crime according to U.S. law.

Owen D. Hill

Owen Datus Hill came to grief largely because of his mother-in-law. He might never have been caught after his escape if he had not written a 15-page letter to his landlord inquiring after the condition of his wife, whose throat he had slashed. The letter, which is on file at the National Archives in Fort Worth, is marked in the upper left corner "Ex A". The letter, presumably, might have been all the evidence the prosecution needed. It is not just a detail of the why and how of the crime, it is almost a complete biography of the man.

The letter dated July 30, 1887, Kansas City, Mo., tells that he was born in Alabama and that he is now 27-years-old, so he could have possibly been born to slave parents. He was taken to Cincinnati, Ohio, when he was 2 and raised there until he was 17, when he moved to Arkansas. In 1881, he was in bad health so he left Washington, Arkansas, and went to Hot Springs. After two years there, he was in better health, and he met and fell in love with Vinna Anderson. They made a "true engagement" to each other to marry and did marry. Just before they were to marry, he was told that his intended was already married, so he confronted her. She confirmed that she had been. Not long after she and her first husband were married, her mother moved in with them. After three or four weeks, trouble started between her husband and her mother. It grew worse and worse until she could no longer stand it, and she moved from Little Rock to Hot Springs.

The couple came to Fort Smith and were married and "had no trouble whatever and lived as loving as two people could live." In February 1887, Vinna got sick, and for three months Owen nursed her and the baby, even quitting his job so that he could tend to them. After Vinna was well, he sent her to Muskogee, Oklahoma, to visit her mother where the old lady then lived. In early 1887, the mother-in-law invited Hill to go to Muskogee and consider growing a crop with her, which he did around February 20, 1887.

At Muskogee, Hill liked the country and rented 40 acres of bottomland and began to live peacefully. But, after a while, his trouble started with his mother-in-law to the point, as he said, "She just try herself and see how mean she could be." Eventually Hill told the mother-in-law that she could no longer live in his house, and she moved. But, Vinna would go to visit her mother, and for days afterward, she and Owen would argue. One day he slapped her in an argument over her giving her mother some tobacco. On the morning of June 25, 1887, Owen went to the field to work, and when he came in later in the morning to get water, his wife and child were gone. Hill went to his mother-in-law's house, and when he arrived, Vinna's cousin was standing in the yard with a gun. He told Hill not to come any farther and both the cousin and mother-in-law told Hill that his wife was going to live there now. Hill went back home and was troubled all night and the next day by the situation. Not owning a gun, Hill borrowed a shotgun and on June 26, 1887, went back to the house with the gun and a razor, intending to bring his wife and child home or kill his wife and himself. He was confronted at the door by his mother-in-law, whom he beat with the shotgun until it broke. Believing that the old lady was dead, he pursued his wife into the bedroom, then into the yard, where he slashed her throat and broke the razor. Now, having no weapon to kill himself, he took the child to his landlord's home and watched from the woods until he was sure the baby had been found. He then caught the train and fled to Kansas City.

In Kansas City, he wondered whether his wife had survived the attack and wrote the letter that became his undoing. In the letter, he said that if his wife were not dead he would try to get her "away from any of her peoples and then my wife will be as good to me as she ever was and so will I to her." If she were dead, as soon as he got some money he would come back and "die the death of a dog." According to a report in the *Fort Smith Elevator*, he needn't have wondered whether his wife

was dead. The paper reported that he had nearly severed her head from her body. His mother-in-law, whom he thought he had killed, had survived the attack and was present to testify against him.

In the days preceding the execution, all of the condemned accepted religion to some degree. Crow and Moss were visited constantly by Reverends R.C. Tyler and S.M. Fisher. Crow and Moss, however, remained morose and uncommunicative with reporters and others. Crow appealed for executive clemency and was stoic on receiving the denial. Moss did nothing to try to save himself from hanging. Hill was baptized in the Baptist faith and applied for commutation of sentence, but when he received the denial, he exclaimed, "Thank God, thank God, I am ready to die." When visited by a reporter from the *Elevator*, Hill was walking the corridor of the jail whistling a tune, apparently at ease. He expressed that in five days, he would be free of worldly cares. He gave the reporter several unsealed letters and asked that they be mailed on the day before the execution. All were dated April 26, 1888, and a long and intimate one to his mother, brothers and sisters was published in full in the *Elevator*. One letter was to his mother-in-law in which he blamed her for all his troubles, but whom he forgave.

Hangman's Day

On the morning of the execution, the prisoners were quiet and spent much of the morning shaking hands and saying goodbyes. The spiritual advisers were with them, and Hill's sister spent part of the morning with him. At 12:30 p.m., Marshal Carroll entered and read the death warrants, then began the march to the gallows. Hill sang and prayed alternately, and on his breast wore a large card with the letters M.S.B. made from the hair of his mother, brother and sister. The card was buried with him. Hill's sister accompanied him to the gallows, stood on the platform until the fatal drop then arranged his hands and closed his eyes after the body was placed in the coffin. On the scaffold, the usual religious ceremonies were carried out and the final adjustments made. The necks of all three men were broken by the drop, and death was almost instant.

The bodies hung for about half an hour, then were taken down and placed in coffins. Hill's body was turned over to his sister, and the other two were buried in the Potter's Field.

Sources: Fort Smith Weekly Elevator
National Archives

Avenue of Memories

By Larry Cantwell

Some of my earliest memories are of shopping on Garrison Avenue with my grandmother, Pearl Lenington Cantwell. I was the first grandchild in the family and was, of course, spoiled. I don't want to put too fine a point on it, but I might never have happened at all if it hadn't been for the movie theaters that once flourished on Garrison Avenue. It was in those dark movie palaces that my parents, Audine Cox and Archie "Buddy" Cantwell, had their first dates during the 1930s. They were married on St. Patrick's Day in 1940, and I was born on Armistice Day in 1942.

Garrison Avenue was the site of many firsts in my life. My first studio portrait was taken at Doc Miller's studio, 805 Garrison. The first visit to a movie theater that I recall with any clarity was a Halloween showing of *Frankenstein* at the Malco. I was so frightened by the film, I left my new coat behind when I exited the theater with my parents. Incidentally, my first haircut was at the barber shop in the same building.

My first cowboy boots and blue jeans were purchased at Eagle Clothing, 518 Garrison, and when I started the first grade, most of my clothes, including a bright yellow rain slicker, were found at Hunt's Dry Goods Store, 802-804 Garrison, and J.C. Penney, 624-700 Garrison. It was always fun to visit the old J.C. Penney store because of the pneumatic tubes that carried change from a second-floor office to the downstairs registers. In those pre-computer game days of the 1940s, it didn't take much to amuse a kid from Sebastian County. My first day of school meant a physical checkup and that was done by Dr. Ben Pride, who had his office at 901 Garrison. I still remember the monkey wallpaper he had in his waiting room.



PHOTO COURTESY OF LARRY CANTWELL

Larry Cantwell and his grandmother, Pearl Lenington Cantwell, walk along on Garrison Avenue, circa 1945. Larry is holding a Captain Marvel Space Gun.

I purchased my first record album, a 78-rpm set of "Bozo at the Circus," at Elmore's, 715 Garrison. The shop was a wonderful place, especially for a child. There was a small booth where records could be played before purchase, and the selection was

exceptional. My first book, "Uncle Wiggly Gets the Measles," was spotted at the Boston Store, 716-722 Garrison. Since I just had just survived a bout of the measles, it was comforting to learn that not even one of my favorite characters was immune to fever and red splotches.

Shopping with my grandmother on the Avenue was an occasion. It began each Saturday morning. After breakfast, we got dressed in our best clothes. For grandmother, that meant a dress, hat and gloves, accessories selected from the Arcade, 902 Garrison, or The Boston Store. During that period, proper attire included hats for both men and women. Throughout the 1940s and well into the '50s, no one ever ventured downtown without being neatly dressed.

Saturday on Garrison usually began near Seventh. Granddad would drop Grandmother and me off near the dime stores while he solved the problems of the world with his old friends who congregated at the O.K. Feed Store on B Street. Of the three dime stores, Kress was the best. It occupied a storefront at 810-812 Garrison. It had wonderful old squeaky, maple floors, and you could smell popcorn even from the street. There was a candy counter that ran almost the full length of the store. The candy was in glass-fronted containers and portions were weighed on small scales before the sales lady placed it in a paper bag. The toys were along the west wall, all the latest wonders, including the much-coveted Gene Autry cap pistols, Daniel Boone Coonskin Caps, and an exciting array of comic books. For a kid with a quarter, it didn't get much better than this. A trip to Kress always meant an emergency loan from Grandmother to cover a serious purchase. McCrory's at 724 Garrison, and Woolworth at 816, were also favorite haunts.

New shoes could always be found at Lee's at 710 Garrison. The big draw wasn't just the shoes, however. It was the Flor-O-Scope. By standing in front of the machine just right, you could look through a slot and see the actual bones of your feet.

After a morning of power-shopping, it was time for a visit to the Joie Theater, which was located just behind the Arcade Department Store at 15 S. Ninth. On Saturdays, the Joie would show a serial, at least five cartoons, and two western features, all for 25 cents. After several hours of movie magic, it was time to return to the Avenue and enjoy a hot fudge sundae at the soda fountain of Walgreen's, 822 Garrison.

Even a shopping area has its secrets. One of the

unanswered ones concerning Garrison Avenue is the identity of the photographer who snapped pictures of people as they walked down the street. After he snapped your picture, he would hand you a numbered ticket to use to order a print. Almost every older photo collection in Fort Smith has at least one or two of these images, but the name of the photographer remains a mystery.

I must admit that I hate change. Change is an understatement concerning Garrison Avenue since hardly anything remains of the grand old Avenue that I remember. Gone is the Joie, which burned during the early 1950s. The last movie I saw there was — ironically — "The House of Wax," a 3-D film about an explosive fire. Gone, too, are The Arcade, Walgreen's, Kress, and the Boston Store.

During a recent visit to Garrison Avenue, I searched in vain for the past and was reminded of a quote of Charles Kingsley:

*"So fleet the works of man, back to earth again.
Ancient and holy things fade like a dream."*

Since memories often do fade like a dream, even I have doubts about exactly what I remember about Garrison Avenue. I often wonder if the Boston Store was really as grand as I remember or if the spaghetti at Constantino's that extraordinary. Was the Avenue so jammed with vehicles on Saturday mornings it was virtually impossible to find a parking place on either side of the street? All I can say with absolute conviction is this: People who never saw the Avenue during its heyday, or decked out in its Christmas splendor, or experienced the grand old stores that once were there, missed something special. So special, it warms my heart even after the passage of more than half a century.

Larry Cantwell is from a pioneer Fort Smith family, the great grandson of Brig. Gen. W.B. Cantwell. He is a syndicated columnist and lives in the foothills of Tucson, Arizona.

Editor's Note: Do you have photos, memories of the "Man on the Street Photographer" of the 1940s and '50s on Garrison Avenue? We'd like to see them and add them to our collection. Send them to the Fort Smith Historical Society at PO Box 3676, Fort Smith, AR 72913.

Death March In Germany

Fort Smith native Vern Ussery recalls experience as prisoner of war during World War II

Native Fort Smithian, Vern H. Ussery, was born in 1923 to Peter M. and Hattie A. Ussery. He graduated from Fort Smith High School in 1941, and went to work for Long Bell Lumber Co. before enlisting in the U.S. Air Corps on January 26, 1943. His duties as engineer for the crew of a B-24 Liberator were to start the engines, refill the gas tanks, then go over the airplane, checking to see that it was in good condition, ready for flight. He checked the wheels and landing gear before giving his report to the pilot on the plane's readiness, then climbing into his position as B-24 top turret gunner. His top turret was surrounded by a Plexiglas dome and included two 50-caliber machine guns. Ussery survived the crash of his plane on May 24, 1944, over Austria. Captured by German soldiers, Ussery was placed in Stalag Luft IV and was there from June 1944 to February 1945, when the prisoners were taken on an 86-day forced march from Stalag Luft IV in eastern Prussia, now part of Poland, west into central Germany as the Russians advanced into Germany. Guards divided prisoners into groups of 250 to 300, with the groups traveling different routes. This river of men, flowing west and south, arrived in late March at two stalags near Fallingbomel in north-central Germany. These camps were crowded, with no quarters for the marchers, so after several days the men were mustered and set to marching again. Eventually the men were liberated, with most of them marching into the advancing American or British forces. This death march across Germany ranks as one of the cruelest actions ever committed against American fighting men. Ussery recorded the following story in a talk he made to a civic group in Fort Smith in 1992, recounting his experiences as a prisoner of war:

Vern Ussery's Story

I was a member of the 455th Bomb Group, in the 15th Air Force, the 304th Wing, in Italy. It was unique in quite a few different ways, and I'll give you

a brief description of it. Our officers of the squadron and the groups, the principal officers, were people that had completed their bombing missions, their tour of duty in the 8th Air Force, in B-24s. Some of them had completed more than a tour of duty and some of them had flown in the North African Campaign in B-24s in late '42 and through '43. We had extra officers who were, to a man, either lieutenant colonels, or bird colonels, and they would alternate as leaders of the flights, or in the capacity of pilots, co-pilots, bombardiers and navigators. So we had experienced leadership. Our group commander, when it started out, was a Colonel Cool. And after the first month, he was promoted to a brigadier general. We were one of the few groups that had a general as a commanding officer. And the navigator, the lead navigator of our group, was called back to Washington just before the end of the war and was presented the Legion of Merit Award for the most accurate bombardier in the European Theater of Operations which included the 15th and the 8th Air Force. Our group won over 60 percent of the awards, which were made monthly for bombing accuracy in the entire 15th Air Force. And it wasn't only this one man, it was all our superb pilots and the navigation; but it's something that every member of the 455th was certainly proud of. Our bombing percentage within a thousand yards of the center of the target was something like 78 percent through the entire life of the 15th Air Force. When our logo was given to us, the name pinned on us by the other groups around us; we were called the Vulgar Vultures. Now, why, I don't know; but it shows a buzzard riding a bomb. And that's what they called us, the Vulgar Vultures. We have reunions every two years and have ever since the war.

On May 24, 1944, our target was Wiener Neustadt [south of Vienna in Austria] which was comparable to Ploesti for flak and being known as a rough target, it was a booger. [Ploesti, Romania was targeted for



PHOTOS COURTESY OF GRACE USSERY



(Above) The 740th Squadron is shown.
 (Left) Vern Ussery is shown in flight gear in 1945.
 (Below) A B-24 Liberator is shown.



its oil refineries, which were supplying 60 percent of Germany's crude oil requirements.] We were flying another crew's airplane; we didn't have our own that day. And we had a buckshee co-pilot, which gave us bad luck. Anytime that you had a buckshee, an extra crewman from somebody else's crew, mixed in with your crew, it was an omen of bad luck. We had a co-pilot assigned as first pilot, a first lieutenant co-pilot named Jones. He had been ordered to fly some missions as first pilot in order to be promoted to captain before he rotated back to the States, and he had in 47 missions. This particular mission would have been counted as two. A long mission gave us credit for two sorties or two missions. So if he'd completed this one, he'd have 49, with a record of 50 needed to come home.

On the way to the target, the plane kept veering to the right suddenly from time to time. And finally, he pulled to the right, out of the formation, dropped back and fell behind the main group. The problem was that the right landing gear on that B-24 that we were flying that day, (we call it the Bucket of Bolts), would just inadvertently fall down from time to time out of position into a down position and that would jerk the plane. We had to get it out of the formation and get behind to keep from jerking into another plane. That put us in a position, lower and to the rear of the other planes, and over the target where they dumped out the chaff or the little tin foil and it was floating all around us. It attracted the radar fire, and we got it.

I want to say a couple of words about my position. I was engineer, top turret gunner. I sat in the top turret and had a Plexiglas dome around my shoulders and my head, and had two 50-caliber machine guns where I sat up in that dome. From that position, you can look forward either side, up or down and look back. And it was a sight to see when you were in the center of the bombers on a major effort target. As far as the eye could see, you couldn't see anything but bombers, forward and back. And it was a good position to me because the tail gunner, all he could do is look back, he didn't know whether people were still ahead of him or not. And the nose gunner, all he could do is look ahead, he couldn't see back. But in my position, I had a view of all of it; I could see the whole works.

But anyway, on May 24, coming into the target, we were flying high for a B-24, at about 26,000 feet. We got hit in the nose, and we got hit between the flight deck and the right inboard engine, right near the radio

operator's table, which that day was occupied by the navigator. That shell burst my turret, the Plexiglas just went into a million pieces. I had on an old steel infantry helmet that we wore over the target areas, and I didn't have a liner. Over the target area, that old helmet would come plumb down to your nose, and I had to keep pushing it up to see. But you didn't really like to look at all that stuff bursting around you. When that Plexiglas busted, that old helmet came off my head and bounced down the top of the airplane and off the rear end. Then a fire started on the flight deck. The shell had burst the hydraulic lines and the oxygen lines, and we had a heck of a fire going in that flight deck. The pilot went to hollering over the intercom, "Bail out, bail out, bail out," and he pushed the bell that warned the bail out.

I got down out of my position, and there was a door at the back of the flight deck. The door was three-quarter-inch birch plywood; it came down on top of a door that fit in the bottom of the flight deck. This top door had to be raised to raise the lower door. And some of them were red, and some of them green and yellow, different colors for different emergency things. And that made some fireworks sure enough. Since my turret had burst, the flame and the smoke were sucking out the top of that hole. I backed off away from that door that was stuck, and something told me to lie on my back and kick it, and I did. I was able to burst that plywood and get that door up and raise the other door. Well, by that time, the pants legs of my flying suit were on fire. The pilot went by me out onto the catwalk into the bomb bay. I saw him a couple of years ago in Colorado Springs. He told me that he was sure glad to see me when we got on the ground because the last time he saw me, he said, "Your britches were on fire."

I knew I had to put the fire on those pants legs out before I jumped out of that thing. I got it out, and I bailed out. We were pretty high; some of the boys didn't make it. I opened my chute immediately, which was a mistake. When I pulled my parachute ripcord, and I did that pretty quick, there was a tremendous jerk. My feet went up and actually hit me in the back of the head. I had my flying boots over my GI shoes, and they both came off. They were zipped up almost to my knees, but they came off, and at that same time I lost my cap. That old cap filled with air, and it was spinning around and around and around, right up there with me. I kept trying to get it, and the air came out

of it and it just collapsed and the old cap went off. Just two or three minutes later I saw a group of B-24s flying lower than we were, coming by. And one of the planes dropped out of position a little bit and came over toward where I was. It appeared that the co-pilot had a camera, and the crew of that plane waved at me.

As I went on to the ground, the parachute ride was extremely quiet. You couldn't hear anything, it was just deathly quiet. Down pretty close to

the ground you could hear what sounded like compressed air, just a little psht, you know, like that, and then a little pop. And the pop was above me, and every time I heard that, I looked up and there would be a little black spot in my parachute. Well, I knew then that I was getting shot at. So I started jerking on those lines, and I got that thing swinging pretty good, and I made it on to the ground and came down in an area where they were doing truck patch work. And there was an old lady right there in front of me as I came down, and she looked up and saw me, and she crawled the length of this room, crawling on her hands and knees before she could ever slow down enough to run. I hit the ground and rolled over a few times and got my parachute collapsed.

There were people working their gardens around there, and they came running up. A man wanted to know, "English or Americana, English or Americana." I told him I was American, and he shook hands. Pretty quick an old man, and I took it to be his son, about 12 years old, came running up there. He had a spading fork and he had that old spading fork drawn back, and he was just a screaming and a hollering and a carrying on something terrible. I thought he was gonna try to hit me with that spading fork. I'd already taken my harness off, my parachute harness. I had on a chest chute, and I rolled that up. It had great big old buckles on it. As you guys that bailed out know, those parachute buckles are heavy. I rolled that thing up, and he came at me with that fork, and I came down over his ears with the harness of the parachute, and it

backed him off. I wasn't gonna stand there and let him gouge me.

There were several other people gathering around, and I saw that German helmet coming on a bicycle, down a little old trail. He rolled up there within about a hundred feet of me, parked his bicycle and threw it down. He had a rifle and he brought that thing up and he was pointing it at me, and he was just squalling

and a hollering. I couldn't speak

German, but this fellow in the crowd that could speak English said, "He wants you to put your hands up." Well, I complied pretty quick, and he wanted to search me. That old long squirrel gun he had was just swinging in a circle right in my face and that barrel looked like a stovepipe. And he would reach up there and he was trying to search me, and he was hollering, "Pistola, pistola."

I knew that he was looking for a pistol because most all airmen were issued a .45. We didn't wear ours, our crew didn't. We figured it'd just get us in trouble as deep into Germany and the occupied countries as we went. But he knew that we normally had those, and he'd reach up there and try to search me and what not, and he jumped back. Finally he got me searched and he told me to pick up my parachute, and this other guy there told me what he said. And

my left foot was hurting me real, real bad. I'd been hit in the left leg, and through the bottom of my flying boot. He headed me off down this road, following me. And one of the other guys got his bicycle and was pushing it along behind us. We went about a mile to a little old village, and you never saw the like of women in your life that came out there. And every one of 'em had a knife or a pair of scissors, most of 'em scissors, and it bothered me 'cause they kept coming, and what they wanted was my parachute. They cut that thing to shreds and I was glad they did because it was pretty heavy dragging. They got every bit of it and fumbled around there looking for more.

As I went on through that village and the next one,

"As I went on to the ground, the parachute ride was extremely quiet. You couldn't hear anything, it was just deathly quiet. Down pretty close to the ground you could hear what sounded like compressed air, just a little psht, you know, like that, and then a little pop. And the pop was above me, and every time I heard that, I looked up and there would be a little black spot in my parachute. Well, I knew then that I was getting shot at."

they took me up on a hill where there was a German radar operation. But in the meantime, before I got to that first village, sitting under some bushes, two German soldiers got up and followed along behind. They weren't over 150 yards from where I hit the ground, but they were hidden under those bushes. I kind of figured that they were the two that were shooting at me up there in the parachute. But anyway, my foot was injured and my left leg. They took me up to this radar installation. They had some holes dug up there, about that big a square, and they were pretty deep. They picked me up by the arms and put me down in one of those holes with my hands down beside me. Well, I was crammed in there; there was no way I could get out of that thing, absolutely no way. This German in charge, he blabs off at me and told me the usual, you know, that I'd be home in a few weeks and the war would be over, they was gonna win it and all this kind of stuff. And then he hollered at some of those other Germans there, and he lined five of them up with rifles right there by me. He gave them the command to about-face, marched them out maybe half the length of this room and halted them, turned them around, gave them some other orders. They came up with them rifles right at me. He gave them another order, and boy, they worked that old bolt, you know. And I thought, "Well, this is it." And then he said something else to them, and they dropped their rifles, and he came back up there where I was, just dying laughing. God, he'd had him a joke because he knew he'd scared me half to death. And it was funny; it was kind of funny to me, too.

A group of B-17s came over the same target, way high and a way back up there, and they got real busy running those radar things and what have you. I was out in that hole, they didn't have to worry about me, they had me. They shot one of the B-17s down and that thing exploded, and there was four pieces of it up there, way, way high. All four pieces was just burning like crazy up there. I kept looking for parachutes, and I never did see any. He came back over where I was, and he told me again that in a few days the Air Force would be kaput. Showed me that one, it was still falling up there. I made a mistake. I told him that we'd have a hundred back to replace that one, and that made him mad, and he started kicking me. There wasn't anything but my head sticking out of that hole for him to kick, and I lost three or four teeth. I learned to keep my mouth shut right there. They took me in the

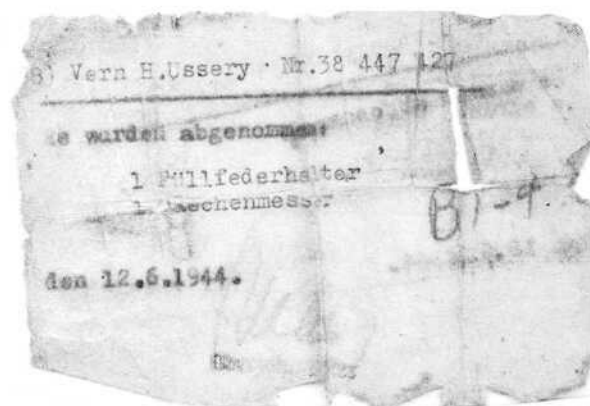


PHOTO COURTESY OF GRACE USSERY
Receipt for a fountain pen and watch taken from Vern Ussery in a prisoner of war camp in June 1944.

afternoon, marched me down to another village, and I ran across my pilot and my navigator; they had them there. In the late afternoon, the commander at that little house where they had their headquarters asked me if I was hungry, and I told him I was. They didn't ask my pilot or navigator, they just asked me. I hadn't had anything since 3 o'clock that morning. He bellowed out to a German private. That dude went out in the garden and pulled some stuff that looked like onions — they called it leeks. They had wads of dirt on the roots like a dirt-dauber's nest. He brought that in and dumped it in a pan with water in it, and he proceeded to cook me a little soup, dirt and all. And you know, he give me a spoon, and I let the dirt settle, and I took a few bites of it. My pilot and navigator were sitting there looking hungry.

Later on that evening, they brought a little car about like a Volkswagen down, two German soldiers in it in Luftwaffe uniforms. They got the three of us and loaded us in the back seat of that little old car. I mean they jammed us in there, and down the road we went. I'd never seen a kilometer speedometer before, measured in kilometers. You know, that kilometer's not as long as a mile, not nearly. And here these dudes go with us in that back seat down that cobblestone road and that thing was registering 70 and 75 miles an hour, I thought. It wasn't running over about 45, I don't guess; but I thought we were flying. They took us to an air base up near the target that we were bombing, which was Wiener Neustadt, and put us in a room at the end of a long German barracks. They had some tow sacks on the floor, filled with straw. They left a guard in the hall, locked the door and barred it. We were in the end room with a little window, way up

high, that went outside. We weren't in there very long until in came a potato through that open hole, maybe a little old black piece of bread or two, and eggs, boiled eggs, pieces of old fat sow belly and carrots and turnips. You had to stay out of the way because you didn't know when they'd throw it in there. Come to find out, the pilot told them he had to go to the restroom, so they took him outside. It was these Russian prisoners of war that had the run of the air base that were throwing that food in to us. We couldn't begin to eat all they threw in there, and we began to hide it under those old sacks. They took us out of there the next afternoon, and we had enough in there to eat for a week or two.

They took us into Vienna, put us on a train to Frankfurt. All the airmen in Europe went to Frankfurt for interrogation. Well, the British bombed the railroads out at St. Polten, Austria, and they took us off in about an hour, and we hadn't traveled far. It was black as night and they marched us through the street to a jail in St. Polten. They put me in a room that was about, maybe, 6-foot wide or 8 that had a rock ledge about as big as this table, built up, straw on it for your bed. Had a real dim little bulb way up high in that room, ceiling was tall. I'd lie down in that straw and, boy, that's where the lice got me, and the fleas, anything that'd bite, and I had a miserable night. You could lay there and you could hear the darn rats coming, playing around in that straw in that place. They kept us there until the next day and then took us by truck out to an air base at St. Polten. We stayed there a few days then went on to Frankfurt, where we went through interrogation. And the usual, the fellow that interrogated, told you, told me and a lot of the others, that if you didn't tell them where you were out of and this and that and what not and what have you, you'd be turned over to the Gestapo and shot, and so on and so forth. I'd give them my name, rank and serial number, and that's all I ever gave them. He turned me loose out of that room; the guards came and got me and took me down to the end of the hall, stripped me off and searched me again, then put me out in a stockade.

Two or three days after that, we went to a Fort Wetzlar, Germany [a transit camp where prisoners waited to be sent to POW camps]. They kept us around there about a week, and then we loaded onto a boxcar. That was June 6. The reason I know, when we loaded into that little old boxcar, one of the German guards

*The Fort Smithian (Successor to The Fort Smith Tribune),
June 15, 1944*

MISSING

Staff Sgt. Vern H. Ussery, son of Mr. and Mrs. P.M. Ussery, Fort Smith, recently went winging across the Atlantic and the Mediterranean, holding down the proud position of engineer and gunner on a B-24 Liberator bomber. He landed in Italy on May 13. The parents received the following telegram from the adjutant general of the war department:

"The Secretary of War desires me to express his deep regret that your son, Staff Sgt. Vern H. Ussery has been reported missing in action since the 24th of May, over Austria."

11 days after he landed in Italy, Staff Sgt. Ussery, a widely known local young man and a former Ft. Smith high school student was missing in action.

Mr. and Mrs. Ussery said that they were clinging to the belief that their son had parachuted to safety and that they will hear a more pleasant report from him soon.

The Fort Smith Times Record, July 26, 1944

SERGEANT USSERY NOW PREPORTED A PRISONER

Staff Sergeant Vern H. Ussery, son of Mr. and Mrs. Peter M. Ussery, who had been reported missing in action over Austria, is a prisoner of the Germans, his family was notified Wednesday.

Sergeant Ussery, 21, was an engineer-gunner on the B-24 Liberator, "The Uninvited," which was reported shot down on what was the Fort Smithian's sixth or seventh mission.

The Usserys were advised June 9 that their son was missing. The report that he is a prisoner was authenticated through the International Red Cross, the family was advised.

Sergeant Ussery was employed by the Long Bell Lumber Company before enlisting in the air corps in January, 1943. He reached Italy May 13, 1944, and was reported mission 11 days later.

The Fort Smith Times Record, July 26, 1944

ESCAPED NAZIS CAUGHT NEAR POTEAU

Poteau, Okla. (AP) – Two escaped German war prisoners from Camp Gruber, Okla., were captured near here Tuesday night by Deputy Sheriffs Hugh Sannin and Homer Johnson. The prisoners, Heinz Kaze, 22, and Han Pee, 25, were making their way down the Arkansas River in a flatboat. They offered no resistance.

The Fort Smith Times Record, July 26, 1944

U.S. TANKS KNOCK FOUR-MILE HOLE IN GREAT SMASH AT NAZIS

First German Defense Line Blasted and Mighty Tank Battle is Reported Raging

Supreme Headquarters Allied Expeditionary Force (AP) – Tanks and infantrymen tore a gap four to five miles deep in German lines Wednesday in the Americans' first major armored punch in Normandy. They captured two key highway towns west of St. Lo as well as a dozen other villages. Doughboy infantrymen riding atop the tanks were in firm control of Marigny and St. Gilles, seven and four miles from St. Lo.

told me that we'd be going home in just a few weeks, that the Americans had landed that day in France, (D-Day) and that soon as they beat them off and whipped them, well, the war would be over. Well, they loaded us in the boxcar, and we were on that thing eight days and nine nights. They opened it one time during that trip. They gave us a couple of buckets of water in there, and they had 52 of us in that little old thing, I believe. And we had to stand up and take turns with the guys lying down that were getting sleep or maybe, some of us just slept standing up. And we finally got to the prison camp, which was Stalag Luft 4. When we got there, we were unloaded, and they double-timed us from the unloading place to the camp, which was about two, three miles, something like that. Took us into the vorlager [SS administration area] and stripped us off and searched us again.

We'd had, during that eight days or nine days, two blood sausages about that long, for 50 men or 52. They had put in a few loaves of black bread. I don't remember getting a bite of it. When we got in the vorlager where we were stripped, that's the first occasion I had to meet the most famous guard in Stalag Luft 4. That

was a fellow we all nicknamed Big Stoop. Boy, he was a dandy. He was a giant of a man. He was slapping the guys around and kicking them and beating them, and he was just horrible. When they got through with us in the vorlager, we kept thinking we were gonna get something to eat, but they moved us inside the compound. The compound, the barracks that I went in was just starting to accept prisoners. I went into Barracks No. 1, just inside the gate, Room No. 4. Nothing to eat that night yet. The next morning, we got a pitcher, a great big old pitcher full of warm water, nothing else. At noon, we got a little old potato about



PHOTO COURTESY OF GRACE USSERY

Stalag Luft IV, A Lager held Allied prisoners of war in 1944. No. 1 barracks is visible in the lower middle left.

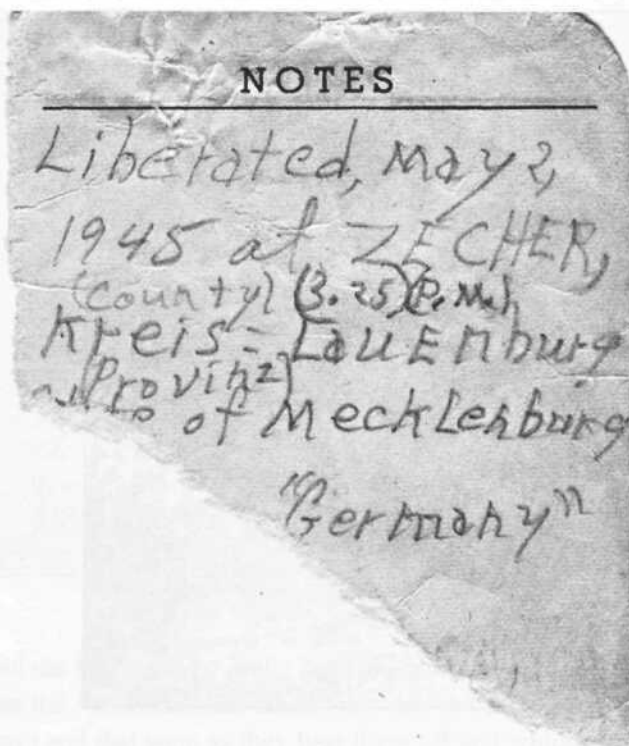


PHOTOS COURTESY OF GRACE USSERY

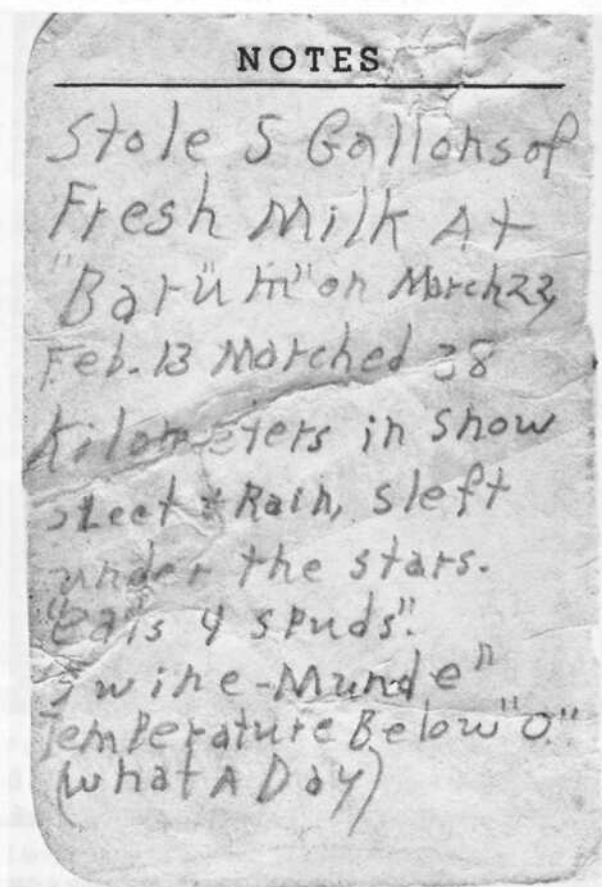
(Above) A roll call of Allied POWs concluded, prisoners mill about at Stalag Luft IV, A Lager in 1944.

(Below) Allied prisoners of war play a game of baseball in front of Barracks No. 5 at Stalag Luft IV, A Lager.





(Above and on opposite page) Notes of important occurrences made on scraps of paper torn from a pocket calendar carried by Vern Ussery on the Death March.



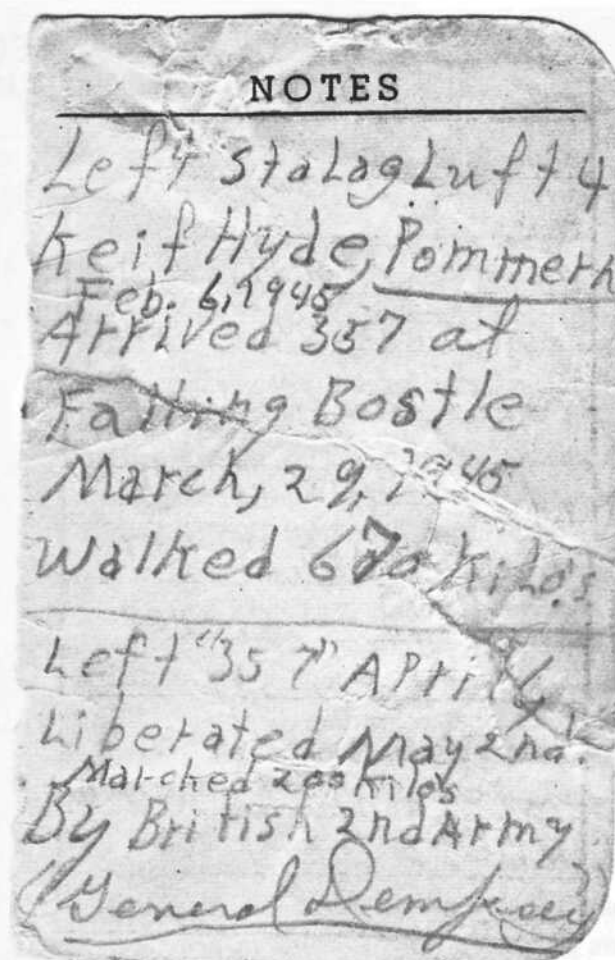
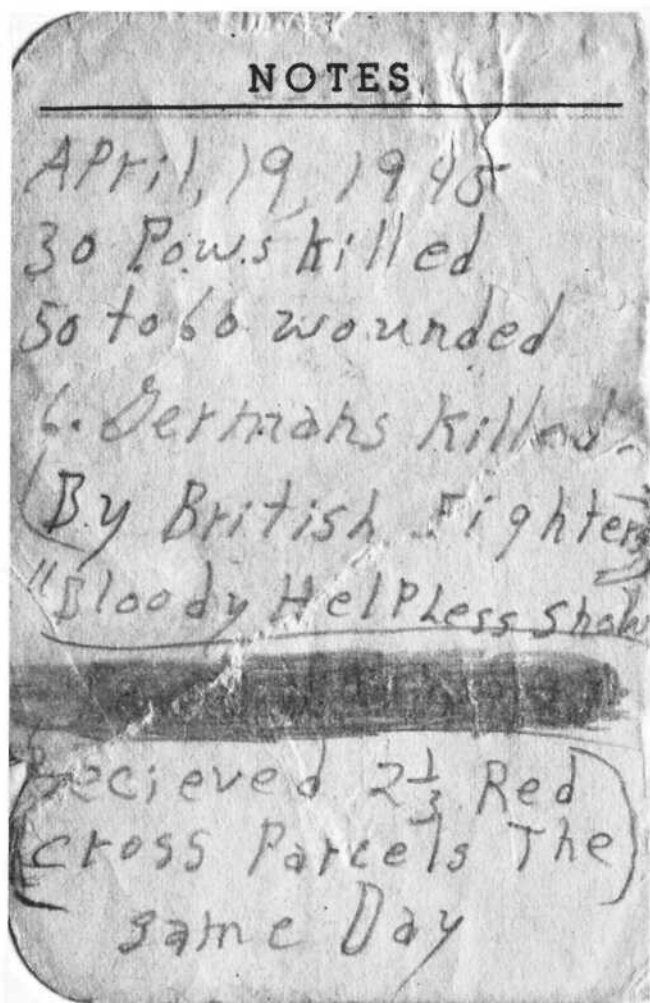
IMAGES COURTESY OF GRACE USSERY

like that. At night, we got some kind of a pitcher for that room full of men, full of some kind of old watery soup. That was primarily our diet the Germans give us, except about once every seven or eight days, they'd make a bread-ration issue. It finally turned out to be seven loaves of bread for 24 men for eight days. Some morning we'd get what we called ersatz coffee; it wasn't regular coffee; it was a fictitious type coffee.

Our bed had six slats, it was about that wide; and our mattress was a tow sack filled with straw, which soon got all mashed down. They would inspect from time to time to see that we still had those six slats because the guys that dug tunnels and what not would use those slats to shore up the tunnels. It wasn't too easy to curl up on and sleep with that old straw from the guy above you dripping down on you in your eyes and your mouth all night. Our rations were just very meager, very meager. We had no toilet tissue of any kind. We had no bathing facilities, no way to take a bath, no showers, nothing to bathe with. We had an extra bucket and this old pitcher for the 24 men. A guy would go over to the kitchen and get our ration for that room at mealtime each time. They had two headcounts

a day, one in morning and one in the evening. They always lined us up by fives, because that seemed to be the only way the Germans could count, five, 10, 20, like that.

We stayed there until February 6, 1945. (I had been there since the early part of June 1944.) They continually took in other prisoners and even another prison camp, Stalag Luft 6 moved in there. So the camp had a lot of men in it, several thousand. We could hear the Russian guns, artillery. But they marched us out and they told us that we'd be on the road about 10 days. They gave us, each one of us, a can of bully beef [canned corned beef], a tin about that long and about so big around, about like a coffee can that we use now, and told us that would be our ration. We did have some Red Cross parcels, a little bit of stuff out of the Red Cross. And, of course, we took all our lice with us. We marched out on the 6th of February, deep snow, cold. That night, I made the mistake of taking off my shoes, and the next morning, I couldn't get them boogers on. Boy, I worked on that to no end and finally got them on without laces in 'em. We stayed marching for 88 days up along the Baltic



IMAGES COURTESY OF GRACE USSERY

Sea. We did get into Fallingbostel Camp for three days, but we slept in the mud outside in the rain there. There were no tents, no rooms, in any of the buildings. They marched us back out of there, and we marched back across the Elbe River. All this time there were guys with dysentery that turned to blood and didn't make it.

May 2, 1945, along shortly after noon, they give us a rest that day. Shortly after noon, a German staff car with four German officers in it, a convertible top and the top was laid back, came down that little old road and he was "a mogulling." And right behind it was an American Jeep, manned by British soldiers, and they were firing at that dude. I mean they were trying to work the tail end of that German staff car over. They went right on by. The minute they went by, we took our German guards' guns. We got them, and we started celebrating. In a few minutes, there was another British weapons carrier wagon came by. They stopped and they told us to stay there that night and there'd be trucks to get us the next morning. Within 30

A WARTIME LOG, A Remembrance from Home Through the American Y.M.C.A.

*Published by the War Prisoners' Aid
of the Y.M.C.A., Geneva, Switzerland*

Records kept by Vern Ussey:

Incidents Around Camp

1. Arrived at Camp June 9th at noon
2. Wrote home June 16th, first time from camp
3. June 26th received first Red Cross Food Parcel
4. July 12th Listened to first music since May
5. July 19th Met 3 Fort Smith boys
6. August 1st Crew members moved to another Lager
7. November 4th FIRST MAIL – from Grace
8. November 30th Thanksgiving in Kriegie land
9. November 20th One letter each from Grace and Mother

THANKSGIVING 1944 MENU

Breakfast

10 Prunes in milk
1 cup of coffee
1 cheese sandwich

Dinner

1 bowl of cabbage & potato soup
1 bowl of rogents soup
1 Spam sandwich
1 cup hot chocolate

Supper

1 bowl of corned beef & potato soup
1 cup coffee
1 Spam sandwich

or 40 minutes after that, a Russian lieutenant showed up with a squad of men. They butchered a couple of that old German's cows, cut that meat up and built fires out there. In fact, they brought one of their horse-drawn field kitchens over there. They cooked that meat and what not and what have you for us, but our stomachs were shrunk so we couldn't eat. They got teed off because we couldn't. The next day, we waited around there until about eight o'clock. The Russians posted guard that night around us to keep the Germans from throwing grenades in there, or what have you, that they said they might do. We pulled out afoot, heading back west. I was buddying with an old boy out of Tulare, California, that we called Dumb John. They all nicknamed me as Big Red. Dumb John and I were going off down the road there, going back west, and we saw a farmer, a German farmer, up there on a tractor on the side of the hill there not too far from the road. Old Dumb John said to me, said, "That sure would beat walking," and I said, "Yeah, I believe it would." We proceeded to get that tractor. He wasn't gonna give it to us, and Dumb John whacked him with a club upside of the head and took him off of that tractor. We couldn't go up any hill, it wouldn't pull it, and the guys would have to get off and walk. We'd get to the top of a hill, we'd stop and wait on them, and they'd catch up and get back on the wagon and down the hill we'd go. We stole fuel from different farmyards along the way.

We made it into Lauenburg, maybe 50 kilometers, and we ran into supply trucks. They tried to give us oranges and candy and stuff like that, and you really couldn't eat. We crossed the river, the Elbe River, on a pontoon bridge. And that son-of-a-gun would just give it that all the way across it, it just made you so sick that you wouldn't know which end was up. One reason we got so sick was we had some cigarettes these truck drivers gave us, and there was a Pole there that was a slave laborer, and he wanted to trade us a bottle of



PHOTO COURTESY OF GRACE USSERY

Grace Carter is shown in 1944.

Schnapps. That bottle was not long for that cigarette, you know, we traded. That stuff didn't have a label on it, and it was just clear as water, but boy, you pull that lid off and you could smell it. Dumb John and I drank that in the back of that truck on that old wobbly bridge, and I don't remember getting off that bridge. A few days later, two or three days, I woke up in a German cavalry barracks in the next town, which at one time had been a German cavalry barracks. It was occupied by the British. I was in the latrine and, God, I was sick and I was a mess. Dumb John was just not very far from me. When we came to, well, the British said that they'd begin to wonder if we were ever gonna



PHOTO COURTESY OF GRACE USSERY

Vern Ussery is shown in uniform, c. 1945.

come to or not. We smelled like the dickens, and they took all our clothes off that we had, old rags, full of lice and what have you, and gave us a complete British uniform. The British were gonna fly us out of there. We went to the airport on their trucks for four, five days and they kept flying their own British soldiers out and leaving us and the Canadians there.

So Dumb John and I decided, what the heck, we'd hitchhike to the American line, we'd find it somewhere. We got on the back of the truck, and when we went out on the highway, we just stepped off and gave it the thumb. The first truck that came along picked us up. We hitchhiked probably a hundred miles

back across Europe, maybe farther, and finally came to the Americans, an infantry replacement outfit. They were in the German barracks that were double-decker. They took us upstairs and said they had roll call twice a day, but for us to stay upstairs and stay hidden, so we did. But a little shave-tail lieutenant came through a couple of days later and found us and took us down to the headquarters. A colonel down there chewed around on us for being up there in that barracks, but he didn't really know what to do with us. He told us to stay there and he'd be back. Well, when he left, we went out the window, and it wasn't long until an MP check-station got us, and they called for a squad car,

and that squad car came and got us. My beard was [long], and I hadn't had a haircut in a year. I guess I looked terrible. But they detailed this squad car to take us to an air base, and they took us to a P-47 outfit, somewhere in the area of Hamburg. Well, those guys were just nice as they could be, and they gave us a bed, boy, I mean a feather bed upstairs in a brick house which was headquarters and treated us royally. They took us to England, this P-47 outfit did. When we got to England, the commander of the air base wouldn't have us. He said he had no facilities for us and didn't want us, and he dispatched that plane back to France, back across the Channel to Camp Lucky Strike. By that time, the lice had gathered up in that new uniform real good. When we got back to Lucky Strike, they turned us over to an outfit that was handling prisoners. That evening, they took us down on a creek bank and took those uniforms off of us, and they sprayed our nude bodies with DDT. I mean I looked like I'd been snowed on with all that old powdered DDT. They had ovens for those uniforms and steamed them. I brought my British uniform home with me, but they gave me an American uniform.

I came back home on a liberty boat, the William Pepperell, that had been around the north end of Sweden and Norway. It had busted in the center, and they'd welded plates on it to hold the thing together. They had pumps down in the belly of that thing and as the water would run in, they'd pump the water back out. It took us 15 days to come from Le Havre, France, to New York City. When we got in New York Harbor, June 12, 1945, late one evening, they kept us outside the port. All night, there were some guys who came out from the harbor there, and they put flags on this boat from one end to the other on ropes; there was several streamers of flags. The next day they ran us up and down that harbor with two big fireboats ahead of us and one behind us, shooting those streams of water up in the air. The other boats would blow three toots on their whistle, and our boat'd blow one. They ran us up and down that harbor in a parade just about all day, and we were wanting off. Finally, we got off and went to Camp Kilmer.

On June 19, 1945, I got in Fort Smith on a troop train and came into the old station down there at Rogers where the Holiday Inn is now. I heard some heels a-clicking that sounded awful familiar to me. I'd just got off of that passenger car, and I heard those heels a-clicking, and looked up, and here came Grace around the corner. She'd found out some way or another that

I was coming in. She met me there at the station, June 19, 1945. They put us on a bus and took us to Chaffee. Well, a fellow by the name of Pendleton Woods and I came back on that same boat together. There wasn't any way that Pendleton and I were gonna stay in Chaffee, so we headed off across the field, came out on the west end of Chaffee, climbed through the barbed wire and came home. In the meantime, Grace and her folks went out to Chaffee to get me. Well, I had to bum a ride back to Chaffee to go out there and get them. But that's about the size of it. There's a lot of stuff happened on that march, lot of things happened. It was miserable, it was bad, it was cold. Lot of guys didn't make it, including my crewmembers. One thing about it, they marched us west out of that camp. It was way over in the eastern part of Germany. Every step I took was one more step toward home, and it felt good.

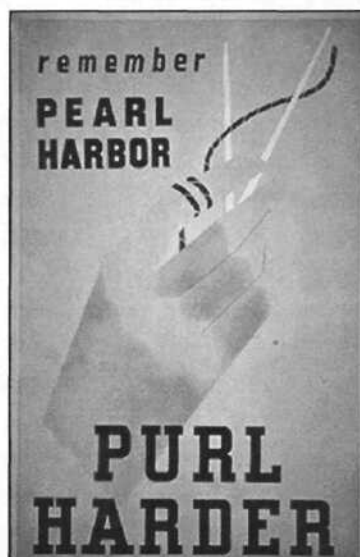
Upon their return the escaped, liberated, or repatriated prisoners of war were issued a restricted directive, AG 383.6 (24 Mar 45) which stated they were not to communicate to any unauthorized persons any experiences of escape, release, or evasion from enemy or enemy-occupied territory, activities, or equipment in connection therewith, internment in a neutral country, or release from internment. "This action furnishes useful information to the enemy jeopardizes future escapes, evasions, and releases, and under Army Regulations, must not be disclosed to anyone except to military officials specifically designated."

They were not to refer to existence of unannounced organizations established to assist evaders, escapers or to methods employed by the organizations. They were not to refer to names, pictures, or any other means of identification of helpers of escapers or evaders. All personnel could not, unless authorized by the Assistant Chief of Staff, G-2, WDGS, publish in any form whatever, or communicate either directly or indirectly to the press, radio, or any unauthorized person any account of escape, release, or evasion of capture from enemy or enemy-occupied territory or internment in a neutral country before or after repatriation. They were required to sign and retain a Certificate certifying that they had read and understood all the provisions of the Directive of the Secretary of War, AH 383.6 (24 March 45) OS-S-B-M. Thus not many members of the public were aware of this Death March, which so endangered the lives of many thousands of our service men. Not until many years later have these stories been told.

Remembering The Home Front

By Carole Barger

On Sunday, December 7, 1941, as we sat listening to the radio, we heard the announcement that the Japanese had bombed the U.S. base at Pearl Harbor. Changes in our family life came rapidly. Within a year, my father had enlisted in the Navy and was sent to flight instructor school. A year later he was assigned to an aircraft carrier, the USS Randolph. When Dad's ship left for the Pacific, my mother, sister and I returned to Fort Smith from Memphis, Tennessee, where we had been living. Fort Smith was home to Camp Chaffee, an Army training center, and was soon full of soldiers, many with their families looking for lodging. As all the rental property had filled up quickly, local families were renting rooms to the servicemen as a contribution to the war effort, as well as to help with expenses.



needlewoman, was always busy knitting khaki gloves, stocking caps, sweaters, socks, and afghans for the soldiers. "Knittin' for Britain," we said. I remember the gloves were knitted with one finger open, the trigger finger.

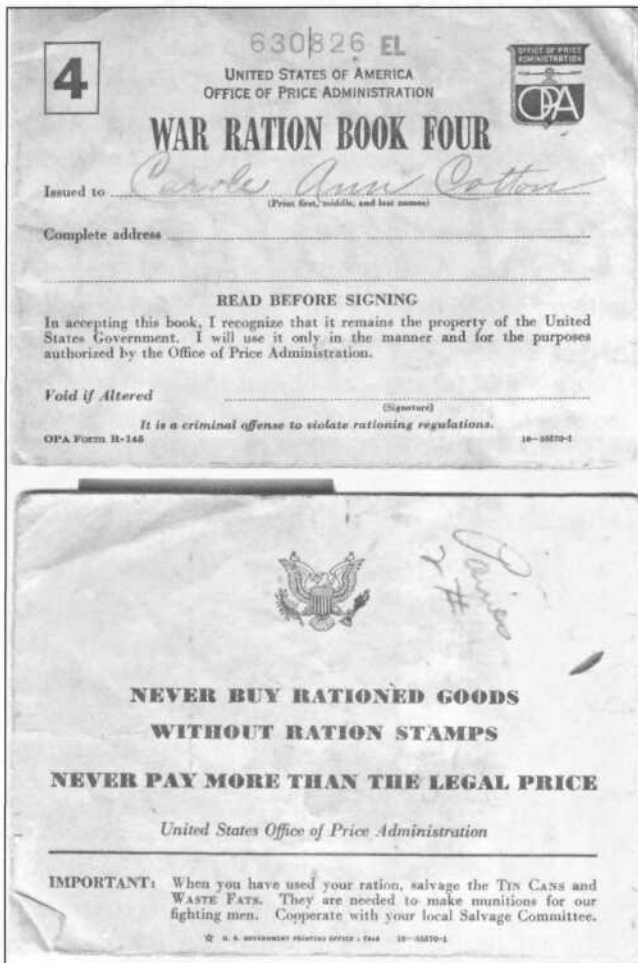
We quickly became involved in all the patriotic activities at Peabody School, joining in the War Bond Drive, the scrap metal and newspaper collections. Ladies' volunteer groups met once a week to cut and roll bandages for the Red Cross. My grandmother, a prolific



PHOTO COURTESY OF CAROLE BARGER

Carole, Ray and Linda Cotton pose for a photo in Memphis, Tennessee, in 1944.

Everyone joined in and helped. We were proud of our soldiers and our country and wanted to do whatever we could to help the troops fighting overseas. Those who had a family member fighting would have a small service banner with a blue star



COURTESY OF CAROLE BARGER
A war ration book from World War II is shown.

in the center hanging in the window. Some had more than one flag on display.

We each received ration stamp books with stamps entitling us to a limited amount of sugar, butter, meat, shoes, gasoline and tires. The ration books were titled: The Government's Guarantee of Your Fair Share of Goods Made Scarce by War. On the back of each ration book was the notice, "When you have used your ration, salvage the Tin Cans and Waste Fats. They are needed to make munitions for our fighting men. Cooperate with your local Salvage Committee. If You Don't Need It, Don't Buy It. Never buy rationed goods without ration stamps. Never pay more than the legal price". Of course, this referred to the "black market," where rationed goods, often illegally obtained, were offered for sale at high prices.

Gasoline rationing was intended not only to save gasoline but also to conserve rubber tires. Each car owner received a sticker to display on the windshield

with a letter designating ration status. Letter "A" was allowed four gallons a week. Letter "B" got eight gallons, while "C" was allowed an unlimited quantity of gasoline. This category would include use essential to the war effort. The "T" sticker was for heavy vehicles use, as well as for trucks and farm use. The national speed limit was lowered to 35 mph to save both gasoline and tires.

We all suffered from a shortage of sugar and chocolate, and every woman missed her nylon stockings. There was no silk or nylon for civilian use, thus no fancy lingerie for the ladies. Silk and nylon parachutes were much more important for our fighting boys. Many women used a product that was a liquid coloring, a leg make-up that was painted on the leg to give the appearance of stockings. Care had to be used to avoid streaking. Some even drew a dark line up the back of the leg to look like the stocking seam.

Shoe leather was in short supply; leather was needed for shoes and boots for the fighting men. We would have only one pair of shoes at a time; sometimes it was hard to replace this one pair. But all of us kids enjoyed being barefoot most of the time in warm weather.

Instead of butter, we received a white margarine in a big pound block with a small package of yellow food coloring to mix into it. I was allowed the pleasure of squishing and kneading the food coloring into the margarine, then forming it back into a loaf to be put in the ice box.

Each family was encouraged to have a Victory



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garden, a little plot where they could grow vegetables. We had greens, beans, turnips, squash, and potatoes fresh from the garden. Meat was hard to get, and sometimes we had a fried chicken, but rarely any beef. Pregnant women and nursing mothers were



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allowed a larger meat ration than the ordinary citizen.

With the necessity of having khaki uniforms and tents as well as camouflage for automobiles and other motorized equipment, the dye used for green coloring was not available for civilian use. What had been green was now red, and Lucky Strike cigarettes had to change their packaging from a green circle on the package to a red circle. Their advertising said, "Lucky Strike green has gone to war."

We saved tin cans, tin foil, and copper, all sorts of metal, rubber tires, hose, and even shoe soles for the government. There was a right way to prepare your tin cans: Both ends were to be cut out, the label removed, and the can almost flattened, but not completely, to allow the flow of chemicals through the can during the recycling process. There was a large fenced-in wire cage in the schoolyard where we put all our flattened tin cans, tin foil, and other items such as pots and pans.

For those ambitious kids, there was an opportunity to make some extra money by collecting scrap metal and taking it to the collection center. You could turn in aluminum for 5 cents per pound, iron for 1 cent for three pounds, and rubber for 1 cent a pound. Most of us

concentrated on collecting aluminum, as that was more profitable, but in no time was also much harder to find.

We all saved our pennies to buy war bonds; once a week, at Peabody School, we had War Bond Day, when the teachers issued War Bond stamp books, and sold the 10- or 25-cent stamps. When your book was filled, it was worth \$18.75, said to be the cost of outfitting one soldier, sailor or marine for duty. The filled book was turned in for a War Bond, worth \$25 in 10 years, at 3 percent interest. Not so bad nowadays.

Patriotic posters everywhere urged us, "Buy War Bonds," "Plant A Victory Garden," "Uncle Sam Needs You," And we always remembered, "Loose lips sink ships." We were avid fans of war movies, our favorite source of information on what war was all about, as there was no television in those days. We saw newsreels at the movies every week, showing the American troops in action adding to our interest and involvement in the war.

And, how we loved to hear President Roosevelt giving his weekly fireside chats. How safe we felt when we heard this powerful man assuring us that we were winning the war, and, soon, everything would be fine.

1907 Newspapers

FORT SMITH ELEVATOR

July-December 1907

(Abstracted from microfilm in the Fort Smith Public Library)

By Ben Boulden

Editor's Note: For many years, Dorothy Doville compiled the news from 100 years ago. We can't hope to match her industry and diligence, so we have decided to do something different. Below, you will read fewer excerpts from the newspaper but longer ones. This also is necessitated by editorial changes that occurred for the issues of the Fort Smith Elevator after Aug. 16, 1907. (See item below regarding the newspaper's change of ownership). Finally, most spelling and punctuation and grammar appear as printed in the Elevator.

Ellipses indicate excisions. Some very minor edits were made for clarity.

July 12, 1907

Advisers from Greenwood say that Governor Little has gained sufficient strength in the last few days to be enabled to eat and digest any sort of food that strikes his fancy. (Page 1)

The city council did well in limiting the speed of automobiles, but the license tax it imposed is excessive. Automobiles do less harm to streets than buggies and wagons. (Page 4)

Quorum court for the Fort Smith district, at a meeting held Monday in Judge Falconers' office, made an appropriation of \$3,000 for the improvement of either the Greenwood, Texas or Little Rock road, the

road upon which the money shall be expended to be selected by the county judge. There was some little opposition, one of the justices being of the opinion that the expenditure of the means of one district for the benefit of another was unwise, but the idea prevailed that the whole plan was commendable. (Page 5)

July 19, 1907

Crazed by jealousy, A.O. Gholson [sic] last Tuesday night about 9:20 o'clock murdered his wife by stabbing her in the left side of the neck with a pocket knife. The knife severed the jugular vein, and death ensued within ten or fifteen minues. The murder was committed over the Big Rock saloon on Garrison Avenue, where Gholson and his wife have been conducting a rooming house.

Attention was attracted to the consummation of tragedy by a woman who lived in the house running down stairs and screaming. Deputy Constable Jones happened to be near by and ran up stairs and into the room, where he found Gholson sitting by his wife and caressing her. His face and clothes were covered with blood, as was the clothing of the unfortunate woman. William Adams, a policeman, arrived about the same time and placed the murderer under arrest, and Walter Mulraney took him to jail. ... A report from one of the roomers in the lodging house had kissed his wife is supposed to have urged the husband to the bloody deed. (Page 5)

July 26, 1907

The last ten days have been marked by the passing of three men who have been indentified with almost every step of the development of Fort Smith and its surrounding territory. Mr. W.J. Weaver labors were during the early days of the city and country, when

conditions were discouraging, and when the efforts of enterprising men met slow response by reason of the poverty of the country, its isolation from the outside world and its distance from the great centers of progress and activity, but with the limited means at their command the pioneer promoters did much. ...George T. Sparks was a developer of a later date, but he was an effective one, and did a noble work in the world. ... Mr. Alfred J. Kendrick was a pusher of a later date than Mr. Sparks. (Page 4)

Aug. 9, 1907

The will of the late George T. Sparks, filed for probate last Tuesday, shows an estate of a conservative estimate of \$750,000. It was made just prior to Mr. Sparks' departure for the west, and bears evidence of the sagacity that characterized all his transactions. By the terms of the will D.B. Sparks and F.A. Handlin are made administrators. One-third of the estate, with the family residence and belongings, are left to Miss Medora Sparks, the daughter. The sons are amply provided for. Twenty-five thousand dollars is bequeathed to Belle Point Hospital, upon condition that its name be changed to "Sparks Memorial Hospital." Mr. Sparks took great interest in this hospital, but it is believed that in making the bequest it was his intention to perpetuate the memory of his deceased wife. ... The sum of \$5,000 is bequeathed to the Southern Presbyterian church for the benefit of superannuated ministers. Five hundred dollars is left Miss Caroliene Klocker, who has been Mr. Sparks' housekeeper for many years. There is a clause in the will which suggests to the executors the advisability of erecting a fine building on the site formerly occupied by the old mill at the corner of Garrison avenue and Tenth street. The property, bequeathed to children, Mitchell, James and Medora Sparks, is to be held in trust by the administrators and used by them to the best interests of the devisees. Mr. Sparks' Fort Smith real estate is valued at about \$100,000. His holdings in the First National Bank amount to \$125,000; Oklahoma and Indian Territory realty, \$40,000; investments in Mexico \$20,000; Fort Smith Light and Traction Company bonds, \$48,500; interest in various corporations in Fort Smith, \$53,000; bank stock in New York, Springfield and other Eastern cities, \$50,000; \$50,000 zinc

properties, \$10,000; Central Coal and Coke Company, \$50,000. These investments count for about \$600,000 of the estate. (Page 4).

Aug. 16, 1907

The Elevator this week issued under a new management, having been purchased by The Times. ... It is needless to deny that we regret parting with the Elevator. For nearly thirty years, it has been published practically under one roof. In politics, it has pursued the path blazed by Jefferson. It has been conservative in its policies, pandering to neither the mob nor the autocrat. It has tried to be fair to all. It has labored to develop the resources of its state, and we flatter ourselves in the belief that its endeavors contributed in some degree in bringing about the prosperity now enjoyed by Fort Smith and its surrounding territory.

But our job business has grown to such proportions as to require our undivided attention, and this prompts us to turn the Elevator over to hands which can give it the care it deserves, and which we feel will make it even more acceptable to the public than it has ever been. Goodbye, Weldon, Williams & Lick. (Page 4)

Sept. 13, 1907

Tuesday evening a gentleman from Tennessee whose name was not learned, enquired at the county clerk's office [about the] ideal location for a distillery [on] the Poteau. He said that he operated a distillery near Knoxville, but as whiskey had been voted out of the state he would have to seek a new location and was prospecting for a site. He said that Fort Smith would be an ideal location for a distillery, the Poteau water being especially suited to the manufacture of whiskey. (Page 5)

Sept. 20, 1907

The grand jury at noon Tuesday returned an indictment charging manslaughter against [?]

Gholston [sic], who killed his wife. It was not at any time believed that the grand jury would find an indictment for murder though every effort was made on the part of the state to have such an indictment returned. ... From what can be learned, the grand jury considered Gholston as having great provocation and as having been pushed beyond his powers of human endurance by that provocation and for that reason eliminated the murder feature. (Page 5)

Oct. 4, 1907

The building committee of the poor farm composed of Judge Falconer, T.G. Davis, W.J. Murphy, and Dr. E.G. Epler met Wednesday and awarded the contract for the new poor farm main building. (Page 4)

Oct. 25, 1907

On Wednesday an individual very much the worse for the red liquor, staggered into Jesse Putman's undertaking establishment saying he was very sick and wanted a place to lie down in. He was told there was a slab in the rear building which was at his service. He entered the morgue, got up on the slab and went to sleep. As he dozed off, he murmured, "I'm from Arkansas." He was covered with a sheet and permitted to sleep off his drunk. (Page 4)

The committee appointed at the recent mass meeting to take steps to secure a driveway encircling the city, met on Tuesday afternoon and decided to ride over the route on horseback Thursday evening, when there will be another meeting at which a committee in membership will be appointed, and subcommittees for other purposes. (Page 4)

Nov. 15, 1907

Contractor R.L. Paine is pushing the new county

hospital with a large force of men. The basement and cut stone are all on the ground and work on the basement will shortly be completed. The new thirty thousand dollar building will be one of the landmarks of the new Cliff Drive. The basement walls will rise eight feet, and above these will be erected the two story and attic building; which will thus be equivalent to a four-story structure. (Page 5)

Dec. 20, 1907

A good Christmas gift would be an abandonment of the squabble with the water works company, and a new contract that would warrant enlarging the plant to fit the present needs. (Page 4)

The little town of Chester in the northern part of Crawford County is very much wrought up over the discovery that the grave of one of its oldest and most highly respected citizens had been robbed of all it contained and that after the bones of George W. Sims had rested undisturbed for 17 years. ... The deceased was known to have amassed a considerable amount of gold in California in an early day and that at the time of his death, there was said to have been \$900 in gold that was missing. ... It became the legend of the little town in the mountains and the supposition now is that in the end someone plucked up enough courage to open the grave and despoil it of all that it contained. (Page 3)

Dec. 27, 1907

The board of regents of the Carnegie library, in accordance with the announcement already made, will open the building informally on January 1. The fixtures and the books have been placed, but the furniture has not yet been received but may be before the date stated. The formal opening ceremonies will take place when the interior is entirely fitted and at that time an appropriate program will be presented. (Page 8)

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- NOTES:** # - some sort of graphic is used, other than a portrait.
 * - a portrait of the person(s) named is on page indicated.
 (- - -) - for such as title, marital status, degree, etc.
 " - " - for nickname or special emphasis.
 (-) - dash between page numbers indicates the name of the person, place, etc. is carried throughout the story.
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