

The JOURNAL



Murder, Scandal, And Politics

The Clayton Family in Post Civil War Arkansas



William H. H.
Clayton



Powell
Clayton



John M.
Clayton

Vol. 33, No. 2, September 2009



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COVER: The Clayton home in Fort Smith
 Photos courtesy of the Clayton family.

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News & Opportunities

Mark Your Calendars

**Fort Smith Historical Society
Quarterly Membership Meeting
Thursday, October 15, 2009
6 p.m.**

**Fort Smith Public Library
Conference Room
3201 Rogers Avenue**

We'll have an interesting program presented by the members of Historytellers, a living history group in Fort Smith.

All members are encouraged to attend, and visitors are welcomed.

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Joint Membership—\$100

Starting in 2009, the Fort Smith Historical Society and the Fort Smith Museum of History have gotten together to provide a joint membership of the two organizations. An annual membership in the amount of \$100 will include the following benefits: Two annual issues of the *The Journal of the Fort Smith Historical Society* (published April and September), and from the Fort Smith Museum of History, unlimited admission for two (2) specified adults and immediate family members, newsletters, invitations to two annual membership events plus gallery openings and programs, and a 10 percent discount in the Fort Smith Museum of History Gift Shop.

When renewing your membership in the Fort Smith Historical Society for 2010, please consider becoming a joint member for the amount of \$10. Send your check to:

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Genealogy 101

Genealogy Workshop for Beginners & Experienced Researchers

Saturday, September 12, 2009

Check-in/Registration: 8:30 a.m.

Workshops: 9 a.m. to 4:30 p.m.

**Central Presbyterian Church—Fellowship Hall
2901 Rogers Avenue**

Sessions Include

❖ How to Begin a Genealogy Project—Christine Rose, CG, CGL, FASG, and author of *The Complete Idiot's Guide to Genealogy*.

❖ How to Conduct Effective Oral History Interviews—Juliana Nykolaiszyn, Oklahoma Research Program, OSU Library

❖ How to Utilize the National Archives and Records Administration (NARA)—Barbara Rust, Senior Archivist, NARA-Fort Worth

❖ How to Do Genealogy Research on the Internet—Diana Curry, Genealogy Specialist, Fort Smith Public Library

❖ How to Research U.S. Marshals—David Turk, Historian, U.S. Marshals Service, and Bob Ernst, Researcher

Pre-registered workshop participants will receive an invitation to join museum staff and workshop presenters the evening before, Friday, September 11, for a book-signing/reception. Learn about the future U.S. Marshals Museum, see renderings of the building exhibitions and design, hear the great stories that will be featured in the museum, and visit with presenters and others interested in genealogy.

Registration fee: \$35/person. Includes lunch and workshop materials. For more information or to register:

U.S. Marshals Museum Office
479-242-2634

E-mail: jhayes@usmarshalsmuseum.com.

Fort Smith Historical Society to Celebrate the Sesquicentennial of the Civil War

Arkansas will commemorate the 150th anniversary of the American Civil War in 2011. We are planning to dedicate the spring issue, April 2011, of *The Journal of the Fort Smith Historical Society* to this event.

Manuscripts dealing with this period in the history of Fort Smith and the surrounding area are invited, and should be submitted to the Managing Editors, *The Journal of the Fort Smith Historical Society*, P.O. Box 3676, Fort Smith, AR 72913-3676, no later than October 30, 2010.

Manuscripts, including quotations and footnotes, must be double-spaced, using *The Chicago Manual of Style* (University of Chicago Press).

Footnotes should be numbered consecutively in the text, assembled at the end of the article, along with a list of any additional sources.

The author's name, address, phone number and e-mail address should appear only on the title page.

Manuscripts may be submitted on CDs, using word-processing programs supported by Windows.

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Here's another idea: If you particularly enjoyed a feature in *The Journal*, show your appreciation for a subject you found interesting by making a contribution in honor of the writer.

A contribution to the Fort Smith Historical Society supports the publication of *The Journal*, which is placed in libraries and schools, and becomes an important part of the historical record of our region. *The Journal* is indexed by the Boreham Library at the University of Arkansas-Fort Smith, with the index carried on its website. UAFS is also developing a site with complete, downloadable copies of *The Journal*, accessed on the UAFS website.

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Murder, Scandal and Politics

The Clayton Family in Post Civil War Arkansas



WILLIAM H. H. CLAYTON



POWELL CLAYTON



JOHN M. CLAYTON

Photos courtesy of the Clayton family

An Introduction By Martha Siler

A corrupt election, racially motivated ballot stealing, and a 120-year-old unsolved murder case were topics discussed at the Clayton Symposium held at the University of Arkansas at Fort Smith on January 31, 2009, the 120th anniversary of the murder of John Clayton. Presentations covered Governor Powell Clayton's reconstruction administration, the events surrounding John Clayton's murder, and William Henry Harrison Clayton's tenure as prosecutor in Fort Smith. John Clayton was murdered while investigating voter fraud in Conway

County, Arkansas, after a box of ballots was stolen by an armed gang in the predominantly African-American district in Plumerville.

The three Clayton brothers were instrumental in forming the Republican Party in Arkansas after the Civil War. Powell would be chairman of the party for twelve years. They also were businessmen and owned a 2,400-acre estate in Pine Bluff. Powell invested his own money in the Crescent Hotel in Eureka Springs. William was suspected of doing money deals in Oklahoma prior to the land rush. In addition to

acting as a federal prosecutor, William was a defense attorney when not in office. He defended African-American Marshal Bass Reeves when he was brought up on murder charges.

The death of John Clayton marked a turning point for the Claytons' power in Arkansas. The Democratic Party took over, the Republican Party waned, and Powell eventually became an ambassador to Mexico. William left Arkansas for Oklahoma territory to become a judge when the courts were redrawn in 1897.

On January 30, 2009, descendants of John Clayton and professors Jeannie Whayne, Kenneth C. Barnes, and Billy D. Higgins met at the home of William Henry Harrison Clayton in Fort Smith to commemorate the death of John Clayton and to kick off the Clayton symposium, held to discuss the historic impact of the Clayton brothers on Arkansas.

Clayton House, the home of William, stands as a monument to his life and work in Fort Smith. It has been the site of many historic events in recent years, including a reception to honor William's great-grandson, John LeBosquet, and the announcement that the U. S. Marshals Service Museum will be built in Fort Smith.

For more information about Clayton House, visit www.claytonhouse.org.

PRESENTERS

Kenneth C. Barnes is chair of the History Department at the University of Central Arkansas and the author of *Journey of Hope: The Back-to-Africa Movement in Arkansas in the Late 1800's* (2004) and *Who Killed John Clayton? Political Violence and the Emergence of the New South, 1861-1893* (1998).

Jeannie Whayne is professor of history at the University of Arkansas in Fayetteville. She is a co-author of *Arkansas: A Narrative History* (2002). Dr. Whayne, who has authored and edited a number of books and scholarly articles on Arkansas history, served as editor of the *Arkansas Historical Quarterly* and as chairperson of the Department of History at the university.

Dr. Barnes and Dr. Whayne presented their papers, reprinted in this issue of *The Journal of the Fort Smith Historical Society*, at the "Murder, Scandal, and Politics: The Clayton Family in Post Civil War Arkansas" symposium at the Clayton House in Fort Smith on January 31, 2009.

Dr. Thomas De Black, professor of history at Arkansas Tech University and author of *With Fire and Sword: Arkansas, 1861-1874* (2003) chaired a roundtable discussion at the symposium.

Tom Wing, assistant professor at the University of Arkansas at Fort Smith presented a paper, "William Clayton and the Federal Court," at the symposium. Wing is the editor of *"A Rough Introduction to This Sunny Land": The Civil War Diary of Private Henry A. Strong, Co. K, Twelfth Kansas Infantry* (2006).

Martha Siler is the executive director of the Clayton House/Fort Smith Heritage Foundation and a graduate student at Lindenwood University, where she is pursuing a master's of education in historical interpretation. A graduate of the University of Arkansas at Fort Smith in August 2007 with a bachelor of arts in History/Historical Interpretation, she is the co-founder of Historytellers, a living history group in Fort Smith. She has coordinated tour guides for Tales of the Crypt at Fairview Cemetery in Van Buren for three years. Siler was the co-chair for "Murder Scandal and Politics: The Clayton Family in Post Civil War Arkansas." She is the secretary for National Association for Interpretation, Region VI, and a recipient of the Freeman Tilden Undergraduate Scholarship for NAI Region VI. Certified to teach Archeology in the Classroom, a course for teachers, and Siler is a certified interpretive guide through NAI. Siler has been published in the *Arkansas Living History* newsletter and has presented "Reviving the Chautauqua Spirit: Building a Living History Program on a Shoestring" at the Association for Missouri Interpreters Annual Workshop and NAI Region VI Annual Workshop. Siler is married to Dr. Dennis Siler of UAFS, with three children, Allyson, Zachary, and Jacob, and resides in Van Buren.

Leita Spears, a 2008 graduate of the University of Arkansas at Fort Smith with a bachelor of arts in History/ Historical Interpretation. She received her associate degree from Rich Mountain Community College in 2005. Spears is a member of the National Association for Interpretation, Association for Missouri Interpreters, and the Arkansas Living History Association, and is a co-founder of Historytellers (living history and interpretive programs). Currently attending graduate school at Lindenwood University, Spears recently co-chaired the symposium "Murder, Scandal, and Politics: The Clayton Family in Post Civil War Arkansas."



Photo courtesy of the Clayton family

WILLIAM H. H. CLAYTON

William H. H. Clayton:

From 'Carpetbagger' To Federal Judge

By Martha Siler

William H. H. Clayton and his twin brother, John Tyler Middleton Clayton, were born to John Clayton and Ann Clark Clayton on October 13, 1840, in Delaware Bay, Delaware County, Pennsylvania. One of ten children born to the Claytons, he and his three brothers, Thomas Jefferson, Powell, and John, were the only children who lived to adulthood. The brothers received a liberal education at Village Green Seminary in Delaware County, Pennsylvania.

After graduation from the seminary, William raised a company of soldiers in 1862 to fight in the Civil War but turned over command to someone more experienced. He served in Company H of the 124th Pennsylvania infantry, fought in the battles of the Wilderness, Fredericksburg, and Antietam, and mustered out in 1864.¹

After the war, he and his brothers moved to Pine Bluff, Arkansas, where they rented land for the first year, then bought 2,400 acres to farm. Successful



FLORENCE BARNES CLAYTON

Photos courtesy of the Clayton family

farmers, they were known as “carpetbaggers” in Arkansas. Nevertheless, they would go on to have a significant impact on the state of Arkansas.²

Powell became the governor of Arkansas in 1868, then went on to become a U.S. senator. John was a state legislator and a sheriff in Jefferson County for seven years. He was murdered in Conway County investigating a missing ballot box in 1889.

William was appointed to be the “circuit superintendent of public instruction for the seventh judicial circuit,”³ where he built schools and helped to encourage people to educate their children. William was admitted to the bar in 1871, and appointed to the prosecuting attorney position for the first judicial circuit of Arkansas. In 1873, Governor Elisha Baxter appointed him to be the judge of the first judicial district. He held that position until he was appointed to be the federal prosecutor for the Western District Court of the United States by President Ulysses Grant in August 1874.

William moved his family to Fort Smith to take up his position with the federal court. He and his wife, Florence Barnes Clayton, had three children at the time



MELANIE CLAYTON, daughter of
William H. H. and Florence Barnes Clayton

they came to Fort Smith. Their son, Frank, died in 1875, shortly after their move to Fort Smith, and is buried in the Catholic cemetery in Fort Smith. By the time the Clayton family moved to their house on current day Sixth Street in Fort Smith, they had three more children. In the following seven years, they would have two more daughters for a total of six daughters and two sons. Mrs. Clayton’s half sister, Lena Barnes, lived with them for a time.

Like his brothers, John and Powell, William played a significant role in building the Republican Party in Arkansas after the Civil War. His influence in Arkansas would continue through his role as prosecutor in the federal court at Fort Smith. He and Judge Isaac C.



Photo courtesy of the Clayton family

THE GRAVE MARKER of William H. H. and Florence Clayton is shown at Fort Smith National Cemetery.

Parker worked with U. S. Marshals to bring law and order to the frontier.

Together Parker and Clayton tried well more than 10,000 cases. In his first seven years as prosecutor, William won convictions for more than sixty murder cases. In one term alone, he won fifteen out of eighteen murder cases.⁴ He and Parker were known as workaholics and even tried cases on Sundays.

In 1889, William had traveled to Little Rock on business when he got the news of his brother John's murder in Conway County. He arrived in Plumerville, Arkansas, to take possession of the body of his brother for burial and was given a bill for the cleaning of the room where John had been murdered. It is reported that William took in three of John's children for a short time and helped to provide for their schooling and needs.

In 1896, the Western District Court was broken up and redrawn. William was appointed judge of the Central District Indian Territory Court in 1897, then moved his family to McAlester, Oklahoma.⁵

William and Florence would live out their days in McAlester. She preceded him in death by fourteen years and is buried in the Fort Smith National Cemetery. William outlived four of his daughters whom he lost in a six-year period. He lived to see great-grandchildren and died on December 14, 1920, at the age of 80 years.⁶ He is buried beside his wife in the Fort Smith National Cemetery.

Endnotes

¹ *The Encyclopedia of the New West*, The U. S. Biographical Publishing Co. Hodge and Jennings Bro. Proprietors. Marshall, TX. 1881 pp.17-18.

² LeBosquet, John W., *William Henry Harrison Clayton: A Biographical Sketch*. Wichita, KS. 1973. updated 1977. p 10.

³ New West. 17.

⁴ New West 18

⁵ Le Bosquet, 14.

⁶ Le Bosquet. 15

Powell Clayton and Reconstruction



POWELL CLAYTON

Photo courtesy of the Clayton family

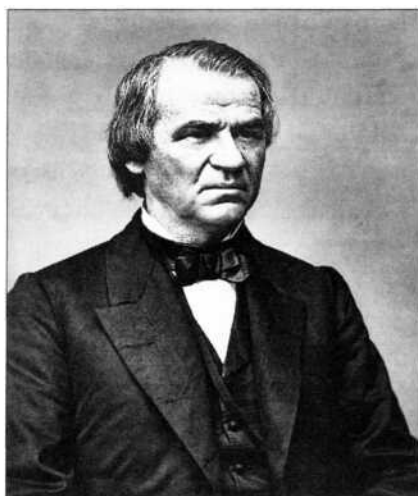
By Jeannie Whayne

With the Civil War over, former Confederate elites, determined to reclaim positions of power in Arkansas' state government, coalesced around August Garland. He and other former Confederates organized as Conservative Democrats or Conservatives in 1866. In elections of that year, Conservatives had support from President Andrew Johnson and won control of the General Assembly. They wanted no part of Governor Isaac Murphy or Unionists, and they had

the sympathy of many former Confederate foot soldiers of Arkansas.

Though Garland had been a Unionist during the secession crisis, he quickly capitulated after the firing on Fort Sumter, and later represented Arkansas at the Confederate Congress. After the war's end, Garland returned to Arkansas and secured a pardon for having served in the Confederate Congress from President Andrew Johnson who freely gave pardons to ex-Confederates.

President Andrew Johnson implemented his own mild Presidential Reconstruction plan that included liberal presidential pardons for Confederate military and political leaders, including Augustus Garland.



PRESIDENT ANDREW JOHNSON



AUGUSTUS GARLAND

Courtesy photos

Congressional leaders became increasingly concerned about Presidential Reconstruction and what southern states were doing. By 1867, those leaders moved against the president, attempted to impeach him, and instituted their own plan known as Congressional Reconstruction. Among those targeted by Congressional Reconstruction were Arkansas Conservative Democrats.

During the Arkansas legislative session of 1866-1867, Conservative Democrats took a number of actions that angered northern congressmen, including:

- ❖ Voting for pensions for Confederate soldiers and honoring the debts of the Confederate state government;
- ❖ Selecting former secessionists John Jones and Augustus Garland to represent Arkansas in the United States Senate;
- ❖ Refusing to ratify the proposed Fourteenth Amendment to the federal constitution;
- ❖ Enacting laws to seriously restrict the rights of freedmen, including regulating black labor, denying blacks the rights to sit on juries, serve in the military and attend white schools.

These measures violated the Fourteenth Amendment, a document designed to guarantee all citizens equal protection under the law, passed by Congress on June 13, 1866, and ratified on July 9, 1868. Similar measures were passed in other southern states, and many northerners saw them as an insult because it seemed to them that the South was “thumbing its nose” at the nation. The

South seemed to be indicating that the war and bloodshed meant nothing at all. Some Southerners—including some Arkansans—even suggested that slavery was not yet undone. These decisions from the state legislature ensured that Arkansas would

be included among the states placed under federal military occupation in 1867, and by late that year, the state government of Arkansas was declared illegal, and much of the state’s independence was lost.

The Military Reconstruction Act of 1867 called for new governments in the South, with military authority in the interim. Confederate leaders listed in the Fourteenth Amendment were barred from politics.

Each southern state was required to ratify the Fourteenth Amendment, which allowed freedmen the right to vote in elections for state constitutional conventions and for subsequent state governments. States were further required to ratify their own new constitutions and to submit them to Congress for approval.

Under Military Reconstruction, General Edward Ord commanded the fourth military district comprised of Arkansas and Mississippi. Ord was given extraordinary powers over that district that amounted to the right to establish martial law. As commander, General Ord could replace civilian courts with military tribunals and remove officials from office. Arkansas would remain under military rule until the state ratified the Fourteenth Amendment and granted full civil rights—including the right to vote—to blacks.

Congress required all potential voters to adhere to a strict new “iron-clad” loyalty oath that effectively denied the vote to a majority of those who had actively fought for or held office under

the Confederacy. The oath also clipped the wings of the Democratic Party in Arkansas, which did not trouble the Radical Republicans at all. The combination of military occupation and the mix of pride and resentment felt by most white Arkansans created an explosive situation that could have led to widespread violence, but because General Ord found in the course of an inspection tour that the Murphy government was working well with its finances in good shape, that crisis was averted. Ord dissolved the Conservative Democrat-controlled legislature, and allowed Governor Murphy and most other state and local officials to retain their offices.

A new political structure soon took shape under military occupation. The occupation force was made up of disciplined soldiers, including many black troops. They carried out their duties with as little interference in the lives of Arkansans as possible, and with few exceptions, freedom of speech and freedom of the press were respected. As military occupations go, military rule in Arkansas was relatively mild.

Chief among the new politicians was Powell Clayton, a former Union Army officer who had served valiantly in Arkansas as a captain of a Kansas regiment; he was eventually promoted to brigadier general. While commanding Union forces at Pine Bluff, Clayton leased an abandoned plantation nearby, made enough money to buy a plantation after the war and later married an Arkansas girl and settled down.

Clayton later said that he was inspired to enter the political arena because of difficulties he had with ex-Confederates near Pine Bluff. He became the Republican kingpin of Arkansas and ruled the state with an iron hand — only one iron hand, however, because he lost his left hand in a hunting accident shortly after the war was over.

The Unionists formally organized the Republican Party of Arkansas in the spring of 1867. With many Democrats out of the political picture by the end of the year, Arkansas Republicans compiled a new voter list that finally totaled 33,000 whites and 22,000 blacks enrolled when registration was as complete as it was ever going to be.

White voters were a mixed group: Unionists, repentant Confederates, unrepentant Confederates

who chose to take the loyalty oath, and a sizable group of newcomers to the state. Most newcomers were northerners, including a number of ex-soldiers and officers who, like Powell Clayton, had served in Arkansas during the war, liked what they saw, and stayed on after their discharge from the service.

The now-dominant Republicans felt that a new constitution that reflected their party principles and established the rights of blacks was needed. Voters elected seventy-five delegates to prepare the new document. The Constitutional Convention, dominated by Republicans, began its work in January 1868. Several delegates were black, including three ex-slaves. Most delegates — both black and white — were relative newcomers to Arkansas. The hotly debated document hammered out by the convention barely passed; only forty-six delegates voted for the final draft, while the other thirty-eight either opposed or abstained.

Federal troops supervised the election in which the proposed constitution was ratified. It seems to have been as fair as any of the state's elections of the period. The opposition charged fraud, and there certainly was some. As expected, the constitution was approved — though only by a small majority.

The Constitution of 1868 contained a number of progressive provisions, including declaring black Arkansans full-fledged citizens for the first time in the state's history. Further, blacks were allowed to vote, seek public office, serve as jurors, carry arms as militiamen, and in general assume all rights and duties of citizenship. Black Arkansans achieved legal equality, though social and economic equality was another story. However, progress was made in the next two decades. The 1868 Constitution was a start in the direction of righting an ancient wrong.

The 1868 document also addressed another critical shortcoming—public education. Arkansas, like many southern states, had never established a true system of free public education. The constitution provided for the establishment of public schools to be financed partially by state funds. From that point, any Arkansan between the ages of five and twenty-one—black or white—was entitled to a free education. The constitution described the details of school supervision and provided for a state university and other institutions of higher learning. Arkansas' present

education system grew gradually from the work of the Constitutional Convention of 1868.

However, the spending spree in which Republicans engaged left Arkansas more than \$10 million in debt, and widespread fraud was involved. Recent scholarship suggests that such activity was taking place across the South and nationwide, and may have had little to do with “Reconstruction” per se, though the unusual conditions within Arkansas—and the South in general—during Reconstruction probably promoted greater corruption.

In spite of the progressive tone of the Constitution of 1868, the document contained a great flaw that finally proved fatal—it was an obviously political document, slanted to favor the Republican Party. Legislative election districts were drawn in such a way as to assist Republicans. The governor received wide powers of appointment, and he could fill many non-elective state and county offices, which assured a plentiful supply of political rewards for the governor’s party. His appointees could usually be relied on to support the party in power because they depended on that party for their jobs.

Thus the constitution laid the groundwork for a powerful political machine that the Republicans could control as long as they held the governor’s office. Republicans gave no thought to the question of what would happen if the opposition came into control of the governor’s chair. Meanwhile, the constitution was ratified and elections were held for governor, judges, members of the legislature, and other state and county offices. To no one’s surprise, Radical Republicans swept most races. The new governor was the Kansas cavalry veteran, Powell Clayton.

Governor Clayton soon became the undisputed leader of the Arkansas Republicans, and maintained that position until his death in 1914. He became an able political leader, but his administration became notorious for corruption and heavy-handed behavior toward his political opponents. Whether the Clayton administration was significantly more corrupt than the average for the time is still a matter of debate. Clayton always claimed that charges of corruption leveled against his administration were exaggerated political rhetoric. Some charged that the administration oppressed the

people of Arkansas; Clayton was no tyrant, though some of his actions as governor were not wise.

Most other officials were relatively unknown; few had been prominent in state or county politics before the war. Many officials had lived in Arkansas only since 1865, and were therefore known as the “carpetbagger government.” The Conservatives who resurrected their old Democratic Party label heaped scorn on the new wave of office-seeking immigrants. The Democrats employed another label of contempt for native Unionists—scalawags.

Clayton believed it was his dual duty to prevent a Confederate rival from gaining power or attention and to protect the civil rights of black Arkansans. His attempts to do so inevitably increased his unpopularity with many of the ex-Confederates. Likewise, Clayton’s efforts to create a powerful Republican Party in the state gained him many enemies, though he took no actions that the former Democratic dynasty had not done. He filled every available office with his political loyalists and gave newcomers, Unionists, and blacks shares of the spoils—all of these were normal politics of the day.

However, Clayton took a step beyond politics as usual during the general election of 1868 by charging election fraud. Clayton threw out voter lists in twelve counties. Whatever merit his accusations had is unclear, though his actions ensured a Republican victory and allowed Clayton to deliver Arkansas’ electoral vote to Republican Ulysses S. Grant for president. The vote built up credit and influence with Grant’s upcoming administration. Many white Arkansans who already resented Clayton and the Radical Republicans were further irritated by the vote for Grant, and occasionally those feelings boiled over into violence.

Political brawls and assassinations occurred on a small scale, including the ambush of James Hinds and Joseph Brooks on the road near Clarendon. Hinds was killed; Brooks survived and later featured prominently in Reconstruction. General Thomas Hindman, an old Confederate who made peace with Clayton, fell to a shotgun blast through the window of his Helena home. These and other killings were attributed to “unreconstructed” Confederates. Clayton used this wave of murders to justify his declaration of martial law in ten



JOSEPH BROOKS



THOMAS HINDMAN



ELISHA BAXTER

Courtesy photos

counties during 1868. Similar disorders occurred in other southern states, provoked at least in part by widespread resentment of Congressional Reconstruction policies.

Another faction of the disorder arose in the secret sinister organization known as the Ku Klux Klan. The group was originally organized in Tennessee by a group of Confederate veterans and later spread to other states, including Arkansas, operating as a terrorist organization. Masked, robed, and armed, its members sought to kill or frighten into silence black leaders and their white Unionist allies. The Klan's life was short-lived because law-abiding southern whites turned their backs on the organization that dealt in murder, an action that many of the Klan's early leaders denounced. The Klan's presence had virtually disappeared from Arkansas by the early 1870s.

Republicans blamed the Klan for many of the violent outbreaks during Reconstruction, while Democrats generally denied that the group ever existed in Arkansas. Democrats charged that Republicans exaggerated the degree of lawlessness in order to discredit their rival party comprised of a majority of ex-Confederates. The extent of Klan activities in Arkansas is unknown, though night-riding terrorists were certainly abroad in 1868 through the early 1870s—regardless of whether they wore bed sheets and used the Klan name.

The Ozark counties were plagued by a different sort of violence, perpetrated by people in the war-ravaged northern counties still harboring bitter grudges; among them, vigilante activity enjoyed a brief revival. The Clayton administration reacted to these outbreaks by creating a state militia force largely manned by blacks

and Unionists. Like any military force, it was only as good as its training, discipline, and leadership, and unfortunately, discipline was lax and training was skimpy. Democrats charged the militiamen with creating far more violence than they prevented. Some troops certainly behaved inappropriately and irresponsibly in some instances, including looting stores and harassing people.

Meanwhile, Clayton was struggling with divisions within the Arkansas Republican Party—a political problem that would do more to undermine the party than any other problems. The Arkansas Republican Party was divided into two factions by 1870. The “Regular” faction was headed by Clayton, the “Liberal” faction by Joseph Brooks, who came to Arkansas during the Civil War, and James M. Johnson, a Unionist and longtime Arkansan from Madison County. The Liberal faction was motivated by resentment harbored by newcomers to Arkansas, like Clayton, and concerns over the charge of corruption within the state Republican Party. The divisions culminated in the Brooks-Baxter War, which enabled Conservative Democrats to seize control of the state government again in 1874.

Brooks and Johnson organized the Liberal Party in 1869. By 1870, large numbers of Democrats aligned with the Liberals hoping to take advantage of Republican squabbles and split the Republican Party. The Liberals managed to capture the General Assembly in the 1870 elections, but the Regular Republicans still controlled the Senate and governorship.

Regular Republicans stood to lose control of the governor's office—the most influential office in the state—because Clayton had been elected by the

legislature to the United States Senate and intended to take the position, leaving James Johnson, the state senate president and founding member of the Liberal faction of the Republican Party, the automatic successor to the governor's chair. Clayton and Johnson compromised, allowing Ozra Hadly, a Regular Republican, to become governor, while Johnson accepted the post of secretary of state, and Clayton went on to the Senate as planned. Clayton's Regular Republicans thereby retained their dominant position in Arkansas politics, though it was not a secure hold.

The Republican Party produced yet another faction by 1872, organized by Joseph Brooks, who broke away from Liberal Republicans. Brooks was a renowned stump-speaking Methodist preacher who was said to have a "voice like a brindle tail bull." He attacked Regular Republicans and called for honesty in government. The Liberal faction Brooks had helped organize declined in influence after he broke away, though it was still in the political field.

With the Republican Party fragmented, the election of 1872 marked the beginning of the end of Reconstruction in Arkansas. The Regular Republican candidate, Elisha Baxter of Batesville, received support from Powell Clayton and was subsequently elected. To Clayton's surprise, however, Baxter appointed both Democrats and Republicans to office and based his appointments on ability instead of political connections alone. Baxter also opposed corruption and refused to permit shady railroad companies to escape their debts to the state. Further, Baxter took seriously his declaration to support legislation to restore full political rights to all ex-Confederates. Clayton purported his support of the same during elections, though for the former governor, the support may have simply been political rhetoric.

By 1873, the legislature approved a constitutional amendment restoring voting rights to all qualified white men, including ex-Confederates. A special election was held in November 1873 to fill a number of vacancies in the legislature; results were predictable since former "rebels" were allowed to vote. Democrats secured a majority of the legislature for the first time since the beginning of Congressional Reconstruction.

Brooks never gave up trying to overturn the results of the 1872 gubernatorial election. He pursued his claims in the courts and found an unexpected ally in Senator Powell Clayton, who concluded that Brooks would make a better ally than Governor Baxter because the latter would not be cooperative. In one of the most

interesting flip-flops in Arkansas history, Clayton and Brooks joined forces to unseat Governor Baxter.

Thanks in part, perhaps, to Clayton's still-strong influence in the state court system, a Pulaski County circuit judge ruled in April 1874 that Brooks had been cheated in 1872, and that the governor's office was rightfully his. Brooks took the oath of office and proceeded with his supporters to the statehouse. There, with the aid of a militia platoon, Brooks physically forced Baxter out of his office and into the street.

Baxter then established his own statehouse down the street, appealed for support and began enrolling a militia. Brooks' troops took control of the state armory, distributed weapons and fortified the statehouse with barricades and sniper posts.

Both sides appealed to the United States Congress and President Grant. The state boiled with excitement, and soon hundreds of armed men gathered in Little Rock. Tension mounted though little actual gunfire was exchanged, likely due to the presence of federal troops on hand. In the end, the federal government resolved the matter. Grant recognized Baxter, so Brooks had no choice but to disband his troops, vacate the statehouse and go home. The "war" was over.

The Brooks-Baxter war marked the real end of Reconstruction in Arkansas. Democrats, led by former Confederates, returned to power in the 1874 elections with Augustus Garland capturing the governor's office. Arkansans would not again elect a Republican governor until 1966. But even before Garland took office, Democrats who controlled the state legislature overturned one very unpopular feature of the Republican regime—the Constitution of 1868. Democrats called for a new state constitutional convention, which convened in 1874 and drafted a new state constitution with which we are still living today.

The new constitution fashioned by ex-Confederates was designed to limit the powers of both the governor and the state government. It cut the governor's term decided by Republicans in half, reducing it to two years, and took away much of the governor's powers of appointment. Major state officials would be elected rather than appointed by the governor. Lastly, the new constitution sanctioned the support of public schools, but made raising taxes very difficult. This constitution has been amended often, and thoughtful attempts have been made to replace it altogether, but Arkansas, like many other southern states, is still living with a state constitution drafted by ex-Confederates.



JOHN M. CLAYTON



SARAH ANNE ZEBBLEY CLAYTON

Photos courtesy of Met Jones II and Met Jones III

The Life and Death of John Middleton Clayton

By Kenneth C. Barnes

John Clayton may be more important in death than in life. Actually, this comment says more about me than about John Clayton, for while I know much about his death, I know very little about his life. He remains a stranger to me in many ways. Some of you who attended the Clayton symposium in Fort Smith—particularly John Clayton's descendants—may know things about his life that I do not know. My paper focuses more on Clayton's death than his life, for his death established his importance to Arkansas history.

John and his twin brother, William, were born October 13, 1840, on a farm near Chester, Pennsylvania, the sons of Ann Glover and John Clayton. They were seven years younger than their older brother, Powell.

John had an eldest brother, Thomas Jefferson Clayton, born in 1826, who stayed in Pennsylvania instead of migrating to Arkansas. Their father, John, was a carpenter and an orchard-keeper who grew cherries, peaches, and apples. In his politics he was a Jeffersonian Democrat, evinced by his naming of son John as John Tyler Clayton. When President John Tyler later abandoned the party, the elder Clayton expunged the Tyler name from the record and had his son baptized John Middleton Clayton, after a relative living in Delaware.

John M. Clayton married Sarah Ann, and the couple had seven children, one who died as a toddler. During the Civil War, John served as a colonel in the Army of

the Potomac and was engaged in several campaigns in the eastern United States. In 1867 he moved to Arkansas with his family and managed the plantation owned by his brother Powell at Linwood, on the east side of Pine Bluff in Jefferson County.

John Clayton's first entry into politics was as a justice of the peace. In 1871 he was elected as a Republican representative for Jefferson County to the Arkansas General Assembly. In 1873 he was elected state senator, representing Jefferson, Bradley, Grant, and Lincoln counties. As president pro tem of the Senate and chair of the Senate Elections Committee, he pronounced that Elisha Baxter had won the governor's race in the November 1872 election, one of the most fraudulent elections in Arkansas history. It appears that John Clayton rose to public office through his family name, on the coattails of his more famous brother Powell, in an age when politics was often kept within the family.

Besides elected office, Clayton served the public in a number of ways. He was a member of the first board of trustees of the new University of Arkansas in Fayetteville when it was chartered in 1871, one of the real achievements of the Radical Reconstruction government of Arkansas. And John Clayton was instrumental in getting the Branch Normal College, today's University of Arkansas at Pine Bluff, located in Pine Bluff, when it was established in 1873 as a school to train black schoolteachers. Predictably, he became involved in the Brooks Baxter War in 1874. After certifying Baxter's election over Brooks in the Arkansas Senate in 1872, he became a Brooks man when Powell Clayton switched sides in March 1874. John Clayton raised troops in Jefferson County and marched them in April 1874 to the state House of Representatives in Little Rock, where Brooks' men were congregated to fight Baxter's men on the east side of Main Street. The "war" lasted a month, and presumably Clayton and his troops went back to Jefferson County.

Two years later, in 1876, John Clayton was elected sheriff of Jefferson County, and he would be re-elected for five successive two-year terms through 1886. In the later 1800s, the job of county sheriff was a more political position than we think of it today. In an era when the sheriff could not zip around the county enforcing the law, the role was important for tax collecting and political activities such as delivering votes for one's political party. Clayton's stint as sheriff might best be thought of as ten years as political manager for the Republican Party in Jefferson County.

REPUBLICAN TICKET

Election: Tuesday, November 6th, 1888

FOR PRESIDENT

BENJAMIN HARRISON,

Of Indiana.

FOR VICE-PRESIDENT,

LEVI P. MORTON

Of New York.

PRESIDENTIAL ELECTORS.

AT LARGE,

M. W. GIBBS, W. H. H. CLAYTON.

First District—**GEORGE W. BELL.**

Second District—**A. M. MIDDLEBROOKS.**

Third District—**J. B. FRIEDHELM.**

Fourth District—**CHAS. D. GREAVES.**

Fifth District—**SAMUEL MURPHY.**

FOR CONGRESS.

Second Congressional District,

JOHN M. CLAYTON.

Of Jefferson County.

Courtesy image

THE 1888 REPUBLICAN TICKET lists John M. Clayton as candidate for Arkansas' Second Congressional District.

In 1888 he ran as the Republican candidate for the 2nd Congressional District of the U.S. Congress, Representative Vic Snyder's district today. He ran against the incumbent Democrat, Congressman Clifton R. Breckinridge. His entry into higher-level politics came at a dramatic and historically significant moment in Arkansas. Some historical context is needed to understand why this election and ultimately Clayton's murder were important.

Since the Brooks Baxter War and the end of Reconstruction in 1874, Democrats had been solidly in power over state offices in Arkansas. Powell Clayton's Republican Party was a minority party that had a small number of white voters, mostly from the mountainous regions that had provided most Arkansas Union soldiers in the war. These veterans and their sons were still voting Republican into the 1880s. In addition, a larger number of the Republican voters were African-American men, who were enfranchised during

Reconstruction and had not lost their votes, with some exceptions in 1878 and 1880 in some counties of the Delta. There were enough Republican votes to control county offices in some black-majority counties of Arkansas or to split offices in a compromise agreement with Democrats. After 1874, however, there were never sufficient Republican votes to make a majority that could win the governor's office and other state offices, or seats in U.S. Congress.

This pattern was challenged in 1884 with the resurgence of a strong agrarian populist movement in Arkansas. A number of economic factors were coming together. The price of cotton was declining, while state and local government had passed laws appearing to favor creditors over debtors. There was a widespread perception that big landowners who often lived in town, and other townsfolk like merchants, bankers, railroad personnel were taking advantage of poor farmers. Two organizations of farmers, the Agricultural Wheel and the Brothers of Freedom, had begun in Arkansas in 1882 to take action to help the rural poor. They pushed for measures such as bargaining collectively with merchants to get better rates, and they set up their own stores, mills, and gins to cut out the middle man entirely. Farmers' cooperatives, the local coops where many Arkansans today purchase their farm, gardening, or lawn-care products, serve as a modern legacy of this movement. There was a great deal of class-consciousness in the Wheel/Brothers organization; the Brothers of Freedom charter, in fact, formally excluded merchants, bankers, and lawyers from membership. In 1885 the two organizations merged, keeping the name of the Agricultural Wheel.

What made the Wheel movement more significant was that the farmers also got political. The Wheel ran a candidate for governor in 1886 who came in third after the Democratic and Republican candidates. In many counties Wheelers fielded tickets for county offices in the 1884 and 1886 elections, winning in some counties outright and in others in alliance with the Republican Party. In Conway County, for example, the local Republicans and farmers pooled their votes in 1884 and 1886 and took the county government away from Democrats who had controlled it since the end of Reconstruction.

In 1888, Wheelers presented a greater challenge, for their numbers had grown significantly. By 1888 there were 75,000 Wheelers in Arkansas, and the organization numbered a half-million nationwide.

In the 1888 elections the Wheel emerged as a third party, and it had the results that third parties often do. Most white farmers had previously voted Democrat for state and congressional offices. What emerged in 1888 was an unofficial alliance between Republicans and the farmers, who fielded candidates for state office through the Union Labor Party, a national party of farmers and the Knights of Labor, a sort of workers party. The Republican Party in Arkansas, under Powell Clayton's direction, endorsed the Union Labor candidate, Charles Norwood, for governor against the Democratic candidate, James Eagle, a plantation owner in Lonoke County who represented everything the Wheel was against. State elections in the 1800s were held in September, with federal elections following in November. With the combination of Wheelers and Republicans, in the September 1888 election Norwood came close to beating Eagle, and had it been a fair election he perhaps would have won. The 1888 elections were some of most fraudulent in Arkansas history. It constituted a truly momentous situation with a coalition of poor white and black farmers voting Union Labor/Republican against the status quo Democratic elites.

The political environment in 1888 had become white-hot with partisan and even violent activity. Conway County again provided an excellent example. The Democratic governor had sent two boxes of guns and 2,000 rounds of ammunition to Morrilton to arm the local Democratic Club, a 75-member militia that paraded with their guns in the streets before the election. Democrats said they needed to arm themselves to protect against threats by black people to burn down Morrilton if they lost the election. On Election Day, the militia was in control of the Morrilton polling place and by voice vote replaced Republican election officials with Democratic ones. Similar things happened in Plumerville. In one fell swoop Democrats had sole power over counting votes in the two precincts where most of the county's black votes were to be cast. When a Republican operative tried to pass out ballots nonetheless outside the polling place in Morrilton, he was beaten by the Democratic militia. Not surprisingly, the coalition of Republicans and farmers did not keep control of the county offices in this kind of election, and Democrats returned to office in Conway County. On the next evening, victorious Democrats held a pep-rally of sorts in which they ceremoniously "buried" the Republican Party; in a torchlight procession, oxen and a buggy brought a mock corpse that was interred face

down. The Morrilton Glee Club sang, and the head of the Democratic militia eulogized on the biblical text: "Take up thy bed and walk."

Similar shenanigans took place elsewhere in Arkansas in the September election, leading Norwood to cry foul. He contested the election until he was told he must file a \$40,000 bond to cover cost of the contest, and he withdrew. With this as prelude, one can get a sense of the heated environment of the November congressional race, in which John Clayton faced Clifton Breckinridge. Clayton ran on the Republican ticket with the backing of the Wheel. September and October were months of feverish campaigning, for Norwood had actually out-pollled Eagle in the second congressional district, even with the election fraud. Republicans were optimistic that it was their chance to claim a seat in Congress. Clayton and Breckinridge canvassed the district, often travelling and campaigning together. The two candidates became pretty good friends; they ate dinners together and slept in the same bed in hotels along the way.

When election day, Tuesday, November 6, 1888, finally arrived, it became a fiasco. As in the state election in September, Democrats managed to remove Republican election officials in Morrilton so that they alone ran the election. In Plumerville they intimidated the black Republican election officials but could not get rid of the white Republican judge, a local man named Charles Wahl. After the polls there closed at 6 p.m., Wahl watched the ballot box vigilantly even as he and a Democratic judge took it to the local Simm's Hotel for their dinner. When they returned to polling place to count votes a bit after 7 p.m., a voice at the door called out asking if they had commenced counting the votes. Wahl answered no. Then four men wearing rubber slickers, with handkerchiefs covering their faces and pistols in their hands, burst into the room and took the poll book and ballot box containing a large share of the county's black Republican votes.

Shortly before the ballot box theft, on what was a miserable rainy night, a group of eighteen Democratic men of Morrilton were seen riding to the outskirts of Plumerville. Five of them—prominent businessmen and professional people—went on into town. The group was seen leaving about thirty minutes later going back to Morrilton. One member of the posse testified in congressional hearings later that the group took the ballot box back to Walter Well's store in downtown Morrilton where they burned the ballots in a woodstove.



Courtesy image

CLIFTON R. BRECKINRIDGE was John M. Clayton's Democratic opponent for Arkansas' Second Congressional District in the 1888 election.

John Clayton lost the election by a mere 846 votes, two-tenths of the total vote. Perhaps there were as many Republican votes in the stolen box. Flagrant fraud took place elsewhere in the second district on Election Day. Clayton announced he was contesting the election. Some of the black election judges who had been ousted filed affidavits in federal court charging Democrats with tampering with a federal election. Republicans won the presidency and both houses of Congress in the election, and the Democratic perpetrators in Conway County started to get nervous, fearing that they might go to a federal penitentiary. In the weeks that followed, they began to cover the tracks of their crimes.

Charles Wahl, the Republican election judge who witnessed the ballot box theft, was talked into playing a late night poker game with some local Democrats, when a gunshot came through a glass door, grazing his head and shooting off part of his ear. He fled his home in Conway County and charged his poker mates in federal court with attempted murder. The Democratic county sheriff did not charge anyone with criminal activity except Wahl, whom he charged with gambling. Wahl paid a \$10 fine rather than return to fight the case. Wahl



PLUMERVILLE, ARKANSAS, is shown at the turn of the century.

Courtesy photo

had identified the voice of one of the ballot thieves as Oliver T. Bentley, one of the five men seen coming into town. Oliver's brother, George Bentley, was also one of the posse who had ridden to Plumerville on the night of the stolen election. Either conscience or fear got the better of George Bentley, and he began negotiating to become a government witness about the stolen election. On the morning of November 27, George was in his gun shop in Morrilton with Oliver and one other witness, another of the five men who rode into Plumerville, when he was shot dead. The story told by the two witnesses was that Oliver was examining a Smith & Wesson revolver when he accidentally shot his brother in the head. George Bentley's grandson later stated that his grandfather was shot "accidentally" five times.

This violence formed the background of John Clayton's arrival in Plumerville in late January 1889 to collect evidence for his election contest. Clayton's plan was to get local Republican voters, who would be almost entirely African-American men, to make a notarized deposition that they voted for Clayton in November 6 election. A local Republican leader had gone to Little Rock to speak with Clayton and his lawyer, Republican leader John McClure. He told them Clayton should take his depositions in Morrilton, fearing he would be killed if he went to Plumerville.

If he did go there, he should take an armed guard. Clayton thought an armed guard would scare away potential black deponents, and he went anyway, bravely or foolishly, arriving in Plumerville on January 25. A black Republican politician from Pine Bluff, A. W. Middlebrooks, came along to assist Clayton. Apparently he was carrying Clayton's bags, for he deposited them at local hotel, Simms Hotel, and went out to rural precincts to get word out about the depositions. Clayton arrived later at Simms Hotel and was refused a room in the two-story inn by owner John Simms, one of poker players the night Charles Wahl's ear was shot off, saying his wife was ill. Simms referred Clayton to Mary McCraven, around the corner, who took boarders in her one-story home. This appears to be by design, for Breckinridge's lawyer representing him in the depositions, Carroll Armstrong, head of the Democratic Party organization in the county, was given a room at Simms' Hotel.

A. W. Middlebrooks returned to town from the black neighborhoods and refused to stay in Plumerville, sensing danger, and he tried to talk Clayton into leaving with him for Pine Bluff. Clearly there was talk of impending violence. Apparently as a precaution, Clayton slept in an interior room, actually a windowless hallway, instead of McCraven's larger bedroom on the



Courtesy photo

THE SIMMS HOTEL can be seen in the background in this image of Plumerville, Arkansas.

north side that had windows. He took depositions in the larger room for the next four days, assisted by a local Republican lawyer, William Allnutt, who notarized the depositions. In the meantime, local Republicans and Democrats were working on a compromise deal, agreed to by Republican leaders and McClure, Clayton's lawyer in Little Rock, by which Clayton would drop the depositions in return for Democrats agreeing to a 500-vote Republican majority in the stolen ballot box. McClure agreed, and the local Republican said in response: "You have saved Clayton's life." But then McClure refused to rescind the \$1,000 reward for the ballot-box thieves, and the whole deal then fell through. That night, January 29, 1889, John Clayton was murdered.

This project began for me in the early 1990s, when I came into the possession of a cassette tape of an elderly man, John Mason, telling stories about the old days. He had grown up in Plumerville, and he had died about a decade before I heard the tape. One story he told was about a group of men who gathered around the pot-bellied stove in Malone's General Store in Plumerville and drew straws to see who would kill John Clayton. He said his adopted grandfather was one of the eighteen men who drew straws. Drawing the short straw was Bob Pate, the co-owner of a saloon with John Simms, the hotel man. John Mason's grandfather was a bartender in the saloon and also one of the poker players on the night Wahl's ear was shot off.

On the evening of the 29th, Clayton took his dinner with Allnutt, and they retired to the bedroom-parlor. Another boarder was there, a pottery salesman from Saline County; he was sitting at a table by a window, working on some accounts. The window was long, almost to the floor, and covered with calico curtains not quite meeting in the middle. After some time, the salesman got up and Clayton sat down at the table to write his children a letter when a blast of buckshot came through the window. The blast almost severed his head from his body. The explosion blew out the lantern, and just

the fireplace next to the window illuminated the room. Allnutt was so distraught that he tried to race out of the room but hit the door and could not find the doorknob. John Mason's account says Allnutt jumped up the door, repeatedly sliding down looking for the knob, which indicates Mason's perspective was from the person outside peering in the window. Afterward, three black men testified that they had run into the house after hearing the shot, and one was so overcome by the blood and gore that he fainted and had to be carried out. The black men said they saw Bob Pate standing about 25 feet away with a gun in his hand along with another man. They said Pate asked, "Is he dead?" John Mason's account has Bob's brother, Charles, accompanying him outside the window. Mason's grandfather provided an alibi for Bob Pate, swearing that he was with him in the saloon at the time of the murder.

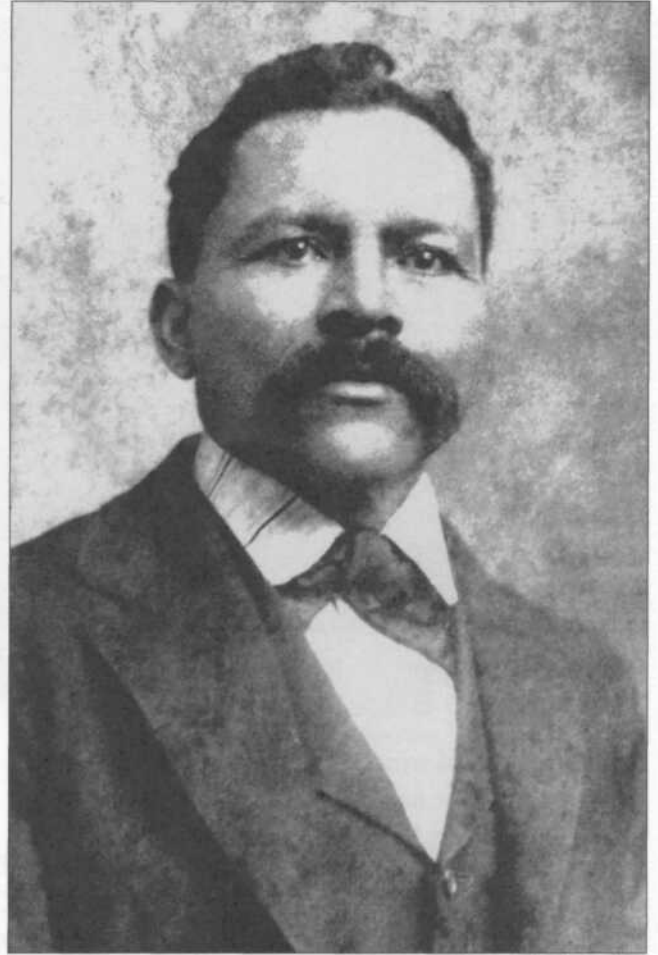
A local physician pronounced Clayton dead, and Carroll Armstrong and Allnut covered the body with a blanket and sat with it through the night. John Clayton's twin brother, William, was in Little Rock on business, and he arrived the next day to claim the body. He was incensed when McCraven gave him a bill for \$31 for the blood damage done to her carpet. Investigating the murder that day was deputy sheriff Oliver T. Bentley. He convened a coroner's jury that included Bob Pate to examine the body and the physical evidence. The group found powder marks on the window outside and tracks of two men wearing rubber boots, one pair old and one

pair new, frozen into the muck overnight.

John Clayton in life was always overshadowed by brother Powell, but in death he made the headlines. National newspapers carried the story of his murder, presenting it as a political crime. More than 5,000 mourners turned out for Clayton's funeral at First Methodist Church in Pine Bluff, and he was buried in Bellwood Cemetery. There was much obvious sympathy. His wife had died a few years earlier, leaving John Clayton as a widowed father of six children—four sons and two daughters. Three of the now-orphaned children went to live with Uncle William in Fort Smith, and three went to Uncle Powell in Eureka Springs. The two uncles used their influence to get the oldest daughter, Emma, appointed as postmistress of Pine Bluff, and she soon married a judge there, W. D. Jones. Their descendants are in the audience today [UAFS, January 31, 2009].

John Clayton's life had ended, but the story was not over. There were trials in federal court against the local Democrats accused of interfering with the elections, and some were found guilty and fined. Private, civil, and congressional entities all investigated Clayton's murder, but no perpetrator was ever indicted for the crime. With Oliver T. Bentley conducting the local investigation, one would not expect justice for the Clayton murder in Conway County. A circuit judge later convened a grand jury to investigate and gave a speech rebuking local Democrats for their behavior. He even called the murder a political assassination. But this jury never brought forward any indictments.

The Clayton brothers put up a \$5,000 reward for information leading to arrest of the murderer, and they hired a Pinkerton detective to investigate, paying him \$8 a day plus expenses. The detective snooped around Plumerville until local residents reportedly drove him out of town; he took testimonies thereafter in his room in the Capitol Hotel in Little Rock. He hired a local black man, Joe Smith, to keep investigating in Plumerville. On March 30, two months after the murder, Smith sent a message to the Pinkerton detective that he had found a man who could reveal the identities of both Clayton's murderer and the ballot box thieves, and that he planned to bring the informant to Little Rock to make a statement. About sunset of the same day, three white men on horseback overtook Smith as he was going home to his wife and five children and shot him dead. A black constable of Plumerville, Richard Gray, tracked down the 18-year-old who had shot Smith, arrested him,



Courtesy photo

RICHARD GRAY

and turned him over to the county sheriff. The sheriff let the killer go but indicted Gray for "breach of peace" for using insulting language when he arrested the killer.

The following year a subcommittee of the U.S. House of Representatives came to Arkansas to investigate the disputed election and Clayton murder. Clayton's lawyer, John McClure, had kept pressing the case forward, claiming that Democrat Clifton Breckinridge won the seat fraudulently. The congressmen took their depositions in the federal court building in Little Rock, as the chair of the committee said they feared for their lives if they went to Conway County. When they returned to Washington in May and submitted their report to Congress, by a vote of 105 to 62, the House voted that John Clayton had actually won the November 1888 election. Clifton Breckinridge had to give up his congressional seat, and it was declared vacant on account of Clayton's death. Some consolation for the Clayton family!

So what exactly did John Clayton's death mean? His death signified an auspicious moment in Arkansas



Courtesy image

THE FIRST METHODIST CHURCH OF PINE BLUFF where John M. Clayton's funeral was held in 1889 is shown. The church was built in 1888 and demolished in 1960.

history. It was a time when white and black poor Arkansans threatened to form a block that could sweep the old Democratic elite out of power. Clayton's stolen election and murder showed what means Democrats would use to keep this from happening. Fraud and violence allowed Democrats either to get or keep power. And once they had it, they used their control of the system to make sure they would not need to use such levels of fraud and violence again. In the next state election, in September 1890, state legislators were chosen who enacted "election reform" laws, which would deprive black and some poor whites of their votes. While they were at it, they went on pass the Jim Crow laws that established legal segregation of the races in Arkansas.

In Conway County, once Democrats gained back control, they never lost it again. The perpetrators became the local government of the county. Ben White, one of the poker players when Charles Wahl was shot, became county sheriff, with Bob Pate as his deputy. Pate and a couple more deputy sheriffs were made special deputy U. S. marshals in the great railroad strike of 1894, and went to protect the railroad yards in North Little Rock from strikers.

One of the other marshals accidentally dropped his pistol; it struck a rock, and discharged, hitting Pate in the forehead. He died of the injury.¹ Oliver T. Bentley, who shot his brother accidentally five times, became justice of the peace, mayor of Morrilton, and then county judge. And Charles Reid, another one of the posse who had ridden to Plumerville on the night of the stolen election and who was convicted in federal court for interfering in the 1888 election, went on to serve ten years in the U. S. Congress. From 1888 to this day, a Republican has never won a countywide office in Conway County. On the state level, Democrats would keep their control until Winthrop Rockefeller arrived in the 1960s. This is the real meaning of the political fraud and violence culminating in John Clayton's death: it worked.

Endnote

¹At the time I wrote *Who Killed John Clayton?* I could find no record of what happened to Clayton's murderer, Bob Pate. In preparation for the Clayton symposium in Fort Smith, I found an internet reference that led me to an article in the *Arkansas Gazette*, July 16, 1894, which provided information about the circumstances of Pate's death.

The Lives of John M. Clayton's Children

By Leita Spears

John Clayton's wife, Sarah Ann Zebley Clayton died in January 1884, five years before John's murder. Upon John's death, his six living children became orphaned. The needs of the children were provided for by John's brothers, Powell, William H. H., and Thomas, with Powell taking the lead. Here is a brief account of their lives.

Sarah Emma Clayton, named for her mother and her father's deceased younger sister, was born in 1867 with most census records indicating Arkansas as the state of her birth, though at least one lists Pennsylvania. In 1893 she married attorney William David Jones. They were married in Pine Bluff, Arkansas, and lived on West Sixth Avenue. Mr. Jones became county judge and then prosecuting attorney. They had three sons surviving, William M., Leonard, and John, having lost at least two other children in death. Mr. Jones' widowed mother, Rebecca R. Jones, shared their home for more than twenty years. By 1920, the family had live-in help for cooking and other chores. Later, son Leonard, his wife, Thelma, and their four-year-old son, William, joined the family home in 1930. Emma died at age seventy-seven. She was buried alongside her husband in Graceland Cemetery in 1944. She was the first woman postmaster appointed in Pine Bluff and installed in office within six months of her father's death. Such appointments were made by the president of the United States, and her uncle Powell Clayton, former Arkansas governor, would have been instrumental in her position. Emma was twenty-two years old when her father was murdered.

Margaret A. Clayton was born in Delaware in 1872. She married Harry Dukes. Only one of her two children was living in 1900, a daughter, Margaret. Her brothers, William, Fred, and John, were living with her family in Little Rock that year. By 1916, Margaret was living in Riverside, California. A widow by 1920, she and her daughter, Margaret Dukes, a public stenographer, had taken in a schoolteacher as boarder. Margaret was seventeen years old when her father was murdered.

John M. Clayton was born in Pine Bluff, Arkansas, in 1874 and died there three years later in 1877. He preceded his father and mother in death.

William H. Clayton, born in January 1876, lived in Little Rock with two boarders and worked as a machinist in 1910. In 1930, he was back in Jefferson



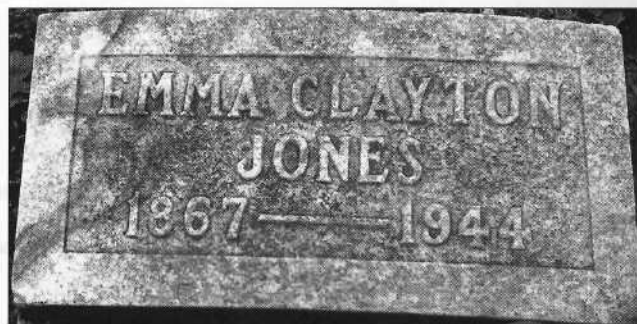
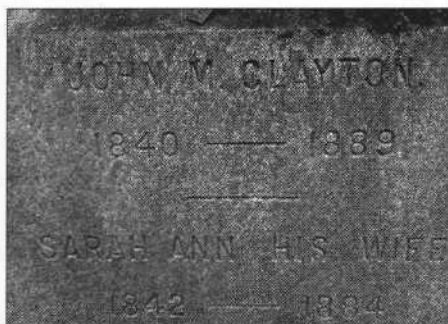
Photo courtesy of Ann Ryburn and Met Jones

EMMA CLAYTON JONES, oldest daughter of John M. Clayton.

County, having never married. At age fifty-four, he was a toolmaker and lived on a farm paying a rent of \$5 monthly. He was a veteran of the Spanish War. William was thirteen years old when his father was murdered.

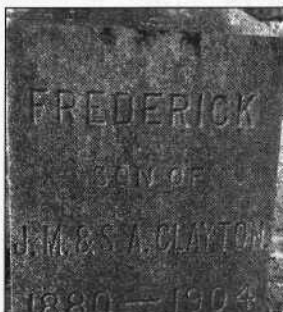
Powell Clayton was born March 17, 1878, in Pine Bluff, Arkansas, and married in 1898 at age twenty to Ora Parham. They had a son named John in 1899. At age twenty-two, Powell was living with his family in Little Rock, where he was an attorney and partner with the firm Cohn, Clayton, and Cohn. Powell and Ora were living in Boston, Massachusetts, in 1942, where he was still working at age sixty-four. He was a tall, slender man with blue eyes and brown hair. Powell was ten years old when his father was murdered.

Frederick Clayton was born October 1880 and died at age twenty-four in 1904. At age fifteen, he boarded and attended school in Little Rock. He, too, lived in Little Rock with Margaret's family in 1900. At that time, he was twenty and employed as a stenographer. Frederick was nine years old when his father was murdered.



Photos courtesy of Met Jones

THE GRAVE MARKERS of John M. (born 1874) Clayton, John M. (born 1840) Clayton, Emma Clayton Jones and Frederick Clayton are shown at Bellwood Cemetery in Pine Bluff, Arkansas.



John M. Clayton¹ was born in October 1881 and living in Little Rock with his sister and her family in 1900. He married Elizabeth

popular naming patterns or the death of a child, especially when the name was a family name. In this case, John was the name of the paternal father and grandfather.

Sources

Census of the United States from 1880 through 1930
World War I Draft Registration Cards, 1917-1918
U.S. World War II Draft Registration Cards, 1942
City Directories
Personal correspondence with Met Jones
The Arkansas Historical Quarterly
California Passenger and Crew Lists
Clayton, Powell, *The Aftermath of the Civil War in Arkansas*.
These resources may be viewed on Ancestry.com online at the URL: <http://trees.ancestry.com/tree/4819732/person/-1540234764?pg=32818>.

May Hudgins on April 3, 1909, in Hot Springs, Arkansas, and later moved to Los Angeles, California, where he became president of the Lake Hemet Water Company. John was described as a tall man of medium build with light blue eyes and brown hair. He died in June 1952. John was seven years old when his father was murdered.

Endnote

¹It was not uncommon in the 18th and 19th centuries to see more than one child with the exact same name based on

Clayton Lineage

Post Civil War

John Clayton — Ann Clark

Thomas J. Clayton
(unmarried)

No children

Powell Clayton
(m. Adeline McGraw)

Lucy Clayton
Powell Clayton
Charlotte Clayton
Kathleen Clayton

William H. H. Clayton
(m. Florence Barnes)

Mary Clayton
Ann Clayton
Frank Clayton
Florence Clayton
William Clayton Jr.
Melanie Clayton
Adele Clayton
Beatrice Clayton

John M. Clayton
(m. Sarah Zebley)

Sarah Emma Clayton
Margaret Clayton
John Clayton
William Clayton
Powell Clayton
Frederick Clayton
John M. Clayton

Letter From Liberia

*Correspondence To Arkansas Family Members Details Life
In Back To Africa Settlement Of Late 1800s*

Introduction by Leita Spears

After the Civil War, under Republican oversight, poor white and black Americans had been given rights comparable to prominent landowners, which meant they could vote and even hold office in state government. Democrats tried to regain control of the state. In Conway County, Arkansas, there were men willing to do anything to achieve this goal, including violence. After poll tampering and voter manipulation culminated with the murder of John Clayton, violence against African-American citizens escalated. In the wake of this violence many families left the area. Some joined the Back to Africa movement, which relocated people, upon request, to the African country of Liberia, founded for just this cause. Other families moved west, settling in Crawford and Sebastian counties in Arkansas or the Indian Territory of what later became Oklahoma.

During the symposium "Murder, Scandal, and Politics: The Clayton Family in Post Civil War Arkansas," Mr. Verdie Triplett, a descendent of one of the families who chose to move west, read a letter from one of his ancestors who went to Liberia. The letter originally was published in *The Voice of Missions*, February 1896, an African Methodist Episcopal Church mission magazine. The letter was included in Kenneth C. Barnes' book, *Who Killed John Clayton: Political Violence and the Emergence of the New South, 1861-1893*.

Letter of N. M. Rogers of Liberia to his family in Morrilton, Arkansas

Johnsonville, Liberia
September 20, 1895

Mr. Green Rogers, Morrilton, Ark., USA

Dear Father,

Yours of the past month came to hand, found all well, and hope when these few lines come to hand will find you all the same. I was glad to hear from you.

You was asking me about the times. The times are very hard with new people, but I would not exchange homes if some one would give me a place there and

stock to work it. A man can live here when he has one or two years experience of the country and you won't have to work half as hard as you do over there.

We don't have everything here as plentiful as there, but in a few years when we will begin to raise our coffee we will have what we want. You may hear that you can't raise corn and hogs, but I raise my corn and hogs and have my own bread. There are some people who come out here and as soon as they get sick, or before they know anything about the country, they will go back and tell that they can't live here, but it is a mistake, any man can live here if he works. We have to work anywhere we go. One thing I like,

there are no white men to give orders; and when you go in your house, there is no one to stand out, and call you to the door and shoot you when you come out. We have no foreman over us; we are our own boss. We work when we want to, and sit down when we choose, and eat when we get ready.

I'a, you had better make up your mind and come over here. You will not suffer, and if you will, let me know in your next letter. Write as soon as you get his.

A few words to Clara

Dearest Sister, I am glad to hear that you have professed a hope in Christ, but it is not anything to profess, but the thing is too live a Christian and to know that you are truly converted and born of God, and live accordingly. I trust we will meet again. Tell John Polk I want him to come out here before he gets too old, where your children are free, and what you make will be yours.

A few words to Mary

[Now] to drop you a few words. Mary, I have not got those pictures, but I am going to try and get them. You and your husband must make up your mind to come out here. This is the colored man's home, the only place on earth where they have equal rights, and when you once get a start it will last you until death.

You can raise nearly everything here that you can there. We don't have the horse here, where we are, but they are here. We have the cow here, but they don't grow as large here as in the United States.

We raise chickens, geese, turkeys, guinea fowl, and other fowls that you raise there; and you can live easier working three days in a week, than you can there working every day in the week and on Sunday too.

We have the same God here that you have there. Tell Aunt Mary, howdy, tell her I want to hear from Thomas Sirait, so I can write to him how times are.

Love to Bro. Toombs, tell him I am still in the faith, that I am an ordained deacon in the Morning Star Church.

Sarah says, write to her. Write soon and let us hear from you.

Yours truly,
N. M. Rogers

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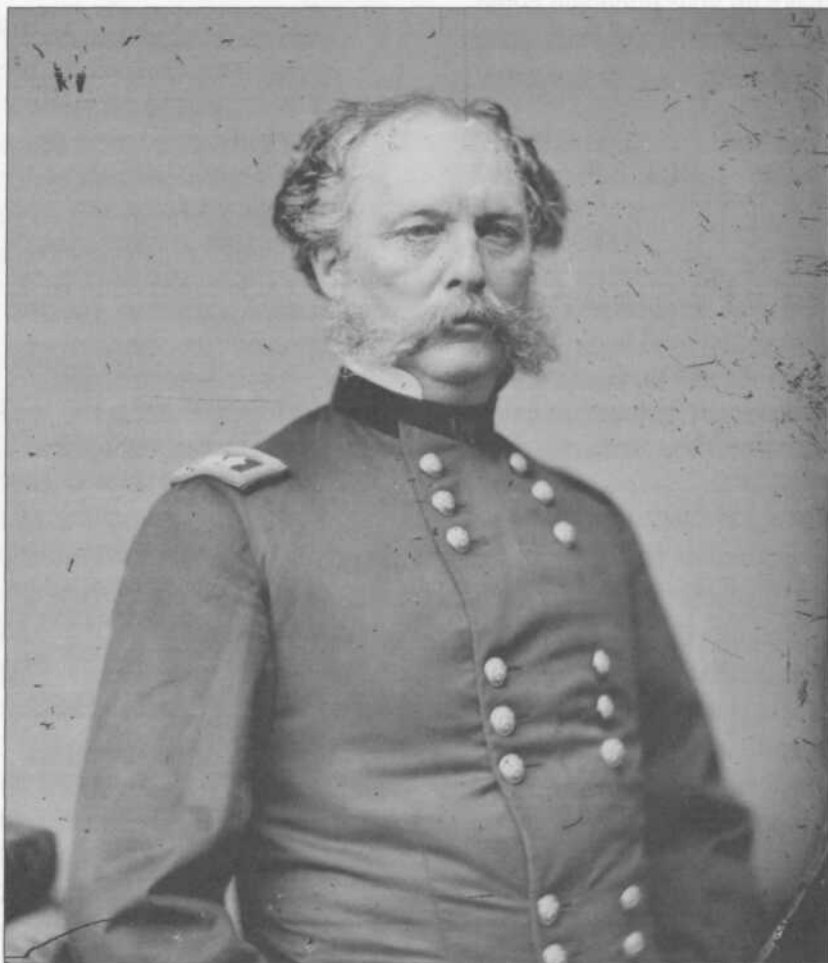
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Capt. Randolph Barnes Marcy:

Explorer And Surveyor



Courtesy photo

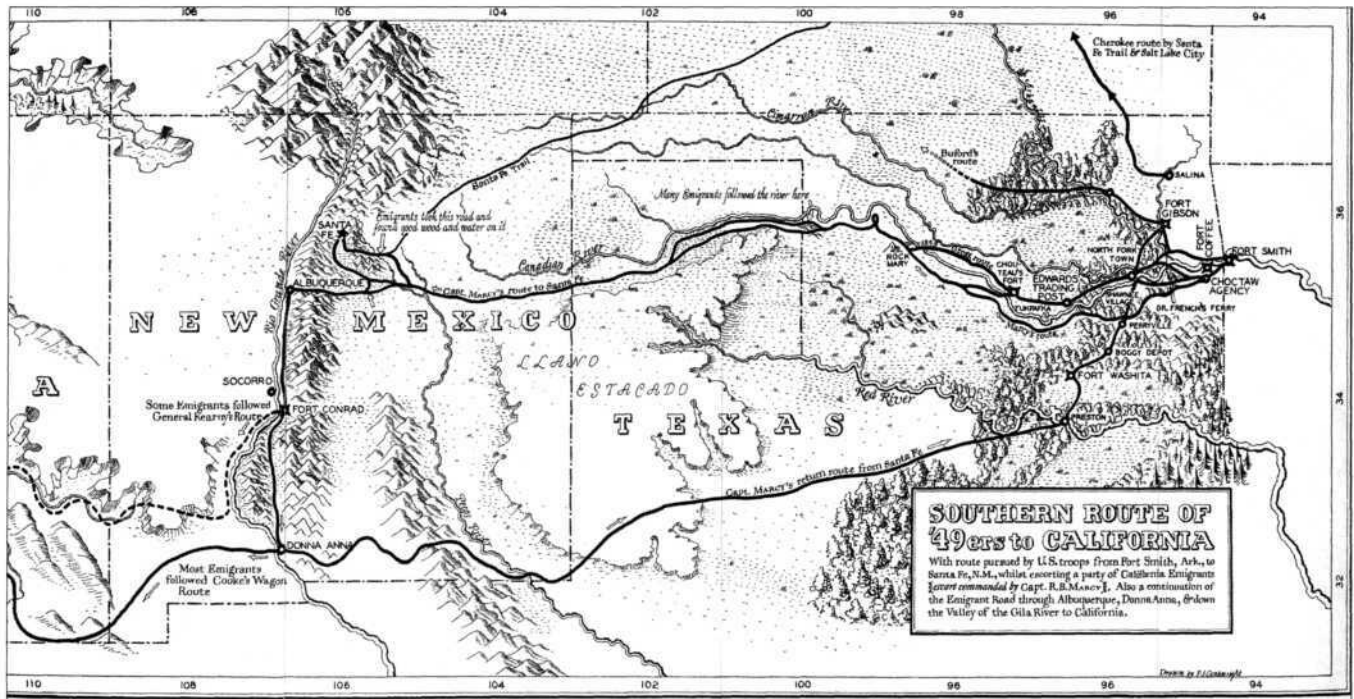
RANDOLPH BARNES MARCY, circa 1864.

Army Explorer Hoped To Put Fort Smith On Transcontinental Railroad Map

By Billy Higgins

Capt. Randolph Barnes Marcy, West Point graduate and veteran of the first two battles of the war with Mexico, stepped from a steamboat onto a landing in Fort Smith, Arkansas, on October 23, 1848. Marcy assembled his four companies of soldiers at the riverfront and then marched to the headquarters of Gen. Mathew

Arbuckle, the commanding general of the U. S. Army's Seventh Military District. Thus began the thirty-six-year-old Marcy's association with Fort Smith, an association that would strengthen over the next half a decade because of the city's unique location and because of Marcy's unique talents as an explorer and surveyor. Marcy became one of the



A MAP FROM GRANT FOREMAN'S *CAPTAIN R. B. MARCY AND THE GOLD SEEKERS* shows the 1849 route south of the Canadian River to Santa Fe taken out and the route from Dona Ana to Fort Smith taken in.

city's boosters, proclaiming it to be a well-suited terminus for building overland roads and railroad to California.

Marcy's first visit to Fort Smith was short. In a few days, the captain rode southwest out the Towson Road at the head of two companies of soldiers with supplies loaded into several freight wagons en route to Fort Towson near the Red River, where Marcy would take command of the post. Fort Towson, named for Nathan Towson, an Army officer gallantly prominent in the War of 1812, was a small posting and isolated, but beautifully situated with giant trees, abundant game, a good soldier's garden, and fresh water from a generous well. When Marcy arrived, there were only two females at Towson, the sutler's wife and her fourteen-year-old daughter. Marcy immediately set about making plans to have his wife, Mary, join him.¹

Two months earlier on August 17, 1848, a tea box had arrived at the nation's capital sent there by the territorial governor of California, Colonel Richard B. Mason, an officer who had a number of friends in Fort Smith from his posting here before the war with Mexico. The box had traveled via sailing ship to Panama and had been heavily guarded in its journey across the isthmus and on to the nation's capital since it contained nuggets from

Marcy Time Line

- April 9, 1812**—Randolph Barnes Marcy born in Greenwich, Connecticut.
- 1828**—Admitted to West Point Military Academy.
- June 1832**—Graduated and commissioned Second Lt., United States Army.
- 1832**—Assigned to duty in the Black Hawk War, but became ill and missed the action.
- May 5, 1833**—Married Mary Mann (age 18) at Syracuse, New York
- 1833-1837**—Stationed at Fort Howard, Wisconsin, a post commanded by Col. George M. Brooke, who gained fame later in the Mexican War. Earlier (1817-21), Zachary Taylor had commanded Howard. Served with Capt. Martin Scott (later killed in the Mexican War at the Battle of Molino del Ray). See Hollon, p. 20 for Marcy-Scott anecdote.
- May 17, 1835**—Daughter Mary Ellen born. In 1860, Mary Ellen became the wife of Gen. George B. McClellan.
- January 1-10, 1837**—Mary and Randolph visited Chicago on an eight-day furlough.
- 1838-1840**—Recruiting duties caused Marcy to move the family to Fort Winnebago, then to Milwaukee, and again to Winnebago.

the gold fields of northern California.

The United States had acquired California from Mexico with the Treaty of Guadalupe-Hidalgo signed February 2, 1848. A week earlier on January 24, 1848, James Marshall, an engineer working for land baron John Sutter, had discovered gold in the American River. Sutter, a Swiss emigrant who ran his vast holdings like a satrap, knew that the discovery of gold would destroy his privacy and his control. Sutter therefore tried to keep the news squelched, but a secret like that is hard to keep. Rumors about a huge gold strike spread to Fort Smith, where excitement suddenly gripped many of the 900 residents of the city, although many, too, remained skeptical. The box, which contained 220 ounces of gold, however, provided hard evidence. President James K. Polk, who had doubled the area of the United States during his administration and apparently had exhausted himself in doing so, had declined to seek a second term. But now the president had some good news and to Congress on December 5, 1848, Polk confirmed officially to the nation that gold had been discovered in California. Thus began the Gold Rush of 1849, the event that brought Marcy to Fort Smith where he began what was to be a half-decade of exploring the west, his expeditions usually originating in Fort Smith.

The first of these expeditions came in the spring of 1849, when General Mathew Arbuckle picked young Marcy to lead a detachment of twenty dragoons and fifty infantrymen in escort of a large California-bound train, known as the Fort Smith Company. Marcy's selection came at the expense of Benjamin L. E. Bonneville who wanted the assignment badly and whose credentials for the job included his exploration of the Rocky Mountains and Great Basin in the 1830s. Arbuckle's choice proved wise, however, as the resourceful and meticulous Marcy successfully guided the huge train and his own men through largely uncharted territory that held unknown perils. By use of surveyor's chains and a "viameter," which was nothing more than a revolution counter strapped to a wagon wheel, Marcy's men accurately measured the distance to Santa Fe and then back to Fort Smith through Dona Ana, a settlement north of El Paso. Marcy returned after charting 2,023 miles convinced that this route he had just covered was the most preferable for overland travel to California. Marcy reported to

August 1840—Arrived at new station, Hartford, Connecticut, and lived there while assigned to recruiting duty.

1842-1845—Returned to frontier duty at Fort Gratiot, near Detroit.

August 1845—Amid growing hostilities with Mexico, Marcy ordered to Zachary Taylor's command at San Antonio, Texas. Mary and Mary Ellen returned to the East to live with relatives.

February 10, 1846—Randolph and Mary's second daughter, Fanny Marcy, born.

March 8, 1846—Taylor advanced his troops to the Rio Grande.

May 8, 1846—Battle of Palo Alto. Marcy involved.

May 9, 1846—Battle of Resaca de la Palma, Marcy participated.

May 18, 1846—Marcy sent east for recruiting duties, an assignment that kept him out of the rest of the War with Mexico. He was happy, however, to rejoin his family and meet his new daughter.

September 24, 1848—Arrived with 352 recruits at Camp Jefferson Davis in East Pascagoula, Mississippi.

October 21, 1848—Arrived via steamboat with three companies at Fort Smith, Arkansas.

November 3, 1848—Leaving Fort Smith, Marcy proceeded to Fort Towson and assumed command of the post, which consisted of seventy-eight troops and five junior officers, including an assistant surgeon.

February 11, 1849—Traveling by steamboat, Mary Marcy and youngest daughter Fanny disembarked at Fort Smith. Older daughter Mary Ellen stayed in the East for school. Mary checked into a local hotel during the four days here, deciding how to travel with small child the 120 miles to Fort Towson without an escort. Arbuckle offered to send a military supply train to Towson so Mary could accompany it.

February 16, 1849—Mary and the supply train were approached by a lone horseman that turned out to be Marcy, who had come out to meet them.

February 1849—Under Marcy, Fort Towson was at full strength, 102 enlisted men and six officers besides Marcy. Towson was described as being well kept and situated on an attractive site.

February 16, 1849—In response to a War Department directive to arrange for an escort for a large wagon train leaving Fort Smith for California, Mathew Arbuckle selected Marcy to command the expedition.

March 20, 1849—Lt. Col. John J. Abercrombie arrived



Photo courtesy of Cheryl Vann

ROCK MARY, near Hinton, Oklahoma.

Congress that along his 700-mile route to Dona Ana, not a single tunnel construction would be necessary, indeed there would be little need for heavy excavations or terracing. He wrote that the Great Architect had designed the land to be smooth and firm and quite ready for a man-made superstructure such as a railroad. As an observation meant to convince any lingering doubt, Marcy reported an abundance of building stone and an inexhaustible amount of mesquite useful for fuel and rail ties (sleepers) along the route.²

In his travels, Marcy met a number of remarkable and historically significant people, a cosmic knack that seemed to be a theme in his life. Among these people, a Fort Smith physician, George G. Shumard, stood out to Marcy, who sought out Shumard's companionship and knowledge while in Fort Smith and persuaded the doctor to accompany him on two of his arduous expeditions west of Fort Smith.

Because of his success in safeguarding the Fort Smith Company emigrant train to California and because of his pleasant association with Fort Smith people, short as those his stays might have been here, Marcy clearly favored this city. In his writings and in his addresses to the War Department, the Congress of the United States, and other groups in the East to which he spoke, he characteristically emphasized that Fort

to take command at Towson.

April 2, 1849—Marcy reached Fort Smith from Towson and reported to Arbuckle.

First Expedition: "The Marcy Road"

April 4, 1849—Marcy departed Fort Smith in command of an escort detachment consisting of four junior officers, civilian physician Dr. Julian Rogers, twenty dragoons and fifty infantrymen. Eighteen supply wagons each with a team of six mules or oxen, one six-pound cannon, a surveying chain, a viameter, and other equipment supported the expedition's mission.

April 11, 1849—A week later, subject of the escort, the Fort Smith Company, departed for California. The company, commanded by Capt. John J. Dillard, was made up of 479 men, women, and children and had 75 wagons pulled by 500 mules, horses, and oxen. The emigrant company also had numerous pack and saddle horses.

May 9, 1849—The escort and the train reached the eastern edge of the Cross Timbers.

May 23, 1849—Rock Mary named by Lt. J. H. Simpson, a suitor of Mary Conway. Conway, a strikingly attractive eighteen-year-old belle from Little Rock, was accompanying her father and

Smith should be weighed as the preferred jumping off place to California and that the route along the south bank of the Canadian River that he had surveyed in 1849 was best suited in terms of grade and materials for the building of a transcontinental railroad. At least one transportation genius and entrepreneur agreed: John Butterfield who ran his stagecoach line, the Overland Express, to California from St. Louis through Fort Smith and along the Marcy Road, for the greater part, to El Paso and thence to the Golden State.

The Civil War, however, loomed on the horizon, and when it struck with howling ferocity west of the Mississippi, Arkansas and particularly Fort Smith suffered enormous damage. Before the war in 1860, Arkansas boasted a rapidly growing economy, and out of thirty-three states in the Union, had the sixteenth-best real estate and personal wealth per capita rating.³ The badly bruised Arkansas economy faltered with the war and just after and by 1870, had sunk to the lower rungs of the national economy, a rating that has improved but little since. Randolph B. Marcy did his best to put Fort Smith on the transcontinental railroad map, but far from becoming a terminus for a Pacific line, Fort Smith instead became a railroad backwater as investors shied away from the battered ex-Confederate state and constructed their ribbons of steel across the northern Great Plains. When the first transcontinental line was joined, railroad executives dashed their champagne bottles against the facing locomotives at Promontory Point, Utah, instead of Dona Ana. Marcy lived long enough to see his confident predictions about Fort Smith as a transportation center evaporate, as neither Republican capitalists of the East nor agrarian Democrats of Arkansas during the Reconstruction and post-Reconstruction acted on his personal choice for the best topographical route to California.

Endnotes

¹ Marcy married Mary Mann of Syracuse, New York, on May 5, 1833.

² Grant Foreman, *Marcy and the Gold Seekers: The Journal of Capt R. B. Marcy with an Account of the Gold Rush Over the Southern Route* (Norman: University of Oklahoma Press, 1939), 402. Foreman has reprinted Marcy's transmission to the Secretary of War about his recent expedition and the original report from Marcy thus received in Washington appears as: Thirty-first Congress, first session, Senate Executive Documents, No. 64.

³ Thomas De Black, *With Fire and Sword: Arkansas 1861-1874* (Fayetteville: University of Arkansas Press, 2003), 3.

family in the Fort Smith Company. Rock Mary is near Hinton, Oklahoma.

June 8, 1849—Twin boys born to a woman in the Fort Smith Company. The father named one son Marcy and the other Dillard.

June 14, 1849—Expedition reached Llano Estacado, the Staked Plain, so named because the ocean-sized expanse of featureless grassy plains had no natural navigation landmarks so American Indians had staked out guide posts on the high plateau.

June 18, 1849—Expedition encountered a band of thirty Comanches, well-mounted on mustangs, colorfully dressed, and armed with bows slung on shoulder and a quiver of arrows attached to each saddle. The chief, Wolf Shoulder, signed his peaceful intention and, for good measure, rode next to Marcy and hugged him with brawny arms and a greasy head.

June 19, 1849—Marcy agreed to a ceremonial "big talk" with Wolf Shoulder and while 500 or so emigrants and troops watched and Marcy's Delaware guide Black Beaver translated, the army commander and the Comanche chief spoke of living in peace with the blessings of the president, who Marcy explained was a friend of his "red children."

June 28, 1849—Reached Sante Fe, New Mexico Territory, having covered 819.5 miles from Fort Smith in eighty-five days over all, sixty-five days of actual travel, about thirteen miles a day.

"The route Marcy had chosen proved a good one, for his party was without water or wood at only four campsites. His long journey had followed a course practically due west of Fort Smith, along the 35° 30' N latitude. 'I am, therefore, of the opinion,' he [Marcy] wrote the Secretary of War, 'that few localities could be found upon the continent which (for as great a distance) would present as few obstacles to the construction of a railroad as upon this route.'" W. Eugene Hollon, *Beyond the Cross Timbers: The Travels of Randolph B. Marcy, 1812-1887* (Norman: University of Oklahoma Press, 1955), 74.

Thus Marcy began his professional and personal recommendations on behalf of Fort Smith, recommendations that would be presented formally to the Cabinet, to Congress and to the public via his publications.

Marcy's return to Fort Smith was delayed by need to restore the strength of the mules, which took

Bibliography

- Bearss, Edwin C. "Fort Smith as a Focal Point for Advancing the Military Frontier 1850-1851." *The Journal of the Fort Smith Historical Society* 4 (April 1980): 20-25.
- Coleman, Sylvia. "The Quartermaster: Vital Link to Survival." *The Journal of the Fort Smith Historical Society* 12 (September 1988): 7-16.
- Cutrer, Thomas W. Randolph Barnes Marcy (1812-1887). <http://digital.library.okstate.edu/encyclopedia/entries/M/MA021.html>
- Foreman, Grant. *Marcy and the Gold Seekers: The Journal of Capt. R. B. Marcy with an Account of the Gold Rush over the Southern Route*. Norman: University of Oklahoma Press, 1939.
- Foreman, Grant. *A Pathfinder in the Southwest: The Itinerary of Lieutenant A. W. Whipple During His Explorations for a Railway Route from Fort Smith to Los Angeles in the Years 1853-1854*. Norman: University of Oklahoma Press, 1941. Foreman reprinted and annotated Whipple's report to the War Department.
- Gregg, Josiah. *Commerce of the Prairies or the Journal of a Santa Fe Trader*. New York, 1844. Gregg passed through the early Fort Smith and stayed with Major Bradford while here. Marcy used Gregg's account as the only reference he had to the geography of the Cross Timbers area.
- Hollon, W. Eugene. *Beyond The Cross Timbers: The Travels of Randolph B. Marcy, 1812-1887*. Norman: University of Oklahoma Press, 1955.
- Jackson, W. Turrentine. *Wagon Roads West: A Study of Federal Road Surveys and Construction in the Trans-Mississippi West, 1846-1869*. Berkeley: University of California Press, 1952.
- Marcy, Randolph Barnes. *Exploration of the Red River of Louisiana in the Year 1852*. Washington: A.P.O. Nicholson, Public Printer, 1854.
- Marcy, Randolph B. *The Prairie Traveler: A Hand-Book for Overland Expeditions with Maps, Illustrations, and Itineraries of the Principal Routes Between the Mississippi and the Pacific*. New York: Harper and Brothers, Publishers, 1859.
- Marcy, Randolph B. *Thirty Years of Army Life on the Border*. New York: 1866. Marcy devotes chapter 14 to Martin Scott.
- Marcy, Randolph B. *Border Reminiscences*. New York: Harper and Brothers, 1872.
- Oakley, Francile B. "Arkansas' Golden Army of '49." *Arkansas Historical Quarterly* 6 (Spring 1947): 1-85.
- Parker, W. B. *Notes Taken During the Expedition Commanded by Capt. R. B. Marcy, U. S. A. Through Unexplored Texas in the Summer and Fall of 1854*. Philadelphia: 1856. Parker gives an account of Marcy's powwow with the Comanches and supplies vivid details (if culturally biased) of the appearance and ways of the Comanche people.
- West, Elliott. *The Way to the West: Essays on the Central Plains*. Albuquerque: University of New Mexico Press, 1995.

six weeks of grazing and corn. Some of his troops joined those from nearby Fort Marcy (named for former Secretary of War William L. Marcy) in quelling disturbances by Navajos and Apaches. When the Fort Smith Company, split in the later stages of the first leg, reunited for the remainder of the trip, Marcy bade them farewell. En route a romance blossomed between Mary Conway and one of Marcy's lieutenants, Montgomery Pike Harrison, grandson of former president William Henry Harrison and older brother of future president Benjamin Harrison.

Marcy's father, John Conway, refused their request to marry before the company reached California.

August 14, 1849—Expedition departed Santa Fe for Fort Smith.

August 29, 1849—Reached Dona Ana, a small village on the Rio Grande.

September 29, 1849—Came upon the Llano Estacado.

October 2, 1849—Finished crossing the high plains and camped at a site that became Big Spring, Texas, six hundred miles from Santa Fe.

October 7, 1849—Lt. M. P. Harrison killed and scalped by a small band of Kiowas.

November 7, 1849—Reached Fort Washita, Indian Territory, where Mary awaited Marcy.

November 10, 1849—Lieutenant Sackett left for Fort Smith with a detachment and a wagon bearing the remains of Harrison. Marcy diverted to Fort Towson.

November 19, 1849—Marcy from Towson arrived at Fort Smith coincidentally with Sackett's party. Marcy had covered 2,023 miles in the round trip that lasted seven and a half months.

November 20, 1849—Harrison was buried in the Fort Smith Military Cemetery. He would later be disinterred and reburied in the family plot in Indiana.

Marcy's expedition surveyed and mapped a route to California. The essentials of water, wood, grass, game, and gradual relief made this route from Fort Smith to Dona Ana and thence via Cook's road to California ideal in his opinion. Many travelers did take this advice from Marcy who presented his findings to the U. S. Congress. In 1858, John Butterfield, also accepting that advice, introduced the Overland Express, which ran Concord coaches from St. Louis to San Francisco through Fort Smith.



Photos courtesy of Arthur Y. Berry III

BERRY & NEWTON GENERAL STORE in Charleston, Arkansas, circa 1875.

Berry Dry Goods

A History

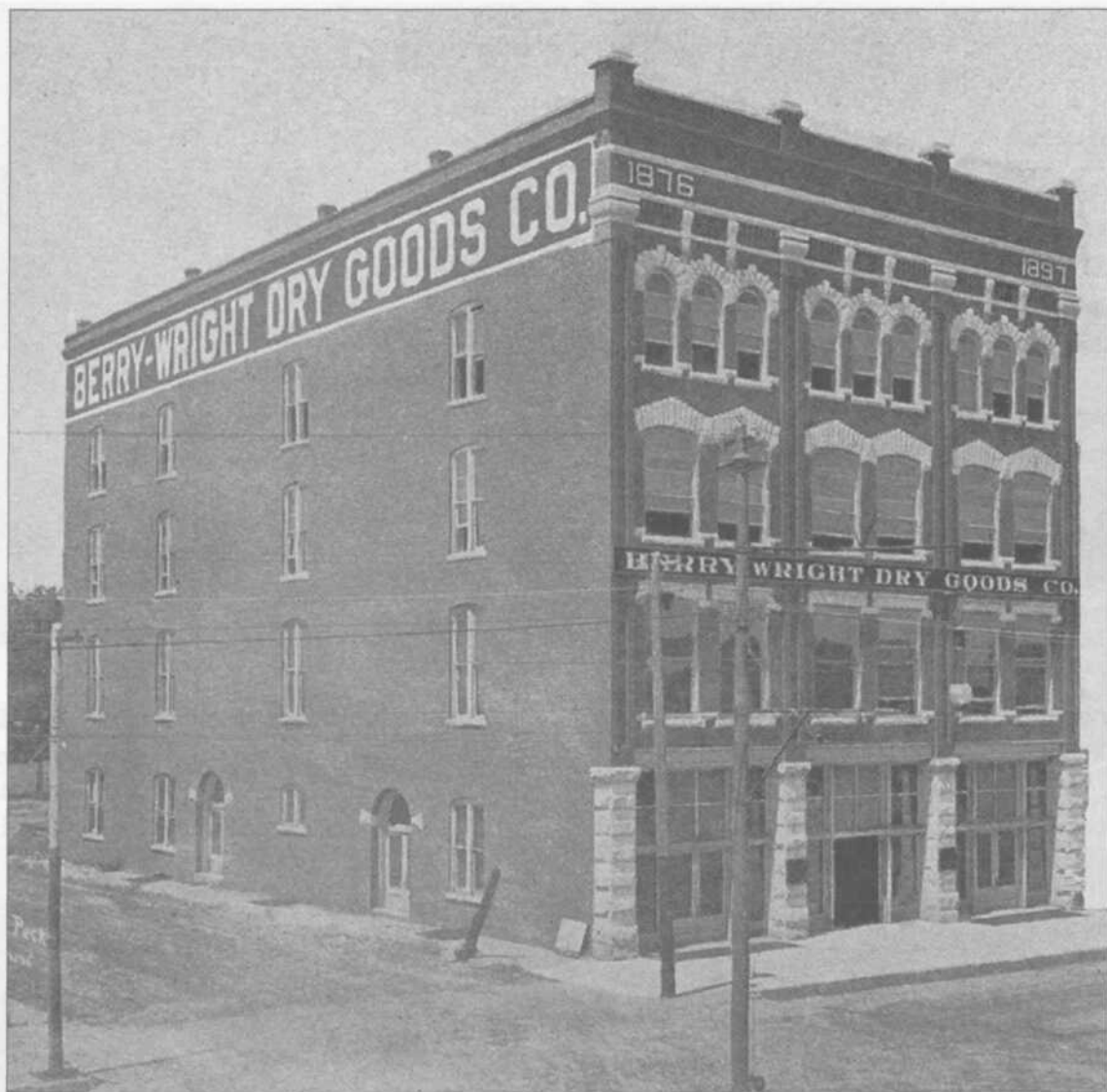
By Arthur Y. Berry III

From 1899 to 1978, the 200 block of Garrison Avenue in Fort Smith, Arkansas, was home to the Berry Dry Goods Company.

The company had its beginnings in 1867 in Roseville, Arkansas, some seven miles north of Paris on the south bank of the Arkansas River. Roseville was a thriving town in the mid-nineteenth century, due in large measure to the ferry that operated across the river. After the Civil War, Dallas Yell Berry (known as Yell) and his half brother, William Martin Berry, moved to Roseville and opened a general store. The town slowly declined after the Iron Mountain Railroad was built on the north side of the river. William Martin Berry moved to Paris and

opened a store while Dallas Yell moved to Charleston in the early 1870s and opened the Berry and Newton General Store with his brother-in-law, Lorenza Newton.¹ It was located on the southwest corner of Main and Logan in Charleston.

Yell moved his family from Charleston to Fort Smith in 1891 and joined with J. Foster in the wholesale grocery business at the west corner of Third Street and Garrison Avenue.² Upon the retirement of J. Foster in 1896, Yell and Oliver Echols formed Berry & Echols to "sell notions to the jobbing trade."³ The business was located on Second Street. They expanded to a general line of dry goods, and on May 1, 1898, the Berry-Echols Dry Goods



Photos courtesy of Arthur Y. Berry III

(LEFT) *The Berry-Wright Dry Goods Company is shown in 1901.*

(LOWER LEFT AND RIGHT) *The interior of the Berry-Wright Dry Goods Company is shown in 1901.*



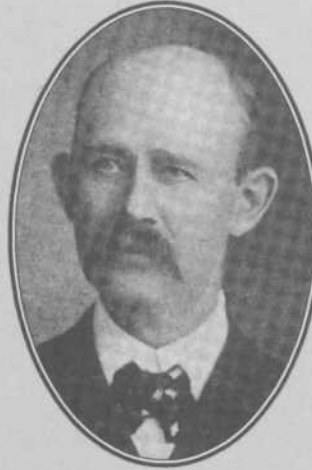
Early Management of the Company, 1901



DALLAS Y. BERRY



W. S. BEALL



THOMAS J. WRIGHT



A. Y. BERRY SR.

Company was incorporated.⁴ O. Echols retired on May 1, 1899. With an investment in the business from I. F. Wright,⁵ the building that housed the J. Foster grocery business was purchased in 1899 and

became the new home of the company. The name was changed to Berry-Wright Dry Goods Company.

On January 29, 1916, Berry-Wright and Beall-Black Dry Goods merged to form Berry-Beall Dry



GARRISON AVENUE IN FORT SMITH is shown in 1923. Berry Dry Goods Company is located in the upper center.

Photos courtesy of Arthur Y. Berry III



Photos courtesy of Arthur Y. Berry III

(ABOVE) Berry Dry Goods Company, 206-216, 1938.

(BELOW) An interior view of Berry Dry Goods Company, 1937.



Goods Company.⁶ The name was changed from Berry-Beall to Berry Dry Goods Company on January 12, 1924.⁷ Further consolidation of the Fort Smith wholesale industry occurred on August 1, 1927, when Berry Dry Goods purchased the assets of Williams-Echols Dry Goods Company.⁸

The business remained on the west corner of Third and Garrison (218-222 Garrison) in Fort Smith until 1937 when it was moved one-half block west to 206-210 Garrison. A two-story addition at 212-216 Garrison was completed in 1937.



Photos courtesy of Arthur Y. Berry III

THE INTERIOR OF BERRY DRY GOODS COMPANY is shown in 1937.

Yell's son, A. Y. Berry Sr. worked with his father in the business from an early age, and when his father died in 1907, it fell to A. Y. to manage the business.

A. Y. Berry Sr. was hired as an "efficiency expert" by Carson Pierie Scott in Chicago in 1933.⁹ His family understood that term to mean someone brought in to help them survive the depression, develop cost-saving efficiencies and reduce the payroll. He commuted between Fort Smith and Chicago for two years.

Berry Dry Goods operated a wholesale location at 107 East Markham in Little Rock from 1938¹⁰ to 1955.¹¹

The company sold merchandise to retailers in a dozen regional states. It was an early supplier to Sam Walton, selling to his first Ben Franklin store in Newport, Arkansas, in 1945.

The company closed its dry goods operations in 1978. The building was sold to the 200 Garrison Venture Company, which remodeled it into office and retail space. A tornado seriously damaged the building in 1996, after which it was torn down and the land developed into Ross Pendergraft Park.

Endnotes

- ¹ *Logan County, Arkansas: Its History and its People*. Published by The Logan County Historical Society, 1987, p. 96.
- ² Obituary, *Benton County Sun*, September 26, 1907 (from *Fort Smith News Record*)
- ³ Souvenir booklet, Berry-Wright Dry Goods Company, 1901, page 2.
- ⁴ Ibid.
- ⁵ Conversation with I. F. Wright's grandson, Franklin Hawkins, December 2008.
- ⁶ Articles of Incorporation, Berry-Beall Dry Goods Company, Minute Book, January 29, 1916.
- ⁷ Annual Meeting of the Stockholders, Berry-Beall Dry Goods Company, Minute Book, January 12, 1924.
- ⁸ Special Meeting of the Stockholders, Berry Dry Goods Company, Minute Book, November 10, 1927.
- ⁹ Special Meeting of the Board of Directors, Berry Dry Goods Company, Minute Book, April 1, 1933.
- ¹⁰ Special Meeting of the Board of Directors of Berry Dry Goods Company, Minute Book, June 18, 1938.
- ¹¹ Special Meeting of the Board of Directors of Berry Realty Company, Minute book, May 26, 1955.

Garrison Avenue Gamblers And Gunfighters

The Killing Of S. A. Doran By Pink Fagg

Compiled By Jerry Akins

Editor's Note: All spellings, capitalizations, grammar and punctuations are as they originally appeared.

The following articles are verbatim from the *Fort Smith Weekly Elevator* and the *Arkansas Gazette* from July 1887 to January 1888 and the Sebastian County Circuit Court minutes book.

A DEAD DESPERADO

Major S. A. Doran died in Fort Smith yesterday morning. His death removes one of the few typical desperadoes, still surviving, of the class of whom Arlington delighted to write in his blood-curdling sketches of the "Desperadoes of the Southwest."

Doran was a man of blood, who courted deadly encounters, and who at last fitly became the victim of bloodshed. Blood-stains marked his progress. His presence was the signal for strife and turmoil, generally ending in the shedding of blood.

If the dead can rise up to accuse the authors of their untimely taking-off, more ghosts must of late years have disturbed Doran's slumbers than a startled Richard Gloster in his tent the night before Bosworth Field.

—*The Arkansas Gazette*, July 20, 1887

The *Fort Smith Weekly Elevator*, July 22, 1887

THE DORAN KILLING TRAGIC DEATH OF THE NOTED KILLER WHO "DONE UP" THE FLYNNS AT HOT SPRINGS

**Pink Fagg, the Well Known Gambler, Shoots
Him Down on the Street**

On Saturday night last a sensational shooting affray occurred on Garrison Avenue

about twelve o'clock between Maj. S. A. Doran, of Hot Springs fame, and Pink Fagg, a well known sporting character of this city, in which Doran was mortally wounded, while Fagg escaped unhurt. The reports as to how the shooting occurred and what led to it are of such conflicting character that it is impossible at this time to form an intelligent opinion in regard to it, therefore we will give our readers both sides of the story, leaving them to form their own opinions.

It seems that for some time past a spirit of animosity has existed between the two men, and on Saturday evening Doran visited the Le Grande saloon where Fagg has for some days been holding forth professionally. Doran was drinking and he and Fagg had some words during the evening, and it was evident to all who were aware of the bad feeling existing between the men that trouble was brewing. Just before twelve o'clock Doran and Fagg drank together at the bar and went out in company, the Major remarking that he would go home. They crossed the Avenue to the Phoenix saloon, and Doran had got a few steps beyond the door when the shooting began. Parties who saw it say that Fagg walked up to Doran with his pistol behind him and fired two shots at him at close range, which brought Doran down, and as he fell he drew his pistol and returned Fagg's fire while in a sitting position on the ground, firing three random shots. Fagg emptied his pistol, a 44 Smith and Wesson five-shooter, and then darted around the corner of the building to escape Doran's fire. Fagg surrendered to deputy Sheriff Rutherford and was placed in the county jail,

while Doran was taken to a room at the Le Grande, when an examination disclosed three wounds, two in the left breast and one in the left wrist. Physicians were called and administered to the wants of the wounded man, but it was evident he could not recover. About noon on Sunday he was removed to the home of his mistress, Dot Rowland, when he lingered until Tuesday morning and quietly passed away. His death was telegraphed to his brother at Mattoon Ill., who was asked what disposition should be made of the remains. His instructions were: "Bury him there, weather too hot to move him." Accordingly his remains were interred Wednesday morning in the city cemetery.

FAGG'S VERSION OF THE KILLING.

Early Sunday morning Fagg was visited at the jail and gave substantially the following version of the shooting: When he and Doran left the saloon just before the shooting they walked together across the street; that when they reached the sidewalk in front of the Wallace building they stopped and Doran suddenly drew his pistol and attempted to shoot him; that he grasped the pistol with his right hand and when Doran pulled the trigger the hammer came down on his hand between the fore finger and thumb, cutting a severe gash; that he then let go of the Major's pistol and began firing himself, and did not stop until his gun was empty.

This version differs widely from that of Capt. Henry Suratt, who says Doran did not get his pistol out until after he fell. The opinion also prevails that Fagg was unarmed when he and Doran left the saloon and the pistol was handed to him by some friend as they crossed the street. On the strength of this theory a young man named Charley Christian, who come here a few days ago from Cleveland, Texas, was arrested on Monday and lodged in jail as accessory to the killing, and on Tuesday night Mike McCulloch, familiarly known as "Big Mike" was lodged in jail also on the same charge. Mike was arrested at Kimishi, Choctaw Nation, having left for that place with his family on the night of the shooting, having made arrangement to go out there some days previous.

As the matter is now undergoing judicial investigation, we refrain from further comment at this time, further than to say that the evidence

of several eye witnesses is very damaging to Fagg unless he can produce some evidence to counteract it.

DORAN'S HISTORY.

Major Doran was a native of Kentucky, born of highly respectable parents, who gave him a thorough education, which enabled him to adopt the legal profession. At the breaking out of the war he was residing in Louisville, Ky. He joined the Confederate army and took part in several battles, attaining the rank of Major at the age of 22 for gallant service. After the war he resumed his profession, and is credited with having led an exemplary life until 1869, when he killed a young man at Memphis, named Whitfield, whose father was a wealthy and influential citizen. He stood trial, and having the law on his side was honorably acquitted. From time that [sic] his course was of a downward nature, and he gradually merged from a polished, high-toned gentleman into the role of a gambler and desperado, and for many years past has been known and recognized as one of the coolest and most desperate fighting men in the Southwest. A friend of the Major's says he remarked to him only a few days ago that he had been indicted eight different time for murder in the first degree, and had killed nine men in his lifetime. After the Memphis killing in 1869 he went to New Orleans and figured in the political troubles there. Here he became the friend and companion of a wild young man named Harry Crosley, son of a very wealthy citizen. On the death of the old gentleman young Crosley became possessed of a fortune and he and Doran went to Texas, where they remained several years, off and on, soon getting rid of Crosley's money. Prior to this Doran lived in Shreveport, La., where he was employed in a gambling house. At this time he had a wife, or at least a young and handsome woman whom he called his wife, and they boarded with one of the first families in Shreveport. Here Doran had a severe attack of the yellow fever, from which he was nearly six months in recovering. After he got well his wife died and he drifted over into the town of Malvern, where it is said he was the associate and leader of a confidence gang who made a business to work unsuspecting visitors on their way to Hot Springs, which gang was broken up by the state militia. In 1875 Doran

visited Dennison, Texas and there committed a murder which came near bringing his career to an ignominious end. He fought the case for two years, during which time he was incarcerated in the prison at Sherman, finally being extricated from the clutches of the law at a cost of about \$10,000 to his brother. His latest exploit was at Hot Springs, where he became involved in a difficulty with the Flynn brothers and their confederates and (several illegible words) hack driver were killed and another of the Flynn's badly wounded. A bystander was also shot at the time and afterwards died from his wounds. He was tried, and with his usual good fortune came clear in each case. Just before he came to this place he quietly knifed a boisterous [N]egro on the streets of Hot Springs, who was making himself obnoxious by running against people on the street. The cutting was done so slyly that even the gentleman who was walking with him did not see it. Doran was arrested, but secured an acquittal on the evidence of his friend, who testified that Doran could not have done the cutting without his being aware of it. Since his sojourn here he has admitted that he did cut the [N]egro.

Doran came to this place about nine months ago, and since his sojourn here has conducted himself in a quiet, orderly manner, his fatal encounter with Fagg Saturday night being his first trouble in this section. Of late he has been drinking more than usual, and while he has at all times kept up his stylish and dignified appearance on the streets, he has been sinking deeper into the slums of degradation, his eventful life having closed in a house of ill-fame, surrounded in his dying moments by the misguided inmates, who were the chief mourners at his funeral obsequies.

Those who have known Doran well say that as a friend he was one of the most steadfast—one who would divide his last penny with his associates—while as an enemy he was one to be feared, as he never indulged in idle threats, but meant business whenever he threw down the gauntlet.

Notwithstanding the fact that Maj. Doran's hair was perfectly white, he was not more than fifty years of age at the time of his death. His hair is said to have changed during his confinement in jail at Sherman, Texas.

PINK FAGG,

the slayer of Doran, is a professional gambler whose past record is not very good as a law abiding citizen. On the 4th of July, 1885, he shot a barkeeper in a saloon at Pierce City under circumstances that sent him to the Missouri penitentiary for two years. For good behavior he was released before the expiration of his time and since has been only a transient visitor here, having spent some time in Texas and Missouri and made a visit to Leadville, Colorado. He has been in trouble several times previous to his Pierce City scrape, and like Doran has somewhat of a reputation as a fighter. He made friends wherever he went, being of a liberal disposition, lavish with money, and always ready to assist a friend when the occasion presented itself. As a gambler, he seems to have been successful and usually has plenty of money. Being of a roving disposition, he seldom remains in our place long, and during his many visits here in the past few years, we believe this is his first serious trouble in our city.

The following *Gazette* article appeared before the *Elevator* article because the *Gazette* was a daily publication, while the *Elevator* was weekly. Curiously, there are details in the *Gazette* article that are not in the Fort Smith paper. However, writers then weren't averse to using their imaginations. Also, Doran was notorious in other parts of the state, even in other states.

The *Arkansas Gazette*, July 19, 1887

SHOT DOWN

Maj. S. A. Doran Fatally Wounded by Pink Fagg In a Saloon Fight at Fort Smith

Fagg Still in Jail Awaiting Bail, Which is Not Handy

Special to *Arkansas Gazette*.

Fort Smith, July 18, 1887,

Saturday night last, about midnight, and after the telegraph office was closed, a sensational shooting affray occurred in front of the Phoenix saloon in this city, between Major S. A. Doran and Pink Fagg, two well-known sporting characters, in which Doran was badly wounded,

receiving two shots in the left breast and one in the left wrist.

Reports concerning the affray are so conflicting that a judicial investigation must be had before an intelligent opinion can be advanced. However, a brief review of both sides may be given, leaving the public to form their opinions.

HOW IT OCCURRED

It appears there has for some time past been a bad feeling existing between the two men, the bone of contention being a girl of easy virtue, known as "Dot" Rowland, who has for some time been the mistress of Doran. On Saturday evening Doran was drinking quite heavily, and visited the Legrande saloon, where Fagg holds forth professionally, and the two men were drinking and discussing their differences together at intervals during the entire evening. As the night wore on both men "fixed themselves," and trouble was anticipated by all who knew the fighting character of the belligerents. Just before 12 o'clock they drank together at the Legrande bar and both walked out, Doran having hold of Fagg's arm. They crossed the street, Doran remarking as he left that he was going home. They stopped in front of the Wallace block and (here the shooting commenced), Fagg using a 44 Smith and Wesson, self-acting five-shooter, and Doran a 44 Colt's. Parties who saw it say that Fagg fired the first two shots, while the two men were within a few feet of each other, and Doran fell, doing his shooting from a sitting position on the ground. Fagg emptied his gun, and Doran fired Three times, but shot very wild, evidently being dazed or too much under the influence of liquor to use his gun with that degree of marksmanship shown by him in similar contests heretofore.

After the shooting was over Fagg surrendered to a deputy sheriff and was locked up. Doran was taken to a room in the Le Grande hotel, where he received medical attention, his wounds being pronounced very dangerous. Yesterday he was removed to the home of "Dot" Rowland, where he is being cared for.

Fagg's side of the story differs considerably from the above in regard to the shooting. He claims that when they walked across the street

and stopped, Doran pulled his pistol and threw it down on him, when he grasped it with his right just as Doran

PULLED THE TRIGGER

And the hammer came down on his hand between the thumb and forefinger, cutting a deep gash in the flesh; that he then released Doran's pistol and began using his own as rapidly as possible; says he was well aware that Doran was seeking difficulty with him with the intention of killing him, and was therefore prepared to defend himself, knowing full well the dangerous character of his adversary.

Major Doran has been here for several months, and this is the first trouble in this section, where he has conducted himself in a quiet, peaceable, unassuming manner, and has made many friends. Fagg also has friends here who will stand by him in the affair, and the investigation promises to be interesting.

The Latest—Fagg is still in jail, no effort having yet been made to bail him out. Doran is in a precarious condition, and but little hope is entertained of his recovery. Prosecuting Attorney Lewers took his statement of the shooting this afternoon. He has been hiccupping constantly all the afternoon, and it is becoming difficult for him to talk. The prevailing opinion is that he will die.

From a gentleman in this city a Gazette reporter learned that Pete Fagg is an old gambler, originally from Texas and who was at Fort Smith years ago. He is a rather transient "knight of the greencloth" and stops wherever he can strike a good game. He drifted around to Pierce City, Mo., where he was engaged in a shooting scrape in which his wife and a boy were shot and for which he was sentenced to the penitentiary of that state. He served his term and was recently released and came back to Fort Smith. He and Doran had the trouble over a woman and now Doran is at the house of Dot Rowland, where he is being cared for. Doran's "old wife," as she is called: Annie Doran is also in Fort Smith. Of S. A. Doran every one knows and remembers his having killed a man in Memphis and having had to clear out from there, but more particularly [sic] is he known as the leader of the Doran party, in the Doran riot

at Hot Springs in 1883. [Flynn killing]

Fort Smith Weekly Elevator, August 6, 1887

Pink Fagg, Mike McCulloch, James Christian and a [N]egro named Craig have been transferred from the county to the United States jail for safe keeping.

From the minutes of Sebastian Circuit Court, Fort Smith District, October Term, 1887, November 2, 1887

Bud Fagg, Pink Fagg's brother, came to town soon after to try to bond Pink out of jail, but to no avail. Fagg received the indictment for first degree murder, and in October the trial was set for November 2, 1887.

On November 2nd "Pink Fagg in his own person and by his attorneys Cravens and Marcum and the defendant being arraigned entered his plea of not guilty as charged him and thereupon defendant filed for continuance. And the Prosecuting Attorney conceding that the witness would testify as set out in said motion the same was overruled. And thereupon defendant filed a motion and petition for change of venue herein: which said motion and petition coming to be heard and the same appearing to be in proper form duly verified and properly supported, it is considered and ordered by the Court that the venue for the trial of this Cause be and the same is hereby changed to the Greenwood District of Sebastian County in this Circuit and the case set for the 2nd day of January 1888 at 1:30 o'clock P. M."

Fort Smith Weekly Elevator, January 13, 1888

**The Slayer of A. S. (sic) Doran
convicted of Manslaughter**

On Tuesday morning of last week the trial of Pink Fagg for the killing of Maj. A. S. (sic) Doran in this city last August was begun in the circuit court at Greenwood on the change of venue from this district. The trial occupied the court four days, the jury bringing in a verdict of manslaughter at a late hour Saturday evening.

The defense was ably conducted by Col. W. M. Cravens, C. B. Neal, Thomas Marcum and Mr. Edmiston, while the State was represented by Prosecuting Attorney C. A. Lewers, assisted by Col. B. H. Tabor and R. W. McFarlane. Each side was allowed seven hours in which to argue the case and seven arguments were delivered.

The defense introduced depositions as to the bad and dangerous character of Doran from several parties in Chicago, among them one from the famous detective, W. A. Pinkerton. They also introduced four depositions from parties at Fort Worth, two of whom testified that they were eyewitnesses to the killing and saw Doran fire the first shot. The prosecution introduced evidence showing that during Doran's sojourn here he had conducted himself in a quiet and peaceable manner. About thirty-five witnesses were examined altogether, the evidence being very conflicting on many important points, hence the verdict of manslaughter. His attorneys, at once, applied for a new trial, but Judge Little refused to grant it and sentenced Fagg to three years and six months in the penitentiary. An appeal has been taken to the Supreme court.

Some of our city officers are somewhat bitter against Fagg and his friends, and on Saturday night last Jack Fagg, a brother of Pink, who has been loafing around for some time waiting for the trial to come up, was arrested and lodged in jail on a charge of vagrancy. Mike McCulloch and Wright Christian, who came here from Dennison, Texas, as witnesses for the defense, were notified to leave town by nine o'clock Sunday morning or they would also be arrested under the vagrant ordinance, and failing to go were locked up Sunday morning, as also was Johnny Woods, who was a witness for the defense. Sunday afternoon Bud Fagg came in from Greenwood and released them all on bond. Monday afternoon they were tried and acquitted of the charge.

Sources

Fort Smith Weekly Elevator

Arkansas Gazette

Minutes book of the Sebastian Circuit Court, Fort Smith District, October Term, 1887, November 2, 1887.



Hangin' Times in Fort Smith



By Jerry Akins

Three Down, Three To Go

*John Davis, Thomas L. Thompson,
and Jack Womankiller*

In the Volume 28, No. 2 issue of the Journal, the following "Hangin' Times" was inadvertently left out. For those of you following along chronologically in the series, we print it here.

With our apologies,
Your Editors

On Friday, July 11, 1884, three of the six prisoners who had been convicted of capital crimes in the U. S. Western District Court walked to the gallows. By July 3, 1884, the other three had been spared the death sentence.

The period from July 1883 to July 1884 demonstrated the diversity of cases, difficulties and decisions the court encountered regularly during its existence. In July 1883, Mat Music was convicted of the rape of a six-year-old girl and made motion for retrial. In October John C. Barr was charged with murder and convicted of manslaughter. The week of December 2-8 saw forty-four prisoners brought into the jail. The next week some trials had to be postponed because some witnesses couldn't get to Fort Smith due to a flood. On December 18, 1883, a jury returned a verdict of guilty against

the first woman to be convicted of a capital crime in the Western District Court. In its February 21, 1884, edition, the *New Era* reported that the grand jury had returned sixty true bills—seven for murder—and that there were seventy-five prisoners in the U. S. jail. Those, plus funding problems, are just samplings of the articles relating to the court that appeared in the local papers.

Mat Music

The *Fort Smith Weekly Elevator*, on July 20, 1883, reported, "Mat Music a negro man about 35 years of age" had been convicted on Saturday, July 14, of "a beastly outrage on the person of a little colored girl about six years of age." In the commission of the crime, "he ruined the health of the little girl for life, imparting to her a loathsome disease." The crime had taken place on Caddo Creek in the Chickasaw Nation where the child was living with Music and his wife, the Musics having no children of their own. Music's only defense was that there were others who had the same opportunity that he did. Reportedly, the chain of evidence was too strong for the jury to render a

verdict other than guilty. A motion for a new trial was made, but in May 1884 the *Elevator* reported that the motion was still pending, “which accounts for his sentence not having been passed long since.” Music and five others had been sentenced on the previous Monday, April 28, 1884, to hang on July 11, 1884.

Fanny Echols

Next to be convicted of a capital crime was Fanny Echols, the first woman to be so convicted in the U. S. Court of the Western District of Arkansas. (*Elevator*, May 2, 1884) On Tuesday evening, December 18, 1883, the jury returned a verdict of guilty of the murder of John Williams against Echols. “She had been, a long time previous to the killing, unlawfully cohabiting with her victim and disturbances between them seem to have been frequent occurrences. The last row terminated in the death of John at the hands of Fanny, and may yet result in the breaking of her neck.” “She is a bright, well formed girl, about 25 years of age.” (*Elevator*, December 21, 1883)

The couple lived at Eufala, Creek Nation, and in July 1883, they had had one of their frequent arguments in Fanny’s bedroom. There was a gunshot heard by other residents of the building, and when they entered, they found John lying on a pallet with a bullet wound and the bullet embedded in the floor. The prosecution’s argument was that he was killed while he slept or while he was “lying on his back in an unsuspecting attitude when he received the wound.” Fanny’s defense was that if she had not killed John, then she would have been dead herself—that Williams was trying to get the pistol himself to shoot her.

Dan Jones

On Saturday, December 22, 1883, Dan Jones was convicted of killing his cousin, Bill Jones, on August 6, 1879, in the Choctaw Nation. Both men were outlaws who had fled into the territory from Scott County to avoid arrest. On the fatal night, Bill’s wife or mistress was awakened by a gunshot

and found Bill lying dead by her side. The bullet had struck him in the cheek and traveled up into his head. Dan stood by the bed with a light in his hand, and Bill’s pistol was found near the head of the bed with one chamber empty. The shot was not fired from outside the house, and there was no one inside the house except Dan, his wife and children and the woman sleeping beside Bill. Dan’s defense was that “Bill shot himself in his sleep, it being his asserted that he was in the habit of flourishing his pistol around in his dreams, imagining that he was fighting with officers of the law who were pursuing him.” (*Elevator*, May 2, 1884)

“The supposition is that a spirit of revenge wrankled in the bosom of Dan, which caused him to quietly arise from his bed that night and slay his wife’s traducer.”
Elevator, May 2, 1884

Besides the circumstantial evidence, the prosecution offered jealousy or revenge as a motive. Dan Jones, during 1876, had been in a Texas prison for embezzlement, and during that time, Bill had looked after his wife and two children. However, when Dan came home, he “found a third child, which he could not account for.” Bill acknowledged that he was the child’s father, and the matter seemed to have been resolved, and the two were partners until Bill’s death. “The supposition is that a spirit of revenge wrankled in the bosom of Dan, which caused him to quietly arise from his bed that night and slay his wife’s traducer.” (*Elevator*, May 2, 1884)

Curiously, Jones was not arrested for the killing, but about nine months before his conviction for the murder he was brought to the U. S. Jail on a charge of larceny and convicted. The court suspended the larceny sentence, and while in jail he was indicted for murder. The circumstances surrounding the case were stronger arguments to the jury than those offered by Jones’ attorneys, Cravens and Barnes. The lawyers argued forcefully for a new trial but were overruled by the court.

Thomas Lee Thompson

On Friday, February 22, 1884, exactly two months after Dan Jones received his conviction, the jury rendered Thomas L. Thompson, a white man, the same verdict. His trial for the murder of James O’Holerland lasted from Wednesday, February 20 until Friday afternoon when the jury returned the

guilty verdict. The two men had known each other only a short time and lived together in a remote cabin near Stonewall, Chickasaw Nation.

About the 20th of September 1883, O'Holerand disappeared. Probably, no one would have missed him because the two lived in such a remote place and O'Holerand was not known in the area. But Thompson made a great show of inquiring about his missing partner. Thompson told neighbors that O'Holerand had started for Texas to get a load of whiskey and was to be back in twenty days. O'Holerand, who suffered chronically from fevers and chills, was sick when he left and Thompson was worried about him. Thompson's stories had inconsistencies though. One, he was in possession of O'Holerand's horse and saddle for which he claimed to have traded. He then had different accounts of that trade. Next, he had said that the horse, saddle and bridle had been found in a field. All of those things caused concern among the neighbors, but no one made an inquiry until Thompson made another mistake.

While O'Holerand was missing Thompson hired a man to fill in a dry well on their place. When the man approached his job he noticed that a large amount of ashes had been dumped into the well and a powerful stench was coming from it. He related that information to the people at Stonewall who went to the site to investigate. Thompson told the investigators that a hog was in the well, but they doubted his story remembering his other inconsistencies.

Thompson was placed under arrest while the party excavated the well and he was told that he would be released if they, in fact, found a hog. Thompson then confessed to having killed his partner but claimed self-defense.

Thompson said that O'Holerand had a violent temper and would fly into a rage at the slightest provocation. On the day of the killing, Thompson had made soup and O'Holerand had complained that it was too salty and that Thompson was trying to poison him. The argument escalated, and O'Holerand started after Thompson with a knife. Thompson ran outside, and O'Holerand pursued him around the house with an axe until Thompson grabbed a corn fuller (a maul-like instrument for pulverizing corn) and hit him in the head. However, when the body was retrieved it

was found to have a stab wound near the heart as if the victim had been lying down when stabbed. Thompson asserted that he didn't know how the wound got there. Also the corn fuller was found to have blood on the handle end, indicating that Thompson already had blood on his hand when he picked it up. The arresting party believed that Thompson had stabbed his victim while he lay sick in bed, dragged him to the yard and clubbed him.

The prosecution contended, and the jury agreed, that Thompson had killed O'Holerand in order to obtain his property. Thompson stuck to his self-defense story and before his death wrote a letter to be published in the *Elevator* relating in detail how he became acquainted with O'Holerand. In it he described how they came to live where they did, the terms of their partnership, O'Holerand's health and temperament and gave a minute account of the killing. He always claimed not to know how the knife wound got in O'Holerand's chest unless it happened while the investigating party was undressing him.

John Davis

The day after the *New Era* announced Thomas Thompson's conviction, the *Elevator* announced the conviction of John Davis, a full-blood Choctaw about nineteen years old. Davis was convicted on February 27, 1884, of the murder of William Bullock of Howard County, Arkansas, in June 1883. "The jury returned a verdict in less than ten minutes after going out." (*Elevator*, February 29, 1884)

William Bullock, father of "four motherless children," started across Indian country from Arkansas with a drove of cattle in the spring of 1883. After disposing of the cattle, he started on the return trip on foot and on June 27 he met John Davis in the Red River country. During their conversation Davis came to believe that Bullock had some money and apparently decided to kill and rob him. As Bullock traveled on Davis made a detour through the woods planning to strike the road ahead of his intended victim. But on reaching the road he found that Bullock was still ahead of him. He tried again with the same result. On the third try he gained the road ahead of Bullock and waited behind a log. When his victim came in range Davis fired, hitting Bullock in the left

breast, the bullet coming out his back. In Davis' words, "The white man slapped his hand twice on the wound and hollered." Davis reloaded and shot Bullock, then lying on the ground, in the head and robbed him of sixteen dollars, a small pocket pistol, coat and the saddlebags that Bullock carried. He took the dead man's boots and put them on his feet, leaving his at the scene, dragged the body to the side of the road and left it. Afterward, Davis went home and told Ina James, the girl with whom he lived, of his deed.

On June 30, three days after the murder, local residents found the decomposed body but nobody could identify it so they buried it near where it was found. On July 1, Davis went to the home of a neighbor to borrow a saddle, saying that he was going to a store in Texas. Late that night he came back, whooping drunk, shooting off his pistol and carrying two quarts of whiskey. He showed the neighbor Bullock's pistol and thirteen of the sixteen ill-gotten dollars, having spent three dollars on the whiskey. And he related the details of his crime. Shortly after that, he was arrested by the sheriff of Red River County.

Bullock's friends, in the meantime, had begun to worry about him and had started to retrace his route and make inquiries. When they heard of the unidentified man being buried, they went to the place and disinterred the body and identified it as Bullock's.

Davis never seemed to consider the killing and robbing of a white man as anything of great consequence and never seemed to realize the grave situation that he was in. "The condemned has taken the matter very coolly, his future seeming to trouble him very little. He could most always be seen at the bars of his prison with a contented smile on his countenance though he has had little or nothing to say in regard to the murder." (*Elevator*, July 11, 1884)

Jack Womankiller, a.k.a. Galcatcher

Jack Womankiller had killed a seventy-three-year-old white man, Nathaniel Hyatt, on May 7, 1883, and was convicted of that crime on

Wednesday, March 5, 1884, just eight days after John Davis' conviction. Jack never denied his guilt after his conviction, and no effort was made "to save his neck."

On May 3, 1883, Hyatt left his home in the Cherokee Nation not far from Maysville, Arkansas, to look at some land about three miles from Maysville. On May 7, he was seen on the road between Maysville and his home walking and Womankiller riding along with him. Womankiller was drunk and was carrying two small kegs of whiskey.

When the two arrived at the Teehee home, about four miles from Hyatt's home, Jack stopped to eat but Hyatt walked on. When asked why Hyatt didn't stop, Jack replied that it didn't matter, that he was going to kill him anyway and to watch for the buzzards circling.

No attention was paid to his drunken boasts until the tenth of May when they did see buzzards and found the decomposed body of Hyatt. He was lying under a tree with his coat folded under his head and one hand under his head as if asleep, his cane leaning against the tree. He had been shot in the left side and one eye, and the money he was known to carry was missing. Not far from the body, they found Jack's hatband and one of the whiskey bottles. The hatband was identified as the one that had fallen off Jack's hat at Teehee's.

At that time he had picked up the

hatband and stuck it in his pocket.

The chain of evidence brought about Jack's arrest, and while in jail at Tahlequah, he admitted to a friend that he had killed Hyatt. Womankiller was ably defended but he "had boasted of the deed, and this, together with the circumstances related, formed a chain of testimony that could not be broken, and which will probably break Jack's neck." (*Elevator*, March 14, 1884)

Doomed

Monday, April 28, 1884, "dawned cloudy and gloomy—just such a morning as is calculated to depress the spirits of all mankind." (*Elevator*, May

"The condemned (John Davis) has taken the matter very coolly, his future seeming to trouble him very little. He could most always be seen at the bars of his prison with a contented smile on his countenance though he has had little or nothing to say in regard to the murder."

Elevator, July 11, 1884

2, 1884) And six people, Music, Echols, Jones, Thompson, Davis, and Womankiller had another reason to be depressed, on that day Judge Isaac C. Parker would pass on them the sentence of death by hanging to take place on July 11, 1884.

At 9:30 Judge Parker ordered the marshals to bring in the first three prisoners. The marshals then brought in Thomas L. Thompson, Jack Womankiller and John Davis accompanied by the guards and two interpreters.

Thomas L. Thompson was first to stand before the judge, and when asked if he had anything to say before sentence was pronounced, he replied only that he had killed the man but he didn't cut him.

Womankiller was next given his sentence through an interpreter and had nothing to say except that it was all right.

John Davis next stood up and received his sentence through an interpreter. By his remarks, it appears that he still didn't realize the seriousness of his situation—he asked the court to be light on him in passing sentence.

The three condemned men were removed, and Dan Jones and Mat Music were brought in to receive the same sentence.

Music was first up and denied his guilt. In angry tones, he told the judge that if the laws of the United States hanged innocent men then he would have to stand it.

Dan Jones asserted his innocence and said that his case had not been half investigated. He had had a motion before the court for a new trial, which had been overruled just before sentence was passed.

Fanny Echols, first woman convicted of a capital crime and sentenced to death in the U. S. District Court for the Western District of Arkansas, was the last brought in. "She was plainly though neatly dressed and wore a nicely laundried sun bonnet." She stated that if she had not done what she did that she would have been killed herself. She always thought that a person had a right to defend oneself.

She showed no emotion as she listened to her sentence and Judge Parker's address that he gave to all whom he sentenced to hang. On being removed from the courtroom, however, she broke down and was taken to her cell crying.

Minutiae

The newspapers of the day noted whenever the marshals brought in prisoners, how many, sometimes their names and on occasion, their crimes. On June 13, 1884, between the sentencing and the execution of the condemned, these words appeared in the *Elevator* in the paragraph listing Deputy Farr's prisoners. "Mollie Speaks is a very pretty girl about 14 years of age. Her crime is the poisoning of an infant about three months old which she had been employed to nurse at the home of Mrs. Skaggs in the Choctaw Nation, about the 21st of March, by giving it lye. She acknowledges that she gave the stuff to the little one by dipping her finger in the box and putting it in its mouth."

In August of that year the grand jury ignored Mollie's case, meaning they did not return a true bill, a bill of indictment.

Unconditional Pardon And Commutations

Mat Music must have been elated on Monday evening, June 30, 1884, to learn that President Chester A. Arthur had granted him an unconditional pardon. That, after having lain in the U. S. Jail for most of a year, much of that time pending the results of a motion for a new trial.

However, in that same communication, the president denied clemency for Fanny Echols and Dan Jones. It was reported that Judge Parker immediately telegraphed the U. S. Attorney General informing him that both he and Prosecuting Attorney Clayton recommended commutation in Dan Jones case "and his neck may yet be saved."

Jones' wife and children visited with him through the bars of the jail every day, and it was reported the he looked very downcast and haggard as the day of execution approached.

Up until the end of June, none of the condemned had appeared to make any preparations for their deaths or the hereafter. But on the same day that Mat Music received his good news, Fanny Echols was baptized in the river by "the minister of the colored Baptist Church of this city." Jack Womankiller had "made no religious demonstrations" until the previous Thursday or Friday, "when he espoused the Baptist faith." He was baptized on the same morning as Fanny Echols, apparently by the same minister in a "large

box or tank, which the government furnishes for such occasions.” (*Elevator*, July 4, 1884)

On Thursday, July 3, 1884, Jones and Echols had reason, if not the opportunity, to celebrate the Fourth of July. On that day they received word that their sentences had been commuted to life in prison.

The Last Sunrise

“Tomorrow’s sun will rise for the last time to three men languishing in the U. S. Prison here and under sentence of death for murder committed in the Indian Territory.” (*New Era*, July 10, 1884)

The three remaining doomed men had risen early Friday morning “to prepare for their graves.” They had each been furnished “a suit of black alpaca (sic) clothing, clean white shirt, shoes, etc.” (*Elevator*). Early that morning their spiritual advisers had come; the Reverend Mr. Berne, Episcopal, for Thompson; the Reverends Mr. Butt and Mr. Parke, Methodist, for Davis; and the Reverend Mr. Moore, Baptist, for Womankiller. The morning was spent in religious exercises until nearly 11 a.m., when Chief Deputy C. M. Barnes came and read each man his warrant. At 11 a.m., “the ponderous doors swung open” and the prisoners and guards came out and were joined by the clergy and reporters waiting outside.

On the walk to the gallows Thompson and Davis walked erect but Womankiller walked with his chin on his chest, “eyes steadfastly riveted on the ground.”

They ascended the steps to the gallows and took their seats on the platform. The Reverend Berne went first and performed the ceremonies of his church with Thompson and bid him goodbye and left the scene.

The Reverend Butt next made some remarks and offered a prayer for the condemned, followed by the Reverend Moore in behalf of Womankiller. Moore stated that Womankiller had asked him to say that he was guilty and was very sorry for what he had done, that he was willing to die to atone for his wrong and that he did not think that he had been unjustly dealt with.

Then at Womankiller’s request, a song was sung and the ministers said their good-byes and left. The three men stepped on the trap, Thompson made a few remarks, but the Indians had nothing

to say. They all stood erect and displayed no fear. Their legs and arms were pinioned, the black caps adjusted and the trap sprung. The drop was six feet, and all their necks were broken, and they were “pronounced pulseless in 14 minutes.”

After sixteen minutes, they were placed in their coffins and by 1 p.m. were buried on the reservation and these unfortunates joined the thirty-six who had gone before them on the gallows.

As mentioned before, Thompson gave a sealed letter to the Reverend Berne that was published in its entirety in the *Elevator* on July 18, 1884. In it he described in detail his partnership with O’Holand and his version of the killing. Thompson had also requested that the club that he had used to kill O’Holand be used as his grave marker with this inscription:

T. L. Thompson

Born the 10th day of April 1850

This club prolonged my life from the 20th
Of September 1883 to the 11th of July 1884

His request was not granted.

According to the *Elevator*, the hanging went off with such efficiency and decorum that it was not noticed outside the garrison walls and some in town didn’t even know that it had taken place. They reported that no more than fifty attended.

The *New Era*, on July 17, 1884, reported the execution in this way:

“The execution last Friday of the three men convicted of murder in the Indian Territory took place in the old garrison. Everything passed off quietly. The bodies were buried on the reservation. Bye the bye, why can’t such bodies, when unclaimed by relatives or friends, be quietly turned over to the Arkansas University? The thing is done in every country and is perfectly proper, and results in good to science and hence to mankind. At any rate the city should stop the interment of human bodies in ground about to be sold for city lots.”

Sources

National Archives

New Era, Fort Smith

Fort Smith Weekly Elevator, Fort Smith



Hangin' Times in Fort Smith



By Jerry Akins

'Broke Their Necks'

*"That's What Hangman Maledon Did for
(Jack) Spaniard and (William) Walker Last Friday"*

— *Fort Smith Weekly Elevator*, September 6, 1889

On Monday April 29, 1889, Judge Isaac C. Parker overruled motions for new trials in the cases of convicted murderers Jack Spaniard, Frank Capel, Joe Martin, William Walker, and Elsie James. All were sentenced to hang on Wednesday, July 17, 1889. This was the first time hangings were scheduled on a day other than Friday since the execution of John Childers on Friday, August 15, 1873. Of the five, Elsie James was the second woman sentenced to hang by the U. S. District Court for the Western District of Arkansas. But, out of those five, only Spaniard and Walker would take the long walk and the short drop.

Elsie James

The December 16, 1887, issue of the *Fort Smith Weekly Elevator* announced that Deputy Heck Thomas arrived on Monday, December 12, 1887, with thirty-eight prisoners. Among them were twelve charged with murder, and in those twelve were Elsie James and Margaret James, mother and daughter.

The *Elevator* of January 13, 1888, describes Elsie James as "quite a respectable looking old Chickasaw woman." However, in later editions the paper makes light of her weight, which was said to have been over 200 pounds. She was charged with murdering a white man, William Jones, in early July 1887 near Stone Wall in the Chickasaw Nation.

Jones had come into the nation sometime in the months prior to his death looking for land to rent. He was directed to the widow James, and they made an agreement that he would rent her land, do the farm work, and share the proceeds of the crop. In return, he would board at the James home.

Sometime after July 2, 1887, neighbors noticed that Jones had not been seen and questioned Elsie and Margaret James about his whereabouts. At first they said that he had left to find a job up around Cherokee Town and that he had said that if he didn't find a job there, he would go to Dennison and might return around Christmas. Jones was missing for about three months before the truth came out. According to the

deposition of Bond Underwood, he met Margaret on the road and she told that him that her mother had killed Jones and that she was afraid of her mother.

When confronted, the two women admitted that, indeed, Jones was dead and that Elsie had shot him. They had a plausible story and had they stuck to it, they might have gotten off with a plea of self-defense. Elsie claimed that Jones had come at her with a knife and she had grabbed a gun from her bedroom and shot him. The home appears to have been a dog-run house with the kitchen separated from the living quarters by a hall or breezeway. Jones had taken a knife from the kitchen and come at Elsie; Margaret, seeing what he was doing, "halloood" a warning at her mother. Jones yelled something at Elsie in English, which she, only speaking Chickasaw, did not understand. But she understood his intent and turned and shot him. The body lay in the hallway all night, the time of day being near dark.

The next morning, the women and Samson Alexander took the body about 300 yards from the house and buried it in a depression where a house had once stood. After the women admitted that Jones was dead, Margaret took some men to the burial spot where the body was found under about eighteen inches of dirt overlaid with stones from the old fireplace. The skull had been broken into several pieces and was taken to Fort Smith, along with the attached hair, and presented at the deposition hearings and trial. Much was said at the hearings about the skull being broken, but apparently that occurred in the piling on of stones at the burial and the cause of death was shooting.

The James women told their self-defense story to several people before and after being arrested by Heck Thomas. But, somewhere along the line, Elsie began to say that she would tell the whole story when she was in Fort Smith. She indicated that she did not feel safe as long as she was near Stone Wall. She then began to tell a story that Zeno Colbert, another Chickasaw, had shot Jones in the afternoon and had left, telling her to burn the body but she refused to do that. Colbert then left telling Mrs. James that if she told anything about the killing that he would kill her too. At one time she said that Colbert had shot Jones because Jones had attacked him with a knife. Another story was that both men wanted to marry her.

J. D. Huggins, postmaster at Stone Wall, one of the people who helped bring about the confession

of Mrs. James and who dug up the body, offered another possibility for the killing. On the evening of July 2, 1887, Jones had received a letter and opened it in Huggins' presence. Huggins estimated the letter contained between fifty and seventy-five dollars. He was certain that there was a twenty- and a five-dollar bill and that Jones rolled up the other bills and put them in his pocket. It was mentioned several times by witnesses in their depositions that the left pocket of the dead man's pants had been cut out. There was never a direct statement that he had been robbed but it was certainly alluded to.

If the Colbert story ever had any credence, it lost it when Lucy gave her deposition. Lucy was an Indian woman who lived with the Jameses. Lucy didn't know her last name nor where her original home was except that it was far away. She did know, though, what she had heard and seen the day of the killing. She had gone to get water some distance from the house about sundown. While going to the creek, she had heard three shots, and when she returned, Jones was lying in the hallway with blood coming from his forehead. The butcher knife, which she recognized, was lying near his hand, and his fingers were curled as if holding a knife. The James women told her the same self-defense story that they later told to others. But, when questioned before the commissioner about Zeno Colbert, Lucy testified that he had not been there at all that day. Lucy, sometime after the killing, went to live at the home of Bond Underwood.

There are seventy-two pages of depositions from several witnesses. In reading those, it seems that several people knew, could have known, or should have known that William Jones was dead. Samson Alexander and his mother helped with the burial. Lucy knew, and if Bond Underwood didn't learn about it from her, he did learn about it from Margaret in July. At the time that Margaret told Underwood of the killing, there were at least three other people present. Still the murder wasn't discovered until about October 1, when the postmaster at Stone Wall, Heck Thomas, and several others went and uncovered the body.

The James women, Zeno Colbert, and Samson Alexander were brought into Fort Smith, all initially charged with murder. Alexander was released after the deposition hearings. The grand jury did not return a true bill on Zeno Colbert. Eventually the grand jury

ignored the bill against Zeno, and he was released, only to be murdered himself later. The *Elevator* of December 30, 1887, stated that the grand jury discharged Margaret James, having ignored the bill against her. However, they must have been mistaken in that statement for she did go to trial in January 1889 with her mother but was found not guilty.

Elsie James owned a good farm stocked with horses, cattle, and hogs as well as crops. Knowing that she would be confined for some months before being tried, she turned the management of her property over to Mr. Tandy Walker. In March 1888, Elsie James was released on \$6,000 bond, more than ten years' wages for the average person in the United States at that time.

In January, the Jameses went to trial but after two days of deliberation, the jury announced that it was hopelessly deadlocked; four members were for acquittal and eight for conviction. On Saturday, March 16, 1889, a new trial of both Elsie and Margaret began and occupied the court for a full week. On Friday, March 22, 1889, the jury returned verdicts of acquittal for Margaret and guilty for Elsie. Elsie, by law, was now a candidate for the gallows, but formal sentencing would not come until April 1889.

William Walker

William Walker was one of twelve accused murderers brought in by Heck Thomas in December 1887 in the same group of thirty-eight prisoners that included Elsie James. He was accused of murdering a neighbor, Calvin Church, just a few days before near Durant Indian Territory, Choctaw Nation. All existing documents give the date of the crime as December 12, 1887; however, that is the date he arrived in Fort Smith. Heck was good, but not that good, and the error doesn't change the basic facts of the crime.

Following is the article from the *Elevator* dated February 15, 1889, taken, apparently from testimony at the trial:

William Walker, colored, was convicted of murder on Tuesday evening last, [February 12, 1889] the jury being out only a few minutes. He

killed another Negro named Calvin Church, near Durant, Choctaw Nation, on the 12th of December, 1887; was arrested immediately after the killing, and has been in jail here since that time. Calvin Church and Bat Gardner were near neighbors. Walker lived at Gardner's. On the day previous to the killing Walker and Church had a few angry words about an axe. On the morning of the killing, Walker, whose duty it was to attend to Gardner's cows, took a Winchester and went to the cow pen, which led him by the house of Church. He attended to the cows, and on the way back stopped at the fence in front of Church's house and called him. Church came to the door and Walker began arguing with him over some trivial matter.

Mrs. Church spoke to her husband, telling him to have nothing to do with Walker. Church replied that he was not afraid of him, when Walker spoke up and said: "If you are not afraid why don't you come out here?" Church went into the house, lit his pipe, and walked out to a little store nearby where Walker was standing. Walker began quarreling, and finally told Church that if he ever crossed his path again he would kill him. Church told him he had had guns rubbed up against him many a time and no one had scared him yet. At this time Church was standing with one foot on the store porch smoking his pipe.

Elevator
February 15, 1889

Walker said: "Maybe you think I won't shoot.", and suiting the action to the word threw the gun to his face and shot Church in the head killing him. After his arrest he told officers that Bat Gardner had hired him to kill Church, and was to give him \$10 and a quart of whiskey; that he had gotten the whiskey, but had not gotten the money. In making application for witnesses lately he claimed that Church was trying to shoot him. At trial he claimed that Church was coming at him with an axe, and also denied having told officers that Gardner hired him to kill the man. Two eyewitnesses, however, testified to the murder as we have given it above, and Walker's neck will in all probability be broken

"At trial he claimed that Church was coming at him with an axe, and also denied having told officers that Gardner hired him to kill the man. Two eyewitnesses, however, testified to the murder as we have given it above, and Walker's neck will in all probability be broken in due time."

in due time. He is a young, ignorant Negro, with scarcely intelligence enough to realize the enormity of his crime.

Besides the application for witnesses in which Walker claimed Church came at him with an axe, he made another, saying that witnesses would swear that he came at him with a knife. He also said that witnesses would state that Walker was a peaceable man and that Church was a known troublemaker. In his file there are no subpoenas for any of the names he lists in the applications. If such people appeared in the court, their testimony did not sway the jury, as can be seen by the quick verdict.

Jack Spaniard

In April 1886, Marshal Carroll was, for the first time, instructed by the U. S. Attorney General to offer a \$500 reward for the capture of a criminal. The rewards were offered for Jack Spaniard and Frank Palmer, who had murdered Deputy Marshal William Erwin, and for Felix Griffin, Erwin's prisoner, whom they rescued. Official notice was posted in the April 30, 1886, edition of the *Elevator*.

Spaniard, one-fourth Cherokee and raised in the Cherokee Nation, was thirty-six at the time of his trial in 1889. But, he was not a stranger to the U. S. District Court for the Western District of Arkansas. In 1879 he was indicted for assault with intent to kill with a butcher knife one Tobe Johnson, "a Negro and not an Indian." There is not sufficient information to determine the outcome of that case, but apparently Spaniard challenged the court's jurisdiction. In his application for witnesses, he claims that those witnesses will prove that Johnson is a "Cherokee citizen, an Indian in law, and not a Negro." If he could prove that, both men being of the same tribe and the crime committed in that tribe's nation, the case would have fallen to tribal court.

Spaniard continued in his lawless ways, associating with robbers and horse thieves. On April 12, 1886, Deputy Erwin was at Webbers Falls with Felix Griffin, one of Spaniard's partners in crime who was in custody on his way to Fort Smith. Spaniard was also in town, and it was hinted that he would rescue Griffin. Erwin left with Griffin before noon and went to the home of the

prisoner's mother and had dinner. After their meal they left, intending to stop at the home of Wesley Harris for the night and proceed to Fort Smith next day. After noon, Spaniard and Frank Palmer, both on one horse, left town heading in the same direction as Erwin and Griffin. At Mrs. Griffin's home, they obtained another horse and continued on along the path of the deputy and prisoner. At the Canadian River, they asked the ferryman, who knew both Spaniard and Palmer, if the deputy and prisoner had passed over. On being informed that they were about an hour ahead, the pursuers pushed on, followed by a dog belonging to Palmer. Several witnesses observed Spaniard and Palmer and the dog along the road that day and testified to the identity of the dog but not the men. About seven miles from the ferry and about a quarter-mile from Harris' house, they overtook Erwin and Griffin and killed the deputy before he could return fire. Harris heard the shooting and early the next morning went to the scene and found Erwin dead. Erwin's fully loaded pistol was still in its holster, evidence that he had not had a chance to defend himself. The killers left him as he fell, not disturbing anything about his body or his possessions.

The same morning that Harris found Erwin's body, Felix Griffin and another man crossed the Canadian River near Belle Starr's home and ate dinner there. A ferry operated on the river near there, and the dog that followed the men to the ferry didn't cross and was taken by the ferryman, W. W. Wagner.

Spaniard and Palmer were immediately developed as suspects, and a \$500 reward was offered for each. Griffin was soon arrested and brought to Fort Smith, but the grand jury ignored the murder charge and indicted him on the robbery charge. He was in jail but a short time before making bond and returning to the Territory and his old habits. One year after the murder of Erwin, Griffin was killed in a horse pen one night while in the act of stealing horses.

On March 17, 1888, Spaniard surrendered to Deputy Marshal James Pettigrew and was put into the jail at Fort Smith, where he remained until his trial and execution. Palmer was never heard from again, and it was presumed that he either was killed or left the territory permanently. The dog stayed with Wagner and was a prominent figure

in the trial. All of the witnesses who testified to seeing two men pass along the road that day testified that the dog looked very much like the one they had seen but none would swear positively that this was the animal.

Pearl Younger and Eddie Reed, daughter and son of Belle Starr, both testified that the man who came to the house with Griffin was not Jack Spaniard. But only they swore in that manner; all other witnesses disputed their testimony.

Sentenced To Hang

On Monday April 29, 1889. Judge Parker overruled motions for new trials and sentenced Jack Spaniard, William Walker, and Elsie James to hang. Jack Spaniard stood first, and when asked if he had anything to say as to why sentence should not now be passed, he replied that he was not guilty and did not deserve to hang.

William Walker replied to the same question, "Yes sir, I have to say a little something. I am not guilty. Of course the court found me guilty. I am not guilty. That is all I have to say."

Elsie James heard her sentence through an interpreter. "She protested her innocence vigorously and as the remarks of the judge were conveyed to her she had an answer for each sentence propounded to her and talked all the way through, declaring her innocence after the sentence of the law had been pronounced." *Elevator*, May 3, 1889

Respited

Death warrants were issued on the day of sentencing, but just before their appointed final day arrived, the president granted a respite for all of the condemned in order to investigate their cases more thoroughly.

On the back of Elsie James' death warrant is this notation:

This writ returned not executed by reason of a commutation of sentence by the President of the United States to imprisonment for life. This July 30/89

Jacob Yoes
U. S. Marshal

The executions of Spaniard and Walker were moved to August 9, and on Thursday, August 8, Spaniard received a second respite. Judge Parker immediately telegraphed to Washington requesting the same consideration for William Walker. On Friday, hours before the hanging, a telegram came granting the request.

On Monday, August 19, 1889, a telegram arrived from Washington that the president would not interfere further in the case. The execution date for Spaniard and Walker was set for Friday, August 30, 1889.

Execution

The *Elevator*, September 9, 1889:

As announced Jack Spaniard and Bill Walker were hung last Friday in accordance with the sentence of the court pronounced some time ago. Spaniard slept but little during his last night on earth, but the negro, Walker slept soundly, retiring about his usual hour. The execution was conducted quietly, nothing unusual occurring, except that Spaniard got a little stubborn and refused to come out when the hour for departure to the gallows arrived. He begged jailor Pape to shoot him, and said he did not believe in this hanging business. Three deputies were sent in to bring him out when he seized a

camp stool and threatened to brain the first man that laid hands on him. Finally he succumbed to reason, and went forth to death, meeting it bravely. Nether of the condemned had anything to say on the gallows concerning their crimes. Both their necks were broken and not so much as twitched after the drop fell.

Spaniard's body was turned over to relatives and taken to Webbers Falls for burial, While Walker's remains will moulder in the Potter's field.

Sources

Fort Smith Weekly Elevator
National Archives

1909 Newspapers

THE SOUTHWEST AMERICAN

**July-December 1909
by Wincie Hendricks**

Abstracted from microfilm
in the Fort Smith Public Library.

Editor's note: Most spelling, punctuation and grammar
appear as printed in *The Southwest American*.

July 4, 1909

ICE CREAM "BY THE TON," FORT SMITH'S BIG DEMAND

The heated period is causing an enormous demand for ice cream, and the supply so far has been large enough to meet the unprecedentedly large consumption.

Yesterday over a thousand gallons of ice cream was supplied to local dealers and also out-of-town buyers.

Tons of ice are required to make and keep the ice cream, and the ice factories have been running over time to fill their orders.

It can be truthfully stated that there has been more frost in Fort Smith the past week than ever before in the history of hot summers.

"We have never before known such a heavy consumption of ice," says Frank Coffey of the Fort Smith Ice and Cold Storage Co. "Our plant is running at its capacity to take care of the extra demand.

"Fort Smith ice cream is now used everywhere in this section of the southwest," says Will Luce of the Fort Smith Pure Milk Co. "Our Plant is doubling its output."

July 14, 1909

C. A. BIRNIE ANSWERS CALL OF GRIM REAPER

Charles A. Birnie, one of Arkansas' oldest

pioneers, passed away yesterday afternoon. Mr. Birnie was stricken with paralysis about two years ago, and although his first stroke did not affect him very much, it slowly grew worse, until it resulted in his death.

He was 76 years old, and the greater portion of his life was spent in Fort Smith. He was born on a packet steamer while his parents were en route for the old fort situated at this place, and there he derived what little education the circumstances permitted. He followed the tinning business until 1854 and then left with a party to the Pacific coast. He did not remain there long, however, as the mining country was not to his liking, so he returned soon after, taking up his old trade as a tinner.

Soon after this the war broke out and he was a faithful soldier throughout the entire struggle. Returning again after the strife was settled, Mr. Birnie then accepted employment from the government, but soon resigned, embarking in the furniture business, which he abandoned after several years in favor of the undertaking business in partnership with his brother, H. C. Birnie, they remaining in business until 1903, and it was his last business venture.

Mr. Birnie has hosts of friends who will indeed mourn his demise, as he was always of a noble and estimable character. The funeral will take place from the family residence, 121 N. Seventh street, Thursday at 5 o'clock.

ALLIGATOR CAUGHT ON LITTLE ROCK ROAD BY LIMBERG CHILDREN, WHO WILL MAKE PET OF IT

While out playing yesterday, the children of J. A. Limberg, who lives out about a mile on the Little Rock road, were wading in a small creek which runs through their pasture. It is only about 4 feet wide and 6 inches deep, and afforded them lots of amusement until they found what they thought was a small snake.

They ran to call some of the older children, who came to investigate the story of the little folks and

discovered that instead of a snake, they had found a small alligator about 15 or 16 inches long.

As it is dry in this part of the city, the people are at a loss to understand how the reptile found its way to this spot.

Guess it must be as one Fort Smith boosted has suggested: It heard of this city and wanted to see what the finest city in the southwest is like.

The Limberg children have the little visitor safely placed in a large tub, and hope to be able to make a pet of it.

August 22, 1909

FORT SMITH'S LARGE FURNITURE FACTORIES

The following furniture factories are now in successful operation, namely:

❖ **Eads Bros. Chair Factory**—Has been operating about a year. They manufacture chairs of all kinds, diners and rockers.

❖ **Oklahoma-Arkansas Furniture Co.**—Have been operating about two years. They make all kinds of kitchen cabinets and tables, etc.

❖ **Acme Spring Bed and Mattress Co.**—Has been in operation nearly seven years and manufactures lounges, davenports and mattresses.

❖ **Ballman-Cummings Furniture Co.**—Has been manufacturing nearly three years. They make a line of bedroom suites, odd dressers, chiffoniers, buffets and sideboards.

❖ **Fort Smith Folding Bed and Table Co.**—Has been in operation nine years. They manufacture a line of folding beds, tables and kitchen cabinets.

❖ **Fort Smith Chair Co.**—Has been in operation over 20 years. They manufacture a complete line of chairs.

❖ **Fort Smith Couch and Bedding Co.**—Has been in operation nine years. They manufacture couches, davenports, special chairs and mattresses.

❖ **Fort Smith Furniture and Manufacturing Co.**—Has been in operation nearly three years. They manufacture a line of bedsteads, kitchen cabinets and wardrobes.

❖ **McLoud & Sparks Furniture Co.**—Has been in business over 20 years. They manufacture wood bedsteads, kitchen safes, kitchen cabinets, chiffoniers,

oak bedroom suites, buffets, sideboards and all kinds of tables.

❖ **Union Furniture Co.**—Has been manufacturing over three years. They manufacture kitchen cabinets and tables.

❖ **Fort Smith Refrigerator Co.**—Has been in business five years, manufacturing a line of refrigerators.

❖ **Ward Furniture Manufacturing Co.**—Has been in operation nearly seven years. They manufacture a special line of bedroom suites, odd dressers, chiffoniers and wardrobes.

September 12, 1909

NEGRO BOY WAS HERO OF FIRE

Herbert Brent, a Negro boy about sixteen years old was one of the heroes of the Schulte stable fire of yesterday morning. Brent is said to have saved the team of valuable white horses owned by the Schulte stables by getting them out of the stables during the early part of the fire. The boy was later seen lying apparently stupefied in the street and someone carried him to an alley near the stables and left him there.

In the excitement no more was thought of the little Negro boy until about 7 o'clock yesterday morning when Dr. W. T. Cate in passing, saw the boy and had him sent home. The boy lives at 1012 North 10th Street, and is the son of William Brent, who is employed at the Cole Drug Store on Garrison Avenue.

The boy remained unconscious most of the day yesterday and it is believed that the condition was brought about by the heat and the smoke of the fire. He was employed by the Schulte stables and was sleeping in the hay in the barns when the fire broke out.

September 22, 1909

KELLEY FUNERAL

The funeral of the late James N. Kelly was held yesterday morning at nine o'clock from the Church of Immaculate Conception. Rev. Dr. Horan

conducted the services and interment was made in the Catholic Cemetery. The deceased is survived by five children, his widow, three brothers, Nevil, John and Will, and three sisters, Miss Anna Kelly, Mrs. Henry Coleman and Mrs. Joe Patrick, all of them reside in this city.

The honorary pall bearers were: Henry Kuper, Sr., August Reichart, A. E. Hardin, Mike O'Connell, Charles Burns, F. T. Reynolds, and D. B. Sparks. The active pall bearers were A. N. Sicard, B. J. Dunn, M. P. Boyd, P. E. McShane, John Devlin, Joe Cooney, Henry Wegman and John Moore.

September 30, 1909

WOMAN ESCAPES FIERY DEATH

Mrs. Hugh Rogers while burning trash in the yard at her home on North Thirteenth street yesterday morning barely escaped serious injuries as a result of her clothing catching on fire from the trash heap. The bonfire got beyond her control and an outhouse beginning to burn, the fire department was called out. While the department was putting out the blaze, Mrs. Roger's clothing caught on fire and had it not been for the quick action of Dan Harrington who rushed to her aid and tore off the burning clothing, she might have been seriously burned.

This is the third instance within a week in this city of a woman's clothing catching on fire, and in the case of Mrs. Truschel and Mrs. Henry, death resulted from the injuries received. Mrs. Rogers was practically uninjured.

November 6, 1909

ENJOYED 'POSSUM HUNT

A party of young people who enjoyed a 'possum hunt through the woods, just outside of town this week, were: Misses Annie and Fanny Morris, Miss Knitton, Fay and Pink Knitton, Miss Roseberry, Miss Crutckshank, Messrs. Will Cruickshank, Sanders King, George Morris, Bland Wingsby, Newell Rhyan, Mr. and Mrs. Will Cannon. Though

they failed to catch Mr. 'Possum they had an exciting and merry chase after the hounds and an appetizing luncheon in the woods helped to make the occasion an enjoyable one.

December 18, 1909

SAYS WIFE BEAT HIM WITH POKER

Charging his wife beat him with a poker, A. F. Pilgrim, sued Emma Pilgrim for divorce in the chancery court Friday. They were married in Fort Smith three years ago. The husband alleges his wife frequently abused him and finally cultivated a passion to smack him over the feet and legs with a stove poker. In addition he charges his wife with being habitually drunk for a year.

December 25, 1909

WELDON FUNERAL TO OCCUR SUNDAY

The funeral of O. D. "Bud" Weldon, the well known local resident, who dropped dead on Garrison avenue early Friday morning while returning from a business trip to spend the holidays with his family, will take place from the residence at 419 North Ninth Street Sunday afternoon at 2 o'clock. The pall bearers will be Wharton Carnall, William Wegmen, C. A. Lick, M. C. Wallace, J. W. Meek, Erdie Bumford and J. F. Weaver. Members of the Woodmen of the World and Elks will attend in a body. Mr. Weldon was a member of both organizations.

Mr. Weldon was sixty-two years of age. During his earlier life Mr. Weldon was connected with many newspapers in this vicinity in the capacity of a printer.

He was employed on the Thirty-fifth Parallel, the Fort Smith Herald, the Fort Smith New Era, and the Fort Smith Elevator. He was connected with Weldon, Williams, & Lick, local printers, and with the O. D. Weldon Cigar Company, of which he was the principal owner.

The deceased was twice married. He leaves two daughters. He also leaves one sister, Mrs. John Bloomberg, of this city.

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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.
 (gp) - group picture
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