



# The JOURNAL



## Go Big or Go Home

*An Unexpected Change in Downtown Fort Smith*



*Philippine immigration to  
the U.S. and Fort Smith*



*Mary O'Toole Parker:  
The Judge's Wife*



*When the Red Light went  
out in Old Fort Smith*

Vol. 40, No. 1, April 2016



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# The JOURNAL

VOL. 40 NO. 1

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**COVER:** Main photo—UAFS student mural. Courtesy of Bryan Alexis.

Lower left—Aida Jones at Sparks. Courtesy of Larry Jones.

Lower center—Mary O'Toole Parker. Courtesy of Sue Robison.

Lower right—Employee of Miss Laura's. Courtesy Miss Laura's Visitors Center

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# News & Opportunities

## Fort Smith Historical Society Quarterly Meeting

April 13, 2016

6:30 p.m.

Fort Smith Public Library  
Community Room, Main Branch

## Fort Smith Museum of History

320 Rogers Avenue

479-783-7841

Steel Horse Motorcycle Rally Events

April 29-30

- General William O. Darby statue dedication at Cisterna Park at 10 a.m., April 30.
- William O. Darby Memorial Room updated exhibits in the Darby Memorial Room, including an addition to the cell phone audio tour to tell Darby's story narrated by nephews Presson and Darby Watkins.
- Alphonso Trent documentary film on the jazz legend. April 29 at 11 a.m.; 1 and 3 p.m. April 30 at 11 a.m. and 3 p.m.
- Motorcycle Memories exhibit in lobby during the rally and program on Fort Smith motorcycle culture at 12 p.m. April 30.
- Motorcycling in Arkansas, April 30 at 1 p.m. Grady Spann, Director of Arkansas State Parks.
- Bike Show, April 30, 9 a.m. until 12 p.m. on the street in front of the museum.

\*\*\*

## Clayton House

514 North Sixth Street

479-783-3000

- April 24, 1:30 p.m. Family History Series featuring the Calderera family, Italian pioneers of Fort Smith's food and hospitality business.
- May 1. May Day Celebration, with music, May Pole dances and frontier-era games and crafts.
- May 15, May 29 and June 5 and 19. Belle Grove Historic District Walking Tour, 2:30 p.m.
- May 22. "Clayton Conversations," featuring the history of the Fort Smith Public Library, presented by the library's executive director, Jennifer Goodson.
- June 7. A fundraising "Dark Night" at the Fort Smith Little Theatre featuring the play, "The Lights are Warm and

Coloured." The play fits the museum's era with its look at the infamous 1892 family murders of which Lizzie Borden was acquitted.

- June 11. "Sippin' on Sixth Street: Judge Clayton's Southern Soirée" fundraising party at the museum, featuring a bourbon tasting and live firearm auction.

\*\*\*

## Drennen-Scott Historical Site

Visitor Center 221 N. Third Street

Van Buren, Arkansas

479-262-2750

[uafs.edu/humanities/drennen-scott-house](http://uafs.edu/humanities/drennen-scott-house)

Crawford County Chronicles programs are scheduled for the first Sunday of every month.

For reservations and more information, contact Tom Wing, director of the Drennen-Scott Historical Site, on Facebook: Drennen-Scott Historic Site, or email [drennen-scott@uafs.edu](mailto:drennen-scott@uafs.edu). Tom Wing's book titled *Images of America: Van Buren* will be the topic on April 3.

\*\*\*

## Arkansas Historical Association

75th Annual Conference

April 24-26, 2016, Little Rock, Arkansas.

Theme: "Arkansas since 1941."

You may register for the conference using this link:  
<http://arkansashistoricalassociation.org>

\*\*\*

## St. John's Episcopal Church

Southern Style Mind Stretchers

May 17, 2016

"Race v. Ethnicity in the South."

Daniel Maher, Associate Professor of Sociology and Anthropology, UA Fort Smith

Skinner Building, across from 215 North Sixth Street, Fort Smith, reception beginning at 6 pm with program to follow.

\*\*\*

## Gifts

David Patterson



(Photo courtesy of Joe Hamilton)

# Water for the Future

## *Building Lake Fort Smith*

By Joe Hamilton

**T**he creation of Lake Fort Smith transformed the city and the lives of its residents. Not only did its construction provide hundreds of jobs during the Great Depression and create new revenue streams through recreation and tourism, it provided a source of pure clean water for the city of Fort Smith, which continued to grow and prosper.

Cities, like people, need water to survive. The city of Fort Smith, once a frontier town on the border of Indian Territory, developed its first water system in 1884 on the banks of the Poteau River, which flows into the Arkansas River at the foot of Garrison Avenue. Constructed by Woodbury and Moulton of Portland, Maine, this structure

used a crude filter of logs in the streambed, filled with coarse gravel and sand. Water was pumped to Bailey's Hill then flowed by gravity to homes through a system of sixteen miles of cast iron pipe. Though basic, it served the city population of 3,000 people well for many years.<sup>1</sup>

By the late 1920s the population of Fort Smith swelled and the once clear Poteau River had grown polluted with sewage, salt and gypsum from the salt plains of Kansas, and runoff from the coal mines and oil fields of Oklahoma. The water intake on the Poteau, being very near its confluence with the Arkansas River, created another serious problem. Said one city official, "...Fort Smith's nominal source of supply—the



Poteau River—is so frequently contaminated by the ever menacing Arkansas (River), backing its water into the smaller stream, that this water is frequently unfit to drink, and usually very hard and bad tasting.”<sup>2</sup> The residents of Fort Smith were more direct in their description of the water: they called it “Poteau punch.” It was said that one could take a shower in the water and be dirtier than when you got in.<sup>3</sup> By the 1930s, the joke was no longer funny; finding a new source of water was crucial to the very survival of Fort Smith.

In 1933, Mayor James K. Jordan and city commissioners W.H. Vaughn and Mrs. Frances Buck (elected to succeed her husband Earl Buck after his sudden death) resolved to locate a new source of water and formed an exploratory committee. Finding a source both close-by and plentiful would prove to be a daunting challenge. To this end, the commission hired William Rea “W.R.” Holway to locate the new source. Holway, an MIT graduate with an engineering firm in Tulsa, Oklahoma, was considered something of a genius among civil engineers and had previously located a new water source for the city of Tulsa. There, he designed an ingenious pipeline system to carry the water fifty-five miles into the city using nothing but gravity. Holway was also something of a showman. To demonstrate his faith in his design, he instructed the city of Tulsa to place his final paycheck in a bottle and send it down the length of the pipeline. Holway collected his check at the other end.<sup>4</sup>

Just north of Fort Smith, Holway spied his first possibility in Lee Creek, a sixty-six mile long river that meanders through northwest Arkansas and northeast Oklahoma before reaching its confluence with the Arkansas River just north of the city of Van Buren. Holway found the water “pure, soft, and clear most of the year.” The drainage area was mountainous and sparsely populated. Holway’s surveying and investigations led him to a site where a dam could be built across Lee Creek to store water for the city’s use. He claimed that with proper storage reservoirs, his proposed 1500 acre lake would create an adequate supply for a million people as well as creating “one of the most attractive recreational centers between the Rockies and the Alleghenies.” In addition, the city and its citizens would no longer be forced to purchase bottled water and would save money on repairs to plumbing, hot water heaters, boilers, and radiators caused by the use of the hard Poteau water. Not to mention there would be a large reduction in the amount of soap used.<sup>5</sup>



(Photo courtesy of Joe Hamilton)

Holway was convinced that he had located the perfect water source for the city of Fort Smith and in his report listed four reasons for the plan to be immediately enacted: the low price of materials; the large number of unemployed in Fort Smith needed to be put to work; the city could secure needed funds from the federal government under the new National Recovery Act; and under this same act it was possible to secure a grant for up to thirty per cent of the cost of labor and materials for the project. Holway submitted his report in July 1933, recommending that the city take steps at once to finance and construct a new water supply from Lee Creek. But genius that he might have been, Holway overlooked one crucial fact: the resulting lake created by damming Lee Creek would be located, primarily, in Oklahoma.<sup>6</sup>

In August 1933, at the request of the mayor and city commission, Holway submitted a supplemental report detailing his quest for a dam site on Lee Creek that would



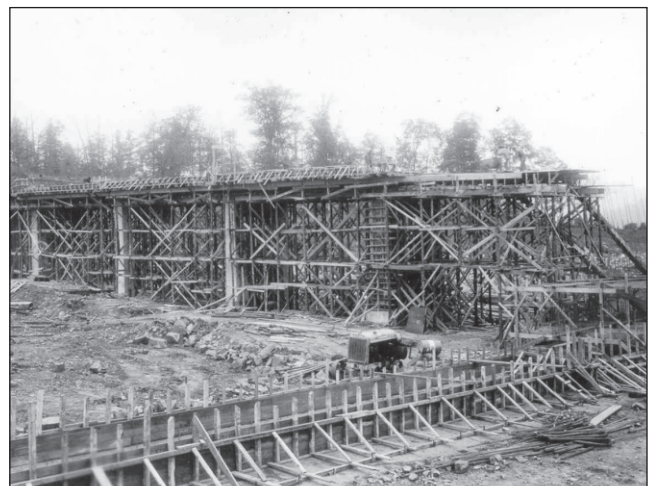


(Photos courtesy of Joe Hamilton)

allow the entire project, including pipeline, to be located in Arkansas while still remaining sufficient for the city's needs. The city's legal advisor, Fadjo Cravens, city attorney, deemed that it would be impractical and perhaps impossible to own and operate a water system in Oklahoma. Holway researched and surveyed three additional Lee Creek sites—including Natural Dam—but his conclusion remained the same: it could not be done. The Lee Creek project and the high hopes of a city would have to be abandoned.<sup>7</sup>

Holway now turned his eyes north and east of the city, to the Boston Mountain range of the Ozarks. Just to the north of the small village of Mountainburg flowed Clear Creek, a branch of Frog Bayou. Here the water, soft and pure, rose up near Mount Winslow and flowed southwest.

The area was heavily timbered and like Lee Creek, sparsely populated. Holway's studies showed that the water was of excellent quality, suitable for domestic and



industrial use, and could be carried by pipeline to Fort Smith using gravity alone. With the proposed reservoir, Holway estimated that Clear Creek would supply enough water for a population of 80,000 residents.

Holway concluded that Clear Creek was the only





(Photos courtesy of Joe Hamilton)

feasible and economical source available.<sup>8</sup>

The project, as outlined by Holway, would deliver between eight and ten million gallons of water per day to the city mains. The water would leave the 650-acre lake, travel to a plant in Mountainburg for filtration, aeration, and sterilization then travel to an equalization reservoir in the town of Rudy. From Rudy, a twenty-seven-inch pipeline carried the water to the city. The estimated cost to the city: \$1,580,000.

Holway laid out the costs to the city as follows: dam, land, and clearing amounted to \$381,850; filter plant, aerator, \$163,600; reservoir, \$28,000; pipeline, \$862,350;

pipeline right-of-way purchase, \$4,400; bridges and road, \$20,000; engineering, legal, and administration, \$80,000; incidentals, \$39,800. Using gravity alone to transport the water eliminated the need for costly pumps, saving the city \$30,000 annually. Along with \$9,000 annually saved in chemicals that were currently used to treat Poteau River water the city would save an annual \$39,000 per year.

Holway suggested that raising water rates by 15 percent would pay off the principal and interest on the new loan within ten years, and that even with the increase, water rates in Fort Smith would still be less than in





SPILLWAY, LAKE FORT SMITH

(Photo courtesy of Joe Hamilton)

surrounding cities. Holway had done his job; he had found the water. Now it was up to the city fathers to do their job; find the money.<sup>9</sup>

Like the rest of the nation, Fort Smith was devastated by the Great Depression. As a manufacturing town with 143 industrial plants producing more than 175 different items, the city was particularly hard hit. The 1930 census listed the population at 31,434. The federal relief rolls of Fort Smith on September 9, 1933, show 242 single persons and 2,196 heads-of-family on relief.

Without help from the federal government, the crucial water would stay in the Ozarks.

To combat the debilitating effects of the Great Depression, President Franklin Roosevelt created the New Deal, a sequence of public works programs initiated between 1933 and 1938 with the goal of giving relief, reform, and recovery to the people and economy of the United States. Dozens of alphabet agencies (so named because of their acronyms, as with the SEC), were created as a result of the New Deal.

On October 16, 1933, Mayor Jordan submitted a loan application to the Federal Emergency Administration of

Public Works in the amount of \$1,580,000 for the creation of a new water supply for the city of Fort Smith. The application summarized the city's water needs, the search for a suitable site, as well as the number of men who would be employed on a monthly basis over the course of the estimated one-year build time, with the number peaking at 700 men per month in the sixth month of the build. Jordan noted that the citizenry was "practically unanimously" in favor of the project and included a list of organizations approving the project: the Chamber of Commerce; Lions Club; Rotary; Kiwanis; Sebastian County Medical Society; Fort Smith Tuberculosis Association; Arkansas Association of Lumber Dealers and several others. After much legal back-and-forth between Fort Smith, Little Rock, and Washington D.C., and the submission of at least two supplemental reports, the city received a wire from Senator Hattie Caraway announcing approval for the project on June 27, 1934.<sup>10</sup> Final approval of the financing plan required months of negotiation, a test suit filed by Fagan Bourland through the State Supreme Court, and three new legislative acts.<sup>11</sup>

The Works Progress Administration (W.P.A.) was the

largest and most ambitious of the New Deal programs. The W.P.A. employed millions of unskilled workers to carry out public works projects, including the construction of public buildings and roads, bridges and dams.

Through the W.P.A., Fort Smith received a grant of \$430,000 and a loan for \$1,300,000. Officially called the Clear Creek Water Project, it was given W.P.A. docket number 2,306. Bids were taken, contracts were awarded, and on July 22, 1935, ground was broken.<sup>12</sup>

Other projects planned by the city to run concurrently with the lake and dam construction were a fifteen acre fish-hatchery to be built just below the dam, (W.P.A. Docket No. 2478) and a recreational area that included cabins, a visitor center, dormitories, campsites, and a 300-foot-by-100-foot swimming pool. (W.P.A. Docket No. 702)

Hundreds of men flocked to the Ozarks as work on the project began. Men spread out like ants armed with pick-axes, shovels, and steam hammers, creating the lake bed. They felled and burned trees by the score. Explosive sounds of dynamite echoed throughout the valley. Work began at first light and continued until darkness prevented further labors. The scope of the overall project was staggering and the labor was carried out under harsh conditions. Record setting highs that would stand until the year 2011, bone-chilling lows, and a severe and protracted drought made the endeavor ever more challenging. Nevertheless, the project began to take shape.

The 1,500-foot-long earthen dam impounded nearly six billion gallons of water in the lake. A ninety-nine-foot-high intake tower with a thirty-inch intake pipeline passed water through a concrete conduit to a filtration plant on the other side. Located one mile below the dam, the filtration plant featured modern sand and gravel filter units designed to treat eight million gallons of water daily.

The dam was completed in February 1936, and in spite of drought, by May the lake was filled with Clear Creek spring water. Excitement grew to a fever pitch as opening day drew near. On the evening July 21, 1936, Senator Joe T. Robinson, Senator Hattie Caraway, Congressman Ben Cravens, and the state centennial queen, Miss Imogene Schneider, attended a dedication ceremony banquet.

At Andrews Field in Fort Smith, a historical retelling of the founding of Fort Smith featured more than 500 people. The saga depicted the early explorations of

Hernando De Soto, the city's part in the Civil War, and into contemporary times with a chorus of boys and girls carrying Arkansas flags.

The city staged a celebratory parade down Garrison Avenue with an estimated attendance of 7,500 people. There were marching bands, representatives from civic organizations, men portraying early settlers carrying buckets of water, and a float bearing "Father Neptune surrounded by bathing beauties." Four large fountains, backlit with colored lights, sprayed water high into the air as fireworks exploded in the background providing a colorful and raucous finale to the day's celebration.<sup>13</sup>

Finally, on July 22, 1936, a day Mayor Jordan declared an official holiday—exactly one year to the day after the ground-breaking ceremony—Fort Smith turned on the tap and took its first drink of Clear Creek water.<sup>14</sup>

Throughout its history, many people and events shaped the history of Fort Smith, Arkansas, but few of them equal the importance of the building of Lake Fort Smith. Securing a dedicated water supply for the present and the future allowed the city to prosper and to continue to grow. And behind that prosperity, high in the Boston Mountains of the Ozarks is the lifeblood of the city, Lake Fort Smith.



*Joe Hamilton is a historian/musician and a ranger at Lake Fort Smith State Park.*

## Endnotes

- <sup>1</sup> Board of Commissioners Report, City of Fort Smith, 1936, p. 15
- <sup>2</sup> Clear Creek Water Supply Project book
- <sup>3</sup> J. Fred Patton, *History of Fort Smith*, 347-348.
- <sup>4</sup> <https://www.youtube.com/watch?v=ZZ2Maohf8yM>
- <sup>5</sup> Clear Creek Water Supply Project book
- <sup>6</sup> Ibid.
- <sup>7</sup> Ibid.
- <sup>8</sup> Ibid.
- <sup>9</sup> Ibid.
- <sup>10</sup> Ibid.
- <sup>11</sup> Waterworks Engineering, August 19, 1936, p. 1069
- <sup>12</sup> Clear Creek Water Supply Project book
- <sup>13</sup> John T. Anderson, "Growing City Demanded New, Cleaner Sources" Insight, *Southwest Times Record*, March 11, 2001.
- <sup>14</sup> Ibid.





(Photo courtesy of Bryan Alexis)

# Go Big or Go Home

## *Adventures in Oversized Art*

By Bryan Alexis

**T**he unexpected happened in downtown Fort Smith, Arkansas, in September 2015. International street artists descended upon the town and transformed large sections of non-descript edifices into giant works of art. Now as visitors travel through the sprawling ten block area they are greeted by a riot of color and broad range of subject matter, both historical and whimsical. There are enormous murals that feature historical images of local Cherokee tribes, as well as paintings that simply celebrate life through electric imagery of gauchos dancing the traditional Malambo. Other murals feature a playful otter and gigantic mysterious mole

devouring a worm for its supper. For the city at large the mural festival certainly lived up to its name: The Unexpected. And the name rang most true for a group of art students from the University of Arkansas – Fort Smith and their professor, Bryan Alexis, for one of the blank walls awaiting transformation was assigned to them.

Don Lee, professor of art at UAFS, approached Alexis, assistant professor of graphic design, the summer before The Unexpected swept into town to discuss the possibility of creating a Special Projects: Mural Painting class in anticipation of the event. They would select a small group of ten dedicated and hard working students to learn about mural





**(CLOCKWISE FROM TOP RIGHT)** *Working on the magenta stripe; UAFS students work on the mural on a lift; a student works on the finger; and the work in progress.*

(Photos courtesy of Bryan Alexis)

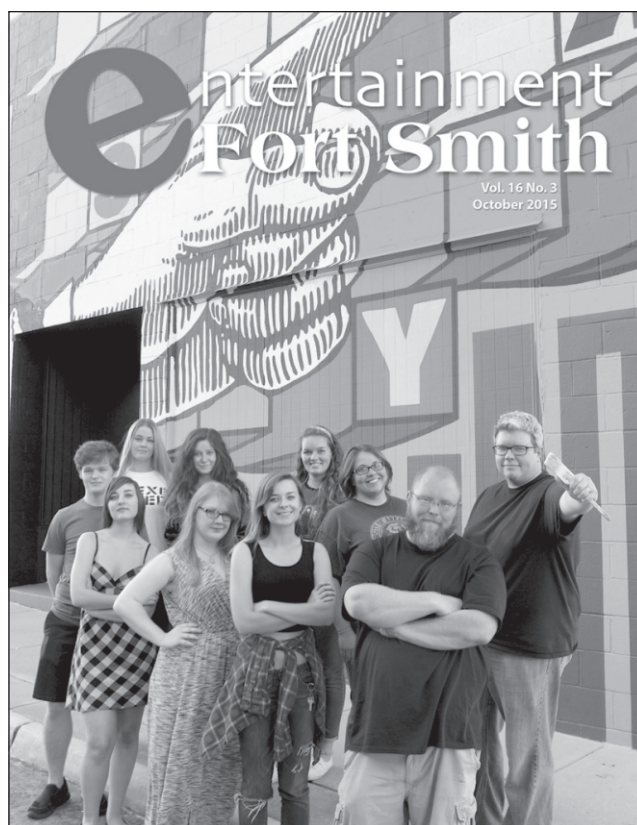
painting through assisting the international street artists, helping to execute a pre-designed mural during The Unexpected Mural Festival, and then designing and painting their very own collaborative mural in a pedestrian tunnel crossing under Grand Avenue that connected a parking lot to the UAFS campus. There was much to be learned by students and professors alike through this experience and the opportunity could not be passed up. The class was created and interested students interviewed and enrolled, then placed at the ready in anticipation of the big event.

The wall assigned to the mural painting class, located at 709 B Street, was a forty feet wide and twenty-two feet tall cinder block façade attached to a Quonset hut which was owned by and acted as a large storage unit for Weldon Williams & Lick, an industry leader in ticket design and printing for more than 100 years. The structure sits on an inclined base following the lay of the road, and features an inset front entryway recessed deep into the face of the building and flanked on each side by windows covered by wooden paneling. The wall was prepared with a base coat of beige paint. It was the perfect place for a little life in the form of a mural.

Alexis, a graphic designer who had worked in the industry for more than twenty years, was tasked with creating a concept and design for the wall. Being intimately familiar with the printing process and the history of print, he began work on a design that would at once pay tribute to Weldon Williams & Lick, the sponsors of this particular mural, and also fit the look and feel of the other murals being created by the internationally renowned street artists, such as D\*Face, ROA, Anna Maria, Askew, and Vhils. Alexis felt the mural had to be spectacular and vibrant, curious and thought provoking, but above all, just plain cool.

The final design features a monumental portrait of Johannes Gutenberg, the father of the movable type printing press, rendered as a black and white halftone. A halftone is a printing term that describes an image that has been created using only black dots over a white surface. The portrait rises from street level and towers upward all the way to the top of the building, disappearing beyond the edges of the utmost crown of the wall.

A pointing hand, greatly oversized and completely out of proportion to the image of Gutenberg, is composited onto the image of Gutenberg's body, pointing ominously. The hand was taken from a punctuation mark called the index or manicule, rendered as a pointing hand. This mark has its roots in the Renaissance and medieval period and was used



**THE UNIVERSITY OF ARKANSAS-FORT SMITH STUDENTS** who worked on the Gutenberg mural are featured on the October 2015 cover of Entertainment Fort Smith.

(Courtesy of Entertainment Fort Smith)

in the margins of manuscripts to mark corrections or notes. The version used in the mural comes from a piece of movable lead type used in letterpress printing.

The image of Gutenberg and the giant index are seemingly imbedded into an array of boxes that are brightly colored using alternating fields of cyan, magenta, yellow, and black (the four inks used in full color process printing) that form a grid across the entire face of the building. Each box protrudes forward by way of a three dimensional trails that add motion and depth to the piece. The boxes represent pixels of color in the digital age. The letters C M Y and K are painted in their respective colors (C is cyan, M is magenta, Y is yellow, and K is black) placed backward in contrasting pixel blocks indicating the method in printing where a reverse image is necessary to create a right reading print on paper.

Behind all of this is a field of blue with an image of the original black letter text from the Gutenberg Bible, one of the first manuscripts reproduced using a moveable type



press. In the bottom corner, in contrast to the archaic type and field of blue at the top, is the word PRINT rendered in Univers, a typeface designed by Adrian Frutiger based on Swiss principles in 1954. Since type is an inherent component in the printing process it is included in the mural as a tribute to type's ever evolving state.

Lastly, the image of Gutenberg is pointing emphatically at the word ON painted in the upper right corner block in the mural. This is the answer to the cries of "print is dead." The spirit of Johannes Gutenberg points a way to the future where print lives on despite the digital age.

Jim Walcott, owner of Weldon Williams & Lick, was overjoyed at the presentation of the mural design. He knew immediately who the grizzled looking "wizard" was in the mock up. "Gutenberg is my hero," he declared as he examined the composition in the form of a full-color print.

Once approved, the work began in earnest. Paint colors were matched and surface area was figured to determine the exact quantities of paint necessary to cover the wall.

Supply lists were made. The students were fully engaged in the process. The UAFS Art Department purchased a high end Artograph projector capable of casting the image over the entire wall at once. Schedules were set.

On Friday, September 4, 2015, at 8 p.m. work began on the mural. It was a projector party. The image was cast from down the street and skewed to match the angle of the building. This was necessary as the street was too narrow to allow the projector to be far enough away to fully project the image onto the entire wall. It took several tries to get it right, but finally the students and professor were ready to begin painstakingly tracing the entire image onto the wall using Sharpie permanent markers. They incorporated the use of a scissor lift provided by Weldon Williams & Lick to reach all the way to the top of the wall in order to complete the drawing. The students worked well into the night, wrapping up at nearly 2 a.m. the following morning.

The class reconvened on Sunday, early in the morning to begin adding color to the drawing they had placed on the wall two nights earlier. The festival had begun. The painting typically lasted all day for the entire week, many times well into the night. The students were committed and diligent in their work, fitting in painting whenever there were no other classes or official obligations. They were excited for the project and the level of commitment was real and evident. The group, including the professor, would stay and paint into the early hours of the morning nearly every day and braved

unusually hot weather for September, with high temperatures that week reaching ninety-five degrees.

On Friday, September 11, the mural was complete. The international artists continually stopped by and congratulated the students on their work. One even stated that it was his favorite mural of the festival! The students learned a great deal from the process of working big, planning, being flexible, the importance of hard work, and what it means to accomplish a task as big as the Gutenberg Mural, but most importantly they learned the value of art to the community.

During the week, countless people drove by with a vast majority slowing to a crawl to watch the progress of the painting. Hundreds of visitors traveling by foot or bicycle would stop and chat. Some simply stopped and stared or came and sat and ate lunch while enjoying the view. One gentleman stopped his car in the middle of the street, blocking traffic, and with his window down and for a good thirty seconds, he just clapped his hands in applause. Alexis told the students that this was the type of impact they could have on their community through art. And the students couldn't have been happier to be a part.

The Unexpected project was a tremendous success. With millions of views on social media and visitors from all over the region and nation, people have been exposed to the impact that art has made on the city of Fort Smith, Arkansas. The UAFS Department of Art is already making plans to be involved in the next Unexpected Mural Festival and is ready to once again to make a positive impact on the community in the best way that they know how, through art.

Students involved in the Special Projects: Mural Painting class were:

- Jessica Medeiros, Van Buren.
- Emily Gardner, Fort Smith.
- Amanda Hartnell, Fort Smith.
- Talia Blanton, Bonanza.
- Cara De Lozier, Fort Smith.
- Seth Stewart, Mena.
- Nicholas Bolin, Fort Smith.
- Kayla Schluterman, Greenwood.
- Bekah Karp, Siloam Springs, Arkansas.
- Kiaya Luper, Fort Smith.



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# Remembering Nede Christie in Museum Exhibits

By Daniel R. Maher

When considering the greatly differing perspectives on the life and death of Nede Wade Christie,<sup>1</sup> I am reminded of how in 1992 the Catholic Church apologized for finding Galileo guilty of “vehement suspicion of heresy” in 1633, because he dared to say that the earth revolved around the sun. In his still-guarded apology, Pope John Paul called it a “tragic mutual incomprehension.”<sup>2</sup> It remains to be seen how many more centuries it will take Fort Smith, Arkansas, and Tahlequah, Oklahoma, to see the Nede Wade Christie incident in a similarly charitable light, but at the moment the representations of it in museum exhibits remain worlds apart.

The principal reason each city tells the story of the Christie incident so differently is that in each case the event is used as an occasion to reinforce the sovereignty of a particular nation—the United States in Fort Smith, the Cherokee Nation in Tahlequah. In Fort Smith, the Christie incident is one among many regional narratives that reinforce the legitimacy of the United States in its fulfillment of manifest destiny. These narratives can be found in exhibits at the Fort Smith National Historic Site, the Fort Smith Museum of History, and in materials produced by the U.S. Marshals Museum. Accounts of the nineteenth century military fort, and then of the Judge Isaac C. Parker federal court “keeping the peace between the Indians” and “taking civilization to the Five Civilized Tribes,” reinforce the sovereignty and legitimacy of the federal government.

Therefore, in Fort Smith, Nede Christie is unquestionably an outlaw.

In Tahlequah, the Christie narrative plays a similar role. Consequently, very different narratives of nation building can be found at the Cherokee Cultural Heritage Center, Cherokee National Prison Museum, Cherokee National Supreme Court Museum, and the John Ross Museum. Through these institutions, the Cherokee Nation is constituting its national and cultural sovereignty. In short, they are telling their side of the story. Amy Lonetree, author of *Decolonizing Museums: Representing Native America in National and Tribal*

*Museums*, would say they are “decolonizing” the narratives contained in Fort Smith and reformulating them to build a narrative for the Cherokee Nation.<sup>3</sup> In *Building A Nation: Chickasaw Museums and the Construction of History and Heritage*, Joshua Gorman demonstrates how the Chickasaw Nation has done the very same thing by gradually reacquiring sites of Chickasaw significance from the Oklahoma Historical Society, including the Chickasaw Nation capitol building in Tishomingo, and the Chickasaw White House near Ada, as well as constructing new facilities such as the Chickasaw Cultural Heritage Center in Sulphur, Oklahoma.<sup>4</sup> Through these museums, the Chickasaw have fashioned new narratives that tell their story, not the story of the federal government, and not the story of the state of Oklahoma. Likewise, in Tahlequah, the Cherokee Nation is telling its story, in its voice. Therefore, in Tahlequah, Nede Christie is unwaveringly a patriot.

When it comes to the story line of the Christie incident, much of the historiography that informs the narrative, whether in Fort Smith or in Tahlequah, is highly suspect. The portions of it that reinforce the sovereignty of the United States District Court for the Western District of Arkansas, have their origins in the highly problematic work of Samuel Harman’s *Hell on the Border*, or in outlaw compilations such as Art Burton’s *Black, Red, and Deadly*. These narratives mostly repeat accounts of the incident from questionable nineteenth century newspaper clippings that were designed to simultaneously entertain and to raise scorn toward the lusted-for land of Indian Territory more than they were to convey historical facts. Literature written from a Cherokee point of view fills in important details, but still errs on trusting similar undocumented reports. Books such as Phillip Steele’s *Last Cherokee Warriors*, Lisa LaRue’s *He Was a Brave Man*, written by and from a United Keetoowah Band of Cherokee Indians of Oklahoma (UKB) point of view, and Roy Hamilton’s book *Ned Christie: Cherokee Warrior*, attempt to counter the narrative generated out of Fort Smith.

Both sides of the debate rest arguments for Christie’s

innocence or guilt on poorly researched newspaper articles that amount to not much more than rumor. Fictional accounts including *Ned Christie's War* by Robert Conley, *Zeke and Ned* by Larry McMurtry and Diana Ossana, or *Native Heart: the Life and Times of Ned Christie, Cherokee Patriot and Renegade*, though trying to help, further cloud the facts of the case by fundamentally framing the narrative in the mythic tropes of the Wild West. Devon Mihesuah focused her attention on parsing these mythic narratives from historically documented facts in "Nede Wade 'Nede' Christie: Creation of an Outlaw."<sup>5</sup> In her estimation, little of what is claimed as history about this case passes historical muster. In addition to conflicting details and exaggerated reports, many large holes remain in the story, not least of which why it took five and a half years, from the date from which Dan Maples was killed, May 4, 1887, to November 2, 1892, to ultimately subdue Christie? The politics of the case were clearly as touchy then as they are today.

The reader can refer to the works cited to review the debates of the historical case. What we are interested in here is different. Here the focus is on the history of how the Christie case constitutes national identity by how it is remembered and represented in museum exhibits. Museum exhibits are equivalent to texts entered into the historiographic record that must be equally scrutinized as closely as any purportedly authoritative book on the incident.<sup>6</sup> At a glance it is immediately apparent that the manner in which the Nede Christie case is represented in Fort Smith contrasts sharply with exhibits developed in Tahlequah, Oklahoma, by the Cherokee Nation. Museum exhibits are not simple representations of historical facts, but rather in the course of creating the exhibits themselves, "Decisions are made to emphasize one element and to downplay others, to assert some truths and to ignore others."<sup>7</sup> Comparing exhibits crafted in Fort Smith, Arkansas, by the National Park Service, the Fort Smith Museum of History, and the U.S. Marshals Museum, to those developed in Tahlequah, Oklahoma, by the Cherokee Nation reveals how the historical and cultural context of each city inherently biases the representation.

As portrayed in the Fort Smith exhibits, Nede Christie was a hardened outlaw wanted for the murder of Deputy U.S. Marshal Dan Maples. The Fort Smith National Historic Site exhibit did not change between June 2000 and June 2013. What follows will be a description of how the exhibit was previously arranged followed by a discussion of recent changes. The exhibit began with a posed photo of Christie

taken in 1889. Christie was depicted standing defiantly, loaded for bear with a pistol in his right hand held across the front of him, a second holstered pistol, and a rifle held in his left hand. He had long dark hair flowing off his shoulders. The banner in the exhibit declared in large red letters: "\$1000 DEAD OR ALIVE."<sup>8</sup> The accompanying text explained, "In 1890 Judge Isaac Parker gained the Attorney General's consent to offer a \$1000 reward for the capture of Ned Christie. Gus York received the reward upon delivering Christie's body to the federal court in November 1892." In the narrative, Parker was featured as an agent of morality, not an impartial judge. The photo and bounty were topped off with a quote from Judge Parker dated October 11, 1890: "The cause of justice demands the capture and punishment of this most lawless desperado. He now boastingly sets at defiance the whole Government of the United States." Before any trial, let alone arrest, Judge Parker appeared to have already decided that Christie was guilty. A Winchester rifle and Colt revolver, said to be Christie's, were on display as testimony for the obvious danger this "outlaw" presented.

An infamous photograph with a caption in large red letters then declared: "NED CHRISTIE IS KILLED!" The photo, since removed in 2013, showed seven deputies, each posed standing with their rifles, each wearing a hat, with determined expressions on their faces. In the middle of the deputies and guns is the dead body of Christie, affixed to a door, standing upright, arms folded but still forced to hold his rifle in death. It looks like his feet are tied together, and his hair is cut very short. This same image is gratuitously repeated throughout the frontier complex. Oftentimes there is no explanation of the events, context, or even who is in the photograph. This is particularly true in the depictions of Christie using this picture by the Fort Smith Museum of History and by the U.S. Marshals Museum.

At the Fort Smith Museum of History, a similar photo is used in the "In the Shadow of the Gallows" exhibit. Taken as a whole, this exhibit is highly critical of the manner in which Fort Smith has portrayed its nineteenth century frontier history. However, as I argue elsewhere,<sup>9</sup> despite how much the "In the Shadow of the Gallows" exhibit debunks frontier mythologies, it ultimately reinforces those very myths by repeatedly representing them. The exhibit is framed with two captions surrounded by other photos featuring a posed picture of the so-called Rufus Buck gang, the infamous Bill Doolin and Bob and Grat Dalton, and the much-promoted Cherokee Bill arrest photo. The caption, "Picturing Outlaws" is framed out with: "What about those criminals who are

pictured dead? Outlaws were often photographed after they were shot dead. Some were posed with their weapons, possibly to show that they had been a threat, and they did not go down without a fight. *These were dangerous men*" (italics in original). The creators of this exhibit intended these words to be provocative, to caution the viewer from taking these images and the "dangerous men" narrative for granted. Rather, such photos were used to create an exaggerated, mythic persona that fundamentally legitimated the actions of the marshals. However, in isolation, without a larger exhibit narrative to tie such cautionary statements together, the mythic tropes of the "dangerous outlaws" and "brave marshals" is reinforced.

The U.S. Marshals Museum has used this same photo in two of its promotional videos without providing any context that would explain the complexity of the Christie case, let alone even attach his name to the photo. His dead visage is given zero context other than being presented as an outlaw brought to justice by marshals. In "U.S. Marshals: Justice Under the Star,"<sup>10</sup> produced in 1998 for fundraising efforts for the museum while it was located in Laramie, Wyoming, the picture of Christie appears fifty-four seconds into the video with the narrator saying, "Tracking down and arresting fugitives was only a small part of their duties." The Fort Smith iteration of the Marshals Museum created a video in 2010 called "Great Museums" in which the same photo appears at the 2:04 mark.<sup>11</sup> The voice-over here is praising the justice and peace that the Marshals Service provides: "After more than 200 years of unheralded law enforcement people will soon get the chance to learn more about the vital role the U. S. Marshals Service plays in our nation's past, present, and future." The photo is presented as impeccable evidence of how well the peace was being kept with no explanation of who was appearing in the photo nor mention of any details of the Christie case.

Visitors arrive at the exhibit in the Fort Smith National Historic Site primed with these sorts of highly mythologized Indian-United States relations that the U.S. Marshals Museum is promoting. Resuming the critique of that exhibit, the text below "KILLED" made the case for why deputies were after Christie to begin with: "Murder suspects often resorted to extreme measures but none more than Ned Christie. Indicted for the murder of Deputy Dan Maples in May 1887, Christie, a member of the Cherokee National Council, eluded capture for almost five years." In the first sentence, "none more than Ned Christie" presumed his guilt though he was never actually tried. He resisted being taken

to the Fort Smith court on grounds that he was innocent and wanted to be tried in the Cherokee Nation court where he believed he could get a fair hearing. The National Historic Site exhibit explained:

Perhaps feeling that he was wrongly accused and mistrusting a federal court that would try him—a full blood Cherokee—for killing a white law-enforcement officer, Christie retreated to the hills of the Cherokee Nation. There he built a rock fort with high walls and gun ports. Deputies tried to wrest Ned from his stronghold, often with tragic results. In 1889, a bullet from the fort tore apart Deputy L. P. Isbell's shoulder, crippling him for life. The return fire wounded Christie in the forehead, leaving him nearly blind in one eye.

This paragraph jumped from "feeling wrongly accused" to "retreating to his stronghold" in the hills to being on a first-name basis, without development of details.

The drama of the siege was built up over five years from the time of Maples' murder that culminated when "Deputy marshals, equipped with a six-pound cannon and dynamite bombarded Ned's fort for over twenty-four hours. Ned fled only after the barrage lifted his house from its foundation and set it on fire. He soon succumbed to the deputies' firepower." Why exactly this took over five years is a puzzling piece of the story. Nonetheless, "Deputies brought Ned Christie's remains back to Fort Smith for identification. The body, reportedly tied to the front door of his own home, was displayed on the porch of the U.S. jail for one day." We learned from a story out of the *Fort Smith Elevator* quoted in the exhibit that his dead body was quite an attraction: "All day Sunday crowds of people visited the jail to view the remains of the dead outlaw who lay in a rough pine box just as he had been picked up after death."

Not until the very end of the exhibit are we given any explanation of what Maples was doing in Tahlequah. There is a photo of him with the caption: "Deputy U.S. Marshal Daniel Maples." The text explains that "In 1887, Maples traveled to Tahlequah on business for the Fort Smith court. On the evening of May 4, an unknown gunman hiding behind a tree wounded Maples several times; he died the next morning." That was the total summation of the exhibit; changes to it will be discussed below. Without developing more context, the previous exhibit did not allow for any interpretation other than Christie was an outlaw who murdered Deputy Maples who was then killed by the



authorities while trying to bring him to justice. That is the standard Nede Christie narrative heard in the Fort Smith frontier complex, and that image, of deputies discharging their guns at will at outlaws, is what is re-enacted and romanticized in the popular frontier imagination.

In Tahlequah, Oklahoma, capital of the Cherokee Nation, Nede Christie is a patriot.

Exhibits at the Cherokee National Supreme Court Museum and the Cherokee National Prison Museum treat the story extensively. When you visit these sites, the stark contrast in the cultural representation of social facts in Tahlequah, compared with those in Fort Smith, is instantly realized. On my first trip to the Supreme Court Museum, the door was not even closed behind me when my gaze fell through the gift shop onto a line of souvenir T-shirts. On them was Nede Christie's distinct visage with his long dark hair flowing onto his chest. Under his image was a single word, first in small Cherokee letters, and then in large bold English letters, "PATRIOT." I was floored by the unexpected contrast.

The back of the T-shirt has an explanation of what happened to Christie. It says:

NED CHRISTIE, Ned Christie was born December 14, 1852, in the old Goingsnake District of the Cherokee Nation. A full blood Cherokee and member of the Bird Clan, Christie stood an impressive six feet, four inches tall. He was a blacksmith and gunsmith by trade and in 1885 was elected to the Cherokee National Council under the administration of Principal Chief Dennis Bushyhead. He was known as a staunch advocate of Tribal Sovereignty and spoke against the railroads and the allotment of Cherokee lands. In 1887 he was falsely accused of murdering a U.S. Marshal and spent five years evading capture until he was eventually assassinated by a large group of U.S. Marshals. Today he is considered a brave man and a Cherokee patriot. 1852-1892. <sup>12</sup>

The T-shirt alone adds considerable complexity to the story compared with that found in Fort Smith. It is quite interesting to learn that Christie purportedly spoke against allotment and railroad intrusion, and did so as a senator of the Cherokee Nation. The use of the word "assassinated" clearly shows which verdict was reached in this case in Tahlequah.

In the Cherokee National Prison Museum, there is a large exhibit dedicated to the Nede Christie incident

complete with a cabin façade to re-create the siege. The display has a great deal of text in which we learn: "While he had no formal education and spoke little English, Christie's reputation as being truthful and reliable won him a seat on the Cherokee National Council."<sup>13</sup> There is a photo featured of him in which he is unarmed. He sits, serene and calm, kerchief around his neck, his shirt and vest covered by a larger overcoat, his hands folded and his long dark hair flowing off his shoulders. This photo is absent from Fort Smith depictions of Christie.

In this portrait of Christie, he is calm and poised in thoughtful reflection. The image of a statesman emerges as you read that, "During Christie's tenure, he became well known for his passionate speeches that upheld the importance of the tribal sovereignty of the Cherokee Nation. He was strongly against railroads entering Indian Territory, and the proposed allotment of Cherokee lands. His belief was that these actions would allow for more intruders to come into the nation." Alternative motives in Christie's case begin to emerge. Christie is held up as fighting for tribal sovereignty at the precise moment when it is being attacked by the Dawes Act and railroad intrusion. The Tahlequah museum exhibits are a mythic counterbalance to those found in Fort Smith.

The exhibit then sets up the Dan Maples murder scene in detail. We are told:

On April 10, 1887, the Cherokee Female Seminary was destroyed by a fire. Principal Chief Dennis Bushyhead called a special council meeting in Tahlequah to discuss plans to rebuild the school.

On the night of May 4, 1887, Ned Christie arrived in the Cherokee capital to attend the special meeting. At the same time, Daniel Maples, a deputy marshal for the Western District of Arkansas, was also in town with a posse of men serving warrants and keeping an eye on the illegal whiskey trade.

The plot thickens. The issue of illegal whiskey is a recurring theme in Indian Territory from 1817 to 1907.

From Captain Charles Thomas in the 1830s through Judge Parker's tenure, whiskey running commanded a great deal of federal energies. According to the Cherokee Nation exhibit, on the eve of the murder, "Christie and a companion of his, Charley Bobtail, met John Parris at the home of Nancy Shell to buy whiskey, where they ran into Bud Trainor. Like Parris, Trainor had a criminal record with both

the Indian and U.S. courts.” As a senator of the Cherokee Nation, Christie was in a position to report Parris and Trainor; therefore, he was an immediate threat to them. These details that shed light on the complexity of the case are absent in Fort Smith.

According to the Tahlequah exhibit, someone else was the murderer. We read, “Ned Christie drank his purchase and stumbled back towards the house of Senator Ned Grease, where he was staying. He passed out along the bank of Town Branch and fell asleep. Around the same time, Deputy Maples and his group returned to their camp to settle in for the evening. As they arrived at their campsite, an unseen assailant shot Maples and he died the next morning.” John Parris and Bud Trainor, who were already wary of Senator Christie, each had warrants on their heads for illegally trading whiskey in Indian Territory, and according to the exhibit “both men had a motive to kill Deputy Maples. When questioned about the shooting, Parris accused Ned Christie of being the gunman. The investigation thus focused on Christie as the main suspect.”

Since Maples was a federal deputy out of Fort Smith, the warrant for Christie would take him to Isaac Parker’s court. But, “Ned Christie was unwilling to stand trial for murder in a nation that was not his own and refused to turn himself in. Years passed and the deputy marshals made multiple attempts to apprehend Christie, but he was always able to avoid capture. During this time, Christie was portrayed as a desperate outlaw, and many murders, robberies, and other crimes were attributed to him.” The Tahlequah narrative squarely counters each accusation thrown against Christie by the Fort Smith side of the story.

The description by the Cherokee Nation Prison Museum of the siege at Christie’s fort is described similarly to how it is in Fort Smith. Twenty-five deputies pound the cabin with bullets for over a day, a cannon is fired, and finally dynamite is deployed to send Christie running. In addition to the textual display, there is an audio program available to be heard while reading about Christie’s case. It begins with a clear unambiguous counter claim: “After five years of hiding out and evading capture, accused of a crime that he did not commit, Ned Christie’s stand was coming to an end. He has barricaded himself in his fort at Wauhilla...” The audio then has a reenactment of the posse yelling at Christie and shooting; there are over one-hundred shots fired in a 40-second audio clip. After the shooting dies down, we hear, “...an innocent man had been wrongfully hunted and killed. Ned Christie died for what he believed in—that the

sovereignty of the Cherokee Nation was worth fighting for. He was a good man, and a patriot.” The Tahlequah narrative defiantly declares Christie to be a patriot, not an outlaw.

An alternate narrative of this incident is provided by Roy Hamilton, a direct descendant of Christie, who wrote *Ned Christie: Cherokee Warrior* in order to relate the family tradition regarding his great-great-uncle.<sup>14</sup> Hamilton depicts Judge Parker’s response to Maples’ murder as one of Christie’s presumed guilt. As suggested in the Cherokee Nation exhibits, Hamilton argues that Trainor pinned the murder on Christie. The remainder of the book focuses on his attempted escape from the inevitable death awaiting him at Parker’s court. In the historical present, we read:

Ned, they’re talking hanging. They’re not talking about investigation, or anything else. Judge Parker’s gonna hang a Cherokee for this, and your name is all we hear....Listen to me Ned. They won’t give you a Cherokee trial in the Nation. They want to take you out of the Cherokee Nation to Fort Smith. In Arkansas, in a white court, with Judge Parker, they will hang you.

As historical fiction, this clearly dramatizes the events and demonstrates a strong counter-narrative to juxtapose to the Fort Smith account.

In Hamilton’s account, not only is Fort Smith depicted as assuming Christie’s guilt, but Parker is also depicted by Hamilton as ruthlessly pursuing Christie because of his resistance to the intrusion of white civilization:

Ned would not be given the opportunity to clear himself. The “hanging judge” Parker was making speeches saying too many marshals had been killed in the Indian Territory, it would not be tolerated, it had to be stopped if it took hanging every murderer in Indian Territory. The men reported that Parker was going to make an example by using Ned Christie. Ned had long been a problem for the U.S. government. Ned’s fiery speeches of sovereignty...and his words saying the U.S. government had no right to enter and place controls on their Cherokee government were only making it harder for the whites to move farther west. The messengers told Ned, if he surrendered he would hang.

Parker is portrayed to presume guilt before a trial, and the implication is that Christie was framed because he had become an obstacle for westward expansion, for taking



civilization to the savages. Christie declared, "I would rather die at home, in my own Nation, with my people, I won't die in the white man's country."

Hamilton then includes an important element to the story that is not told at either the National Historic Site or the Cherokee National Prison Museum—Nede Christie cut his hair. On the eve of his death, "Ned's impulses were near the surface, and he sprang up, re-lit a lamp, and sat down at the kitchen table. He rummaged about the surface, found his cup and held it as if it had contents. He sat the cup aside and fumbled about the table for a knife. He pulled his hair out from the side in a horizontal line and with the sharp blade began to cut. Lying clumps of hair aside, just to pull more and cut more. He thought of the relentless conditions of his lot in the universe." In the morning he said to his wife, "Will you accompany me to the East side of the cabin to place my hair in a shallow grave? Will you tie it with otter rope, place your medicine on it and say magic words, Nu-si?"

His wife went with him and, "There, on the East side of their world, Nu-si placed his hair into a shallow dip in the earth, which Ned had made, she opened the otter bag and place its contents across his braid from top to bottom, then with her hand she pulled the cold earth back across his beautiful braid of hair. She spoke Cherokee and asked the Great Spirit for guidance, comfort and strong minds." It was done, "He had taken his hair and by the morning light put it away as a gift to the Great Spirit—no other shall have it or be tempted to take it." The technical, rational-legal bureaucratic language and world view of Judge Parker's court is thus countered with Native American religion.

Hamilton describes the violent shoot-out at the fort and then addresses the insult of his ancestor's body being put on display and photographed. There is a photo in his book of Christie's dead body propped up, tied to his cellar door, standing on the front porch of Isaac C. Parker's courthouse. In this photo, it is Christie himself, no deputies, but he is still made to hold his Winchester rifle, as if to verify the danger he presented to the court. Of the photo, Hamilton says, "Ned Christie's lifeless body. After being assassinated in 1892, his body was posed and displayed. Ned's family finds this photograph disturbing; but, it does exemplify the horror of Ned's assassination and the cruelty of those who would take the life of a brave Cherokee." Thus, we are left with two very different images of a highly contested frontier murder.

The Nede Wade Christie incident was a recipe for mythic aggrandizement: a murder with highly charged political implications, a vast array of weapons deployed, numerous

deputies involved, the sheer length of the siege, and the final number of shots fired. Samuel W. Harman's 1898 account of the epic clash ends with an egregious dash of mythic justice:

Every man in the attacking party obeyed orders to the letter, and, strange as it may seem, not one of the officers were hurt. Christie was about forty-five years old at his death. His burial was a signal for great rejoicing by the citizens of a good portion of the Territory, where the speaking of his name had been sufficient to strike terror to the stoutest hearts. The body was removed to Fort Smith for the purpose of identification and for the rewards that had been offered by the government through the Chief Marshal and by private individuals.<sup>15</sup>

Who these "rejoicing citizens" were is unclear, but we can now locate the event in the larger mythos of the "Hanging Judge." Judge Parker's mythic justice transforms the otherwise violent power of state authority into quiet reminders of the benevolent hold it had over Indian Territory. Ultimately, the way in which the Parker court is remembered glosses over inconsistencies and reinforces the dominant march of white civilization.

The initial stage of my research was completed in June 2013. In that same month the Nede Christie exhibit at the National Historic Site was significantly altered. The photograph of the deceased Ned Christie on the courthouse steps was taken down. Bill Black had recently departed as superintendent of the park after a long tenure in Fort Smith. An interim superintendent was present during the core time of my research. Lisa Conard Frost became the new permanent superintendent in March 2013. According to Conard Frost that portion of the exhibit did not show proper respect, nor address the multiple perspectives that exist on that particular case. She explained that she is Cherokee, that her mother was full-blood Cherokee, and that she has worked at other sites that have their own "hard/difficult stories" to tell. "It is a story that is not viewed the same by all," she said, and it was taken down out of "respect for human life," and to "acknowledge that there are multiple perspectives," on the Christie case. Conard Frost wishes to "renew and strengthen relationships with the Nations just across the river and ask them to help us better tell our stories at Fort Smith NHS." To have the photograph in the exhibit is "not welcoming to all," according to Conard Frost. She emphasizes, "Our job in the National Park Service is to present the multiple perspectives through trusted historical sources and then let the visiting

public form their own opinions and conclusions.”<sup>16</sup>

This was an important step toward recognizing the “mutual incomprehension” of this incident and toward ending this century old narrative-stand-off. In contrast to these important changes at the Fort Smith National Historic Site, the U.S. Marshals Museum has not softened its interpretation or depiction of the Nede Christie incident, nor of the depiction of another complex case with multiple perspectives, the so-called “Goingsnake Massacre” involving another Cherokee, Zeke Proctor.<sup>17</sup> After all, this budding institution, the U.S. Marshals Museum, is telling the story of the US Marshals service that is part of the U.S. Department of Justice. It is no surprise that the narrative it tells aligns with legitimating the actions of the federal government.

Aside from contestations over controlling the narrative of the Christie incident for reinforcing the national sovereignty of either the United States or of the Cherokee Nation, the contemporary issue of cultural heritage tourism may be the deciding force in which narrative is consumed. In other words, Fort Smith and Tahlequah are not just competing for control of the historical narrative, they are competing for luring visitors to their sites and collecting tourist dollars. Reaching out to a greater swath of potential visitors and donors is vital if museums are going to survive. In an economy that has seen wages flatten, consumers have become more frugal with their limited resources, the family vacations of the 1950s and '60s are a thing of the past. This, coupled with increased access to information via the Internet, computers, and smartphones, have led consumers to become wiser to exclusionary narratives. It is my contention that presenting the contesting narratives would not only be a refreshing, more honest rendering of the complex history found in Fort Smith and Tahlequah, it may also be more profitable for engaging otherwise skeptical visitors.



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## Endnotes

<sup>1</sup> Regarding the spelling of Christie's name, I am following Devon Mihesuah, in her article “Nede Wade ‘Ned’ Christie and

the Outlaw Mystique,” *The Chronicles of Oklahoma*, (Fall 2015). Other variations of spelling include NeDe WaDe Christie. All quotes that use “Ned” in them remain as the original was.

- <sup>2</sup> George Sim Johnston, “The Galileo Affair.” Catholic Education Resource Center, <http://www.catholiceducation.org/en/controversy/common-misconceptions/the-galileo-affair.html>.
- <sup>3</sup> Amy Lonetree, *Decolonizing Museums: Representing Native America in National and Tribal Museums*, (Chapel Hill: University of North Carolina Press, 2012).
- <sup>4</sup> Joshua Gorman, *Building A Nation: Chickasaw Museums and the Construction of History and Heritage* (Tuscaloosa: University of Alabama Press, 2011).
- <sup>5</sup> Devon Mihesuah, “Nede Wade ‘Ned’ Christie and the Outlaw Mystique,” *The Chronicles of Oklahoma*, (Fall 2015), 260.
- <sup>6</sup> For a discussion on analyzing exhibits as cultural constructs see Barbara Kirshenblatt-Gimblett's, *Destination Culture* (Berkeley: University of California Press, 1998), and Ivan Karp and Steven Lavine's, *Exhibiting Cultures* (Washington, DC: Smithsonian Institution Press, 1991).
- <sup>7</sup> Lavine and Karp, *Exhibiting Cultures*, 1.
- <sup>8</sup> This is an analysis of the Nede Christie exhibit as it was presented at the Fort Smith National Historic Site from 2000 to 2013.
- <sup>9</sup> Daniel Maher, *Mythic Frontiers: Remembering, Forgetting, and Profiting with Cultural Heritage Tourism*, (Gainesville: University Press of Florida, 2016), 185.
- <sup>10</sup> This short promotional film was included as “Bonus” material with the DVD release of the Tommy Lee Jones film *U.S. Marshals*.
- <sup>11</sup> “Great Museums”, NationalSeries12, uploaded January 19, 2010, <https://www.youtube.com/watch?v=pisSidZidAM>.
- <sup>12</sup> “Ned Christie” T-shirts were on sale at Cherokee National Supreme Court Museum and Cherokee National Prison Museum, January 2013, Tahlequah, Oklahoma.
- <sup>13</sup> Ned Christie exhibit, Cherokee National Prison Museum, 2012.
- <sup>14</sup> Roy Hamilton, *Ned Christie: Cherokee Warrior* (Stillwell: Sugartree Press, 2004). The quotes within this section all come from this book unless otherwise noted. The book has no pagination.
- <sup>15</sup> Samuel Harman, *Hell on the Border* (Fort Washington: Eastern National, 1898/2007), 555.
- <sup>16</sup> Author's field notes from interviewing Superintendent Conard Frost, January 2014.
- <sup>17</sup> For a detailed examination of how the Proctor case is exhibited, see Maher, *Mythic Frontiers*, 149.



# When the Red Light Went Out in Old Fort Smith

By Roy Fisher

**T**homas Nuttall, the famous naturalist who stayed in the Fort Smith area in 1819 had nice things to say about the location. He paused at the top of a fifty-foot bluff at the junction of the Poteau River and the Arkansas River, and said the area is as “beautiful almost as the fancied Elysium, for it is enameled with numerous flowers, and was serene and charming as the blissful regions of fancy.”<sup>1</sup>

In 1824-27, Congress passed bills authorizing construction of a military system of roads in Arkansas with Fort Smith as a major destination. The War Department thought it would be beneficial to have these roads, both to make the relocation of the Indians west of Fort Smith easier and to help improve the defense of the southwestern frontier. From Little Rock, a military road went directly through the communities of Oak Bower and the town of Lavaca (Spanish for “the Cow”).<sup>2</sup>

By 1827, Fort Towson Road, later called Towson Avenue, was completed. The tract of land on which the town of Fort Smith was built had been purchased by Captain John Rogers from David McKee and Hugh Tygart. David McKee sold his land to Rogers on January 10, 1831, for \$200. Hugh Tygart sold his tract to Rogers on September 13, 1831, for \$250. On April 18, 1838, Rogers bought the west half of the southwest quarter of section 17, township 8 north, range 32 west, which contained eighty acres. In 1838, Rogers sold 296 acres to the United States Government.<sup>3</sup>

Military wives on arriving commented on the civility and friendliness of the citizens of Fort Smith. Mary Gatlin, daughter of General Richard C. Gatlin and his wife, Mawrey, wrote:

The post at Fort Smith considered a pleasant one, because of the high character of the settlers, their social and intellectual culture, wealth, education, and

refinement, with the military households of more or less refinement, gave to the early social life of the town a charm and dignity rarely found outside the old centers of wealth and culture. In a wilderness remote from permanent settlements, and surrounded by dangers, gathered scores of ladies and gentlemen of rank and fortune, distinguished soldiers, men of letters, scientists, engineers, and explorers, and fair and brilliant women, some transient, some permanent citizens, but all factors in a social order whose impress may still be found on many lineaments of the city.<sup>4</sup>

The discovery of gold in California spurred growth in Fort Smith’s population. Civic leaders took an active part in promoting Fort Smith as a starting point for the trip to California. A committee formed to challenge other towns such as St. Joseph, and Independence, Missouri, that were trying to capitalize on this venture.<sup>5</sup> It was not just the gold that inspired people to go west to Oregon and California. They wanted to escape the fever infested swamps of Missouri, go some place with better growing conditions, or just to better their lives. Of course, dreams of getting rich fast filled their thoughts. In the years before the Gold Rush, an estimated 11,512 people migrated from Missouri to Oregon, and 2,735 migrated to California.<sup>6</sup> During the years 1849 to 1861, people left Fort Smith by the thousands for California to find their fortunes. Some people, however, stayed to open stores and businesses to supply the Forty-Niner wagon trains. The local merchants were making more money than they ever dreamed possible. They did not need to go in search for gold, they were getting rich right here in Fort Smith.

With the excitement of Gold Rushers leaving Fort Smith, General Mathew Arbuckle sent Captain Randolph B. Marcy and a company of dragoons to escort the first wagon trains in spring 1849. From that beginning, Marcy

over the next eight years explored the Southwest extensively, basing each of his four expeditions from Fort Smith. He mapped a safe, fast route to Dona Ana near El Paso, 993 miles measured from this city.<sup>7</sup> His route caught on like wildfire, for it not only provided a relatively flat route over land well grassed for the teams, watering holes, and but also was not directly through Indian claimed lands, which allowed the travelers to avoid hostile Indians. People came by the thousands, some as far away as New York City, to Fort Smith, a main point of departure for the gold fields, camped wherever they could find a suitable location, spent good money buying supplies and animals needed for the journey. For fifty miles from Fort Smith, the Marcy road was filled by an almost continuous line of emigrant wagons.<sup>8</sup>

Marcy is credited with the exploration and opening of the Southwest. Marcy's road became the route adopted by the Butterfield Stage Line in 1853. The War Department published Marcy's book on traveling to the Southwest, *The Prairie Traveler, A Handbook for Overland Expeditions*. It contained maps, illustrations, and itineraries of the principal routes between the Mississippi River and the Pacific. This book, with a painting of Fort Smith as a frontispiece, sold out and must have been in every wagon leaving for the great trip west.<sup>9</sup> Marcy recommended Fort Smith as a terminus for transcontinental railroads and as an ideal departure point for all western travel. Marcy, a career military man from the time he graduated from West Point until his retirement, earned the title "Trailblazer of the Southwest." On Marcy's book, *The Exploration of the Red River of Louisiana*, in 1852, author Eugene Hollon wrote:

Marcy's fame as an explorer would rest upon the successful completion of a task in which so many explorers before him failed, it contains one of the most accurate and lucid descriptions of a portion of the Great Plains, one of the best organized, best conducted, and most successful expeditions that have heretofore ventured into any section of the Great Plains.<sup>10</sup>

On April 20, 1857, Postmaster General Aaron V. Brown advertised for bids to operate the first overland mail route from the Mississippi River to San Francisco, California. Fort Smith became the starting point into Indian Territory and San Francisco. In a letter to the chairman of the Post Office Committee of the House of Representatives in 1858, Postmaster Brown stated the

reasons for the selection of Fort Smith, and the route the Butterfield Stage intended to take to California. His decision was almost entirely based on the then Captain Marcy's reports and observations of the designated route. Marcy stated that the Dona Ana route (southern route) was best. It was the shortest and most trouble-free route. The original Overland Mail station was located in the City Hotel, one of the first commercial buildings in the city of Fort Smith, owned by Captain John Rogers. It had barns and stables in the rear with the hotel facing Third Street.

The coming of the Butterfield Stage excited development, giving the city an opportunity to become a leading transportation center.<sup>11</sup> However, in 1860, Butterfield Overland Stage Company closed its doors. A debt owed to Henry Wells and William Fargo forced Butterfield to turn his business over to the two financial partners. The new owners renamed the company Wells Fargo; now they owned this and the short-lived Pony Express. By an Act of Congress on March 2, 1861, the Marcy route had been discontinued. The new route, called the Central Overland California Route, departed from St. Joseph, Missouri, and ended at Placerville, California.<sup>12</sup>

From the beginning of the Civil War martial law had to be imposed in and around Fort Smith and Little Rock. Corruption flourished, and an even bigger problem became the sale of alcohol to the Indians brought on by fraud, and political jobbery of government Indian affairs. The Civil War had a devastating effect on the city and the state. In 1865, the *Fort Smith New Era* newspaper published an article that said, "It is painful to witness the indiscriminate destruction of fences, fruit trees, shrubbery, etc. all over town. This vandalism is mostly perpetrated by families from the country who moved to town for protection, and who took possession of houses lately evacuated by their owners."<sup>13</sup>

By 1866, Fort Smith had become a "rough and tumble" town. When George Tilles arrived he said, "The streets were a sea of water and mud."<sup>14</sup> He then proceeded to get stuck knee-deep in mud on his very first day. Violence did not contain itself to the river front; it occurred on the other end of Garrison Avenue, too. Towson Avenue intersected Garrison Avenue and the beginning of Texas Road. Towson became a violent street where gangs congregated and almost anything and everything could happen to a person who wandered into that area. The regular town people avoided going there at any cost. Texas



Corner formed the starting point for travel into Indian Territory, and then on to Texas. First called the Fort Towson Trail and the Shawnee Trail, it soon became known as Texas Road because of its final destination. When the Civil War started, people fled to Texas via the Texas Road.

Furious riding through the streets endangered life and limb for pedestrians, especially women and children. A mixture of mud, manure, human waste, and garbage in the streets subjected everyone to a stench that filled the air. The weather, pleasant enough in the spring and fall, became unbearably hot in the summer months. Flies attracted by the unsanitary conditions in the streets and buildings brought concerns of epidemics and agitated everyone. A condition in 1888 called the “Summer Complaint” caused not only diarrhea, but also a feeling of being deathly ill, confining people to bed with high fevers. Patients could not retain any food or water. Indian people suffered the most because of the unsanitary conditions they lived in and because they did not know that the common fly could cause such effects.<sup>15</sup>

The stone-paved wharf, now under water, ran beside the river. As early as 1849, cholera carried by rats, mice, fleas, lice, and contaminated water struck the city. Steam boats from New Orleans, a known breeding ground for this dreaded disease, had to be turned away. Cholera spread quickly to Fort Gibson, Fort Coffee, and the Choctaw Agency lands. With the help of the citizenry cleaning up their property, disinfecting with lime, and with the coming of winter the disease subsided. While this did not much affect the travelers going west on the Marcy Route, it did reach the northern routes going out of Missouri. The emigrants became plagued by cholera.

During the Civil War, much of Fort Smith was destroyed, and when the war ended, it looked as if general desolation had occurred. The cost of food skyrocketed, flour sold for fifty dollars per barrel, sugar cost one dollar per pound, a thimble full of whiskey cost fifty cents. The merchants charged whatever they thought they could get away with. Starvation and hard times had come to Fort Smith. The population growth halted, and the city’s population shrank to about 400 to 500 people.<sup>16</sup> Wide open gambling, even shooting frays, took place almost every day. Drunkenness and public intoxication kept the city police busy. It did not take long for Fort Smith to change from the idyllic Elysium that Nuttall spoke of in 1819. A child in 1870 had only a 50 percent chance of living to the



**LOOKING SOUTH ON FIRST STREET** *circa 1896, a man is standing in front of the T. H. Harrison Saloon. In the distance is the Fort Smith & Little Rock Railroad passenger depot.*

(Photo courtesy of Roy Fisher)

age of five. Cholera, measles, smallpox, and tuberculosis were common causes of death.

Fort Smith was described by Wiley Britton in 1864, as a “terrible hole of corruption.” He wrote his wife, “that if all the prostitutes were sent away, the number of remaining females would be very small.”<sup>17</sup>

The only place of prostitution on Garrison Avenue at this time was located at 11 Garrison Avenue, as reported in the *New Era Newspaper* on August 5, 1874. This establishment according to the city council, “became a stain on the community.”<sup>18</sup> Because the business was located very near the landing and the courthouse, women of the town could see and hear things that they would otherwise not. Strangers to Fort Smith arriving by boat had to walk past this establishment. The city council closed it to save the morale of its citizens.

The twelve block length of Garrison Avenue could be walked in a short period of time. Visitors waiting for a train could go from one end of town to the other, making stops along the way. To stay overnight, a layover passenger merely had to walk across the street to find a rooming house or hotel. The Fenolio Hotel and the Artelee Hotels were the first on the block. Front Street would later become First Street and known as the “Red Light District,” where prostitution was legal from 1907 to 1923. The neighborhood was well known for bawdy houses and bad behavior. Local leaders thought the location of the Frisco Station across from North A Street, and the Harrison

Saloon gave visitors a bad first impression of the city.

A woman by the name of Laura Zeigler, born in Vermont in 1861, worked as a madame at a location on Garrison Avenue, probably 11 Garrison Avenue. Laura went by the names of Laura M. Sargent and Laura M. Parker; the reason is not known. Very little is known about Laura, but if the Census records are correct, we know that she was a widow by the year 1900, and she had two children. She had one child in 1880 when she was nineteen, and a second in 1885 at twenty-four years of age. The 1900 Federal Census shows her as owning her home at 215 First Street. She got into trouble with the law for the first time and was arrested for prostitution in April 1897; she was fined five dollars and released, charged as a madame.

In 1898, she took \$600 of her own money and obtained a bank loan for \$3,000 from William Blair, president of the American National Bank and the Fort Smith Lumber Company, to build her own place of business. Local belief is that she bought the Commercial Hotel; however, the City Directory of 1890 shows the Commercial Hotel to be located at Walnut Street (later changed to North A Street) across from the Frisco Depot, the proprietor Benjamin J. Evridge. Laura opened for business in 1901; her loan from the bank was paid off in seventeen months. Records at the Fort Smith Museum of History indicate that Laura owned three lots in 1911, recorded value of \$4,500, \$4,000 and \$4,900. What she did with the other two lots is not known.

The average prostitute at Miss Laura's would have been in her late mid-twenties, white, and born in the Midwest. She earned from three to five dollars per customer, and earned forty to fifty dollars a week. This was far better than being married to a farmer or working in a factory. The women were always in fear of contracting tuberculosis or a sexually transmitted disease, like the syphilitic virus.

On March 3, 1908, Minnie Underwood, an inmate of a Front Street resort, died at Belle Point Hospital of an overdose of morphine taken a week before in a suicide attempt. The girl grew despondent over the life of shame she had led, expressing a desire to die on several occasions. She finally swallowed the drug.<sup>20</sup>

Violence in the form of brawls between the girls, their customers, or husbands, and abortions were a common occurrence, and part of the job. Many girls succumbed to depression, and suicide, alcohol, and narcotics in the form



**LAURA ZEIGLER'S PLACE** of prostitution became known as the best in Fort Smith. She was known as having the most beautiful girls. Healthy and sophisticated, they were known as the "Daughters of Joy."

(Photo courtesy of Roy Fisher)



**ABOVE ARE PICTURES** of unidentified women on display at Miss Laura's Visitors Center, indicating that at least these women wore very nice clothes and they spent money on their appearance. The woman in the center of the bottom row may be Dora Gaston, one of the original madams.<sup>19</sup>

(Photos courtesy of Miss Laura's Visitors Center)

of laudanum (liquid opium), which could be purchased over the counter at any drug store.

In her book, *My Own Native Land*, author Thyra Samptor wrote of the Row, "It always looked gloomy



enough, and not attractive-looking, the shades were always drawn. Mechanical pianos or live piano music blared from the houses.” Songs like the *Arkansas Traveler*, *The Flop Eared Mule*, and *Knoxville Girl* were popular at the time and probably could be heard.

Buying clothes was done at their places of work. Each Monday a salesman from the Boston Store brought an assortment of clothing apparel for the girls to choose from. The ladies selected what they wanted, and the madame paid for them, settling up with them later. The girls hardly ever had any cash.

The ladies of the “Row” could not be seen in public with the men of the town or associate with the town’s women. They did go to the Grand Opera House, but had to sit in the gallery. In the gallery, the colored people sat on the right side and the women of the “Row” on the left.

Gentlemen callers would first visit with the madame and purchase the services of a girl; no cash transpired between the customer and the girl.<sup>21</sup>

Of all the madams on the “Row,” Bea Lester, Maud McGrath, and Laura Zeigler were considered the class acts; they were attractive women and were in business from the beginning of the “Row.” Laura in particular, had class and was attractive and more refined than the others.

The 12th Census of the United States, Schedule 1 dated June 6, 1900, lists the women.<sup>22</sup> It is important to remember that many of these women did not use their real names. (see Appendix A)

In an effort to suppress and reduce the number of saloons, the city council passed the Ordinance of 1907;<sup>23</sup> this required a permit of \$1,000 to open a saloon. They were hoping that this would stop the increase in the number of saloons and keep out the dirty, nasty, pestholes that seemed to be opening all over town. Loud music played from morning till night, the sidewalks blocked with loafers, lounging in chairs and spitting tobacco anytime and anywhere they wanted. Loud talking and laughing from men telling off-color stories prevented men and women from passing. Many times they would have to walk out in the street to get by. The ordinance confined all prostitution to the “Row,” which included the district embraced between North C Street on the north; the alley in blocks number 2-3 on the east; North A Street on the south; and the Arkansas River on the west, “and there only.” It called for eight-foot high fences to enclose each house. Men under the age of twenty-one could not enter, and women under the age of eighteen. Bi-monthly inspections

of both the madame and the women by a doctor were required. If someone was found sick, they lost their license.

On March 15, 1910, the *Jonesboro Tribune* published that the Supreme Court of Arkansas ruled against all licenses and ordinances dealing with prostitution. In the case of *Densmore v. State*; the court stated that a “city cannot license anything which is illegal under the present statutes.”<sup>24</sup> Fort Smith did license the women and businesses on the Row, and they had the Ordinance of 1907 still in force. All of this was considered void by this ruling. This ruling had no effect on Fort Smith, as prostitution continued and thrived.

In 1900, the average age of a prostitute working in Fort Smith was twenty-four. Of the thirty-eight women listed in this Census seventeen were widowed, and seven had children. Actual figures for the total number of women working is unknown; it can be assumed that there were many more than thirty-eight.

Laura Zeigler sold out in 1911. She saw the writing on the wall, but actually prostitution continued until 1924 and beyond. Laura sold the place with all its fixtures and furniture to Bertha Gale for \$47,000 to be repaid at \$700 per month. Laura was fifty years old. The popular story is that she left town and was never heard of again. Or, did she stay around awhile?

A mystery: On August 15, 1915, Circuit Court Justice Judge Paul Little denied a restraining order against Laura Zeigler, Bertha Gale, Dora Gaston and Bessie Stewart, and several other women whom it was alleged were operating on the “Row,” or elsewhere in the city. But, Judge Little did grant permanent restraining orders against Ella Scott, Minnie White, Edith Sherwood, and the veteran and refined Maud McGrath.

On July 31, 1915, Fort Smith went dry, and all of the saloons and liquor stores closed. Later, in 1916, the city enacted ordinances making prostitution illegal, and city commissioners passed a law making it a misdemeanor for a “person of ill repute to be within the corporate limits of the city.”<sup>25</sup> This would not stand as the Arkansas State Supreme Court ruled that the city had no authority to ban a “person of ill repute” from living in the city.<sup>26</sup> Judge Little continued to apply pressure, when in 1919 he gave the grand jury his instructions; he urged “that prostitutes be hunted out”; he wanted the issue of prostitution in Fort Smith to be ended.



**BERTHA DEAN CAME TO BE KNOWN AS “BIG BERTHA,”** *looking nothing like her earlier pictures. The slim, demur Bertha was known for her loud, booming voice that could be heard all over the house.*

(Photos courtesy of the Goff Collection, Pebley Center/UAFS)

Bertha Gale married Mack Frank Dean in 1917. They would be married for five years. Mack was thirty-eight, and Bertha was thirty-four. Bertha used the name of Jones, but there are no records of her marrying anyone by that name.<sup>27</sup>

Bertha hired Mack as a bartender on October 17, 1908. According to the City Directory of 1910, Mack worked at a saloon called The Mint at 511 Garrison Avenue. He is also recorded as working at the Southern Hotel as a clerk. His brother, “Pink” Dean, was a member of the Fort Smith Fire Department. Mack contracted tuberculosis and was a patient at the Tuberculosis Hospital in Boonville, Arkansas, between February 19, 1910, and August 26, 1914. He left the hospital in fair condition, and not able to take up his regular employment, he died in 1922.

By the 1920s, most of the prostitution moved uptown to the hotels on Fifth Street. The days of the brothels run

by a madame were coming to a close; organized crime took their place. From 1907 to 1924, prostitution was still legal within the vice district; women were still licensed and had their regular health inspections. Women who worked outside the district were still arrested, fined, or jailed.

To keep up with the times, Bertha initiated a call girl operation. The Goldman Hotel and the Ward Hotel were very popular places for tourists and business people. With the use of telephones and the porters at these places, she could call a cab and send her girl to the location.

Bertha Dean ran the brothel until her death in 1948. It was really the only home she knew for forty years. Bertha Lanthrop, aka Bertha Gale, aka Bertha Dean was born on June 4, 1886, in Tennessee. She began prostitution in her late teens or early twenties, and she spent her entire life in the “business.” She died on July 7, 1948, at her home at 123 North First Street. She suffered



from a carcinoma of the rectum.<sup>28</sup> The funeral took place on July 9, 1948; the minister who conducted the services was D. J. W. Hickman. Both Mack and Bertha are buried in the National Cemetery in Fort Smith, Section 1, and site 472. Mack served in Company D, 1st Arkansas Infantry, as a private in the Spanish American War.

Upon her death, she left her property to Jules Bartholemey. He lived with Bertha, and it was rumored that he had a relationship with Bertha. He was hired as a bouncer. Jules also worked at the Harding Glass Factory on Midland Boulevard. Jules lost interest in continuing the business and eventually abandoned the house, and it became a place for derelicts and transients. Jules died in 1962.

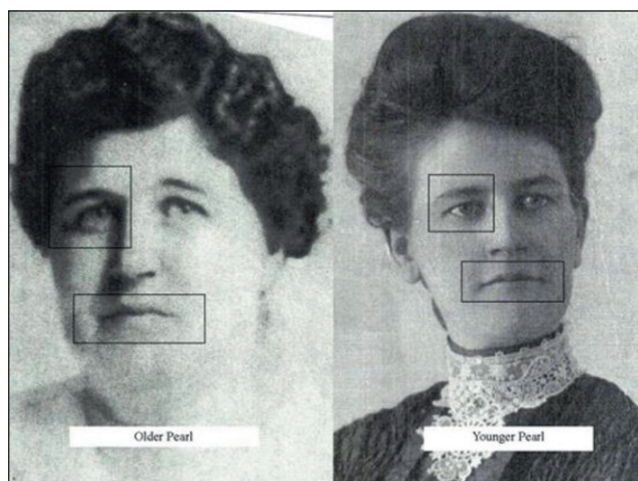
By 1963, the local government announced that unless a buyer could be found, the house would be demolished. Donald Reynolds, founder of the Donrey Media Group, bought the house and saved it from demolition. Ten years later, in 1973, the building was selected to be included in the National Register of Historic Places; and restoration began in 1983. In 1984, Miss Laura's Social Club Restaurant opened, but did not last long, closing in the fall of 1992; it reopened again as the Visitors Center for Fort Smith.

On April 21, 1996, a tornado swept through downtown Fort Smith, ripping the roof off of Miss Laura's. This caused major damage to the building. Because of structural damage, it was decided to move the entire building sixty feet; using old blueprints and collecting debris found around the building it was reconstructed.<sup>29</sup>

Today, Miss Laura's house still stands, the only one on the "Row" that has survived. The women who lived there or at any of the other six houses of pleasure could not have pictured them as the Elysium described by Nuttall. For them, their lives consisted of sorrow, unhappiness, misery, and a hell that had to have been almost unbearable at times; their lives certainly not like the fictionalized versions seen in the movies of today.

Another madame of the "Row," Pearl Starr, the daughter of the infamous Belle Starr, became an important part of Fort Smith's history as a wide open town. Pearl worked first as a prostitute in Van Buren, Arkansas, at a place called Madam Van's. She became the most popular "lady" in Van Buren, which rivaled Fort Smith.

After she moved to Fort Smith in 1891, Pearl made large amounts of money, investing in real estate and other businesses. On October 30, 1893, she appears in the



**THE PICTURE ON THE LEFT** is a known picture of Pearl Starr.<sup>31</sup> A photo found at the Pebley Center, University Arkansas-Fort Smith shows a much younger woman. Comparing several areas of her face it seems that both pictures may be of the same person. The eyes are of the same shape, notice the eyebrows; one is higher than the other in both pictures. The nose is certainly the same, and the lips are identical. The time frame for the picture on the right would be 1891-1893, when Pearl moved from Van Buren to Fort Smith. She was an attractive woman, and if this is Pearl, it is plain to see why she became the most popular woman in Van Buren.

(Photo on left courtesy of author; photo on right courtesy of the Pebley Center, UAFS)

Sebastian County Court Records as pleading guilty of operating a "bawdy house" and is fined fifteen dollars.

Pearl apparently had a mind for business and purchased many lots, businesses, and houses in and around Fort Smith. She built a house at 501 South Nineteenth Street. Next she bought a two-story concrete block house, and a whole block of land, twelve lots at Grand and Albert Pike on November 25, 1911. She paid a total of \$19,000, putting down \$12,000 and taking out a mortgage for \$7,000. Pearl used the name Pearl R. Andrews on the contracts, from her marriage to Dell Andrews. Pearl bought a three-story building on the west side of Fourteenth Street, near D Street (Lot 10, block H Fitzgerald.) She paid \$10,000 and assumed a mortgage of \$3,000. It was called "The Flats," a swank hotel or apartment house.<sup>30</sup>

Winslow, Arkansas, in 1906 was said to be the wealthiest town per capita in the United States. Well-to-do summer visitors came from all over to take advantage of the cooler temperatures of the mountain village. Pearl

bought a house there, and it was perfect for her outlaw friends. The house stood at the end of a long private driveway, just three-tenths of a mile from the top of the West Mountain where the road from Winslow forks, the right leading to Devil's Den State Park and the left to the community of Bunyard. Here along Bunyard Road, Pearl found the perfect hideaway house on top of the hill, at the end of a level approach that could be observed by a lookout. In case an unwelcome visitor was seen approaching, a person in hiding could slip out the back door to the horses, which were kept saddled and ready. There is no evidence that Pearl conducted business there, but the money could be had from these wealthy visitors.

The pressure to do away with prostitution kept rising, and in 1911, Pearl was implicated in a robbery of the Stockburger, Miller, and Company store in Winslow. Police found clothing, expensive coats, and bolts of cloth. She was found guilty of robbery and sentenced to one year in the Arkansas State Penitentiary.<sup>32</sup> She posted \$2,000 bail, and the case found its way to the Arkansas Supreme Court, where the sentence was overturned.

In 1916, continuing pressure began to increase on the "Row," and Pearl was finally arrested for prostitution; she agreed to leave town if the charges were dropped. She left town in 1921 with a companion, Mabel Harrison. They went first to Hot Springs, Arkansas, and then on to Winslow, Arkansas, and finally to Bisbee, Arizona. In Bisbee, she opened the Starr Hotel and invested in a copper mine. She also opened a boarding house in 1924, known as the Savoy Hotel in Douglas, Arizona. Pearl died on July 6, 1925, of hardening of the arteries and a stroke; she was fifty-nine years old. She died as Rosa Reed; her sordid past, unknown to the people of Douglas, Arizona. Pearl is buried in the Calvary Cemetery, Section K, Lot 195, and Plot 4.<sup>33</sup>

Back in Fort Smith, the uptown hotels took the place of the "Row." A house at 215 North Fourth Street became a rooming house for transients; it has been demolished. The Ozark Hotel at 122 North Fifth Street was owned by a woman named Vida Reho, who probably owned the property on North Fourth Street. The Como Hotel located across the street and a block south on Fifth Street was a known place of prostitution. The St. Charles Hotel at 9 North Fifth Street had several girls working there. During the Civil War, the St. Charles Hotel was used as a hospital for colored troops; it was greatly inferior to the other hospitals in town.

The days of the madame were over. The girls, now on their own, had no one to look after them; their fate was left to pimps and the criminal element of society. Many of them left town, some married, and those who were on drugs or sick eventually lost their lives. The "good people" of town had finally won. The "Red Light" was turned off.

Carl H.G. Moneyhon in his book, *Arkansas and the New South, 1874-1929*, describes how Arkansas suffers from a lack of historical research. He says, "There are fewer books on the history of Arkansas than any other state. Today, it is difficult to find books that even mention Fort Smith, and the role it played in the opening of the West." Moneyhon blamed elite planters and old money people for this downward turn the state took after the Civil War and Reconstruction. They took advantage of their power by exploiting labor, being cruel in their dealings with the poor freedmen, and racist in their feelings about these people. They did not like change and blocked the way of progress at every turn by using their political power.<sup>34</sup> Nowhere in Arkansas is this truer than in Fort Smith.

Ruth Mapes, in her wonderful book titled, *Old Fort Smith*, leaves us with a perfect ending. "The famous quotation learned in sixth grade seems to apply here: The evil that men do lives after them: the good is oft interred with their bones. Good remains, as well as evil. Envy, greed, jealousy, and sin challenge honesty, integrity, morality and religion. Time and generations pass. Descendants of today become tomorrow's ancestors. What kind of ancestors will we be?"<sup>35</sup>



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## Endnotes

- <sup>1</sup> Thomas Nuttall, *A Journal of Travels into the Arkansas Territory during the Year 1819, of Early Western Travels, 1748-1846*, ed. Reuban G. Thwaites, (Norman: University of Oklahoma Press, 2001), 201.
- <sup>2</sup> Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (Norman: University of Oklahoma Press, 1972).
- <sup>3</sup> Fred J. Patton, *The History of Fort Smith 1817-1992* (North



- Little Rock: Heritage Press, 1992), 70-71.
- <sup>4</sup> Ruth B. Mapes, *Old Fort Smith, Cultural Center on the Southwestern Frontier* (Little Rock: Pioneer Publishers, 1965).
  - <sup>5</sup> Committee of Correspondence, *Fort Smith Herald*, February 16, 1850.
  - <sup>6</sup> Howard L. Conrad, ed., *The Encyclopedia of History of Missouri* (New York: Southern History Company, 1901).
  - <sup>7</sup> Billy D. Higgins, "Randolph B. Marcy," *Journal of the Fort Smith Historical Society*, 38, 2, September 2005, 27.
  - <sup>8</sup> Grant Forman, *Marcy & the Gold Seekers* (Norman: University of Oklahoma Press, 1939), 30.
  - <sup>9</sup> Randolph B. Marcy, *The Prairie Traveler, The 1859 Handbook for Western Pioneers* (New York: Dover Publications, 2006 reprint).
  - <sup>10</sup> Eugene W. Hollon, *Beyond the Cross Timbers, the Travels of Randolph B. Marcy, 1812-1887* (Norman: University Oklahoma Press, 1955).
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  - <sup>12</sup> Muriel H. Wright, *Chronicles of Oklahoma*, 2, 2 (June 1993)
  - <sup>13</sup> *Fort Smith New Era*, January 28, 1865, p2, col.1.
  - <sup>14</sup> "A Talk with Tilles," miscellaneous papers, series 6, box 1, Pebley Center, Boreham Library, University Arkansas Fort Smith, Arkansas.
  - <sup>15</sup> Charles W. Mooney, *Doctor in Belle Starr Country* (Oklahoma City: The Century Press, 1975), 164-165.
  - <sup>16</sup> Michael A. Hughes, *Civil War Arkansas*, Chapter 2, p31-40.
  - <sup>17</sup> Wiley Britton, "To My Dearest Wife," a letter from Fort Smith, August 16, 1863, Morgan Papers, a private collection.
  - <sup>18</sup> *New Era*, August 5, 1874.
  - <sup>19</sup> Stan Kujawa, *Miss Laura's Social Club*, self-published book, copyrighted 2009.
  - <sup>20</sup> *The Journal of the Fort Smith Historical Society*, Vol. 30, No. 2, September 2006.
  - <sup>21</sup> "Hell on the Border; He Hanged 88 Men." Historical Fort Smith, Inc. Fort Smith, 1956.
  - <sup>22</sup> 12th Census of the United States, Schedule #1, June 6, 1900.
  - <sup>23</sup> Digest of Ordinances, City of Fort Smith by R.E. Jackson, Fort Smith: Lick Printers, 1891.
  - <sup>24</sup> *Jonesboro Daily Tribune*, Issue 70, page1.
  - <sup>25</sup> "Prohibition Celebrated," *Fort Smith Times Record*, February 14, 1916, p.1, 1915.
  - <sup>26</sup> Ben Boulden, *Hidden History of Fort Smith, Arkansas*, (Charleston, S.C.: The History Press, 2002).
  - <sup>27</sup> Fort Smith Marriage Records, Book P, page 6202.
  - <sup>28</sup> City of Fort Smith Death Records, page 36.

- <sup>29</sup> Kay Nance Dishner, "Miss Laura's Still Providing Hospitality," *Insight 2000*, Progressive Era, Sunday June 6, 1999, *Times Record*.
- <sup>30</sup> Lola Shropshire, *Images of America: Fort Smith and Sebastian County* (Charleston, S. C.: Arcadia Publishing, 1998).
- <sup>31</sup> Edwin P. Hicks, *Belle Starr and Her Pearl* (Little Rock: Pioneer Press, 1963), 157.
- <sup>32</sup> Court Records, Washington County Trial Book U, pp235-236.
- <sup>33</sup> Phillip Steele, *Starr Tracks-Belle and Pearl Starr* (Gretna, Louisiana: Pelican Publishing Co., 1998).
- <sup>34</sup> Carl H. Moneyhon, *Arkansas and the New South, 1874-1929* (Fayetteville: University Arkansas Press, 1997).
- <sup>35</sup> *Ibid.*, Mapes, 148.

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## Appendix A

Name	Title	Birthdate	Age		Children	Place/Birth	Father Born	Mother Born
Maggie Muns	Madam	2/1874	26	widow	0	Arkansas	Tennessee	Tennessee
Mollie Holland	Boarder	12/1882	17	single	0	D.C.	Maryland	Tennessee
Lizzie Williams	Boarder	6/1860	40	single		at sea	California	California
Ann Flower	Madam	1/1870	28	widow	0	Illinois	New York	New York
Goldie Kline	Boarder	2/1883	17	single	0	Nebraska	Illinois	Indiana
Emma Whitman	Boarder	1/1880	20	single	0	Arkansas	Kansas	Kansas
Alice Burton	Boarder	1/1879	21	single	0	Colorado	Illinois	Arkansas
Stella Jones	Boarder	4/1870	30	widow	2	Wisconsin	Canada	Wisconsin
Frieda Wallace	Boarder	11/1878	22	single	0	Nebraska	Indiana	Indiana
Beatrice Lester (Sester)	Madam	10/1870	30	widow	1	Ohio	Pennsylvania	Pennsylvania
Clel Hoover	Boarder	11/1878	22	single	0	Kansas	Kansas	Kansas
Blanch St. Clair	Boarder	3/1876	23	widow	0	Missouri	Texas	Texas
Willie Merridy	Boarder	5/1876	26	single	0	Arkansas	Kentucky	Kentucky
Nora Nezmon	Boarder	9/1876	26	widow	1	Pennsylvania	Pennsylvania	Pennsylvania
Lee Haney	Boarder	2/1881	19	widow	0	Texas	Tennessee	Tennessee
Lorena McNeal	Boarder	12/1879	21	single	0	Missouri	Ohio	Missouri
Nella Castella	Boarder	10/1878	21	single	0	Missouri	Missouri	Tennessee
Pearl Star	Madam	2/1865	35	widow	1	Oklahoma	Oklahoma	Oklahoma
Forest Daisy	Boarder	3/1872	28	single	0	Missouri	Missouri	Missouri
Laura Ziegler	Madam	1/1861	39	widow	2	Vermont	Indiana	Indiana
Delia Nell	Boarder	1875	25	widow	0	Missouri	Canada	Ohio
Berta Wards	Boarder	7/1876	21	single	0	Missouri	New York	Missouri
Dixie St.Clair	Boarder	12/1872	25	widow	0	Kentucky	Tennessee	Tennessee
Delia Cleaver	Boarder	12/1878	22	single	0	Wisconsin	Illinois	Illinois
Mabel Baker	Boarder	11/1880	19	widow	0	Illinois	New York	Illinois
Blanch Lawman	Boarder	9/1878	22	single	0	Kansas	Kansas	Kansas
Lille LeMar	Boarder	9/1881	19	single	0	France	Germany	France
Henrietta Smith	Boarder	2/1880	20	single	0	France	Germany	France
Maud McGraff	Madam	4/1866	34	single	0	Wisconsin	Pennsylvania	Pennsylvania
Poreen Palmer	Boarder	1874	26	single	0	Missouri	Indiana	Indiana
Ida Reynolds	Boarder	6/1876	26	single	0	Missouri	Illinois	Missouri
Jennie Jones	Boarder	2/1876	26	widow	0	Ohio	Ohio	Ohio
Willie McCollum	Boarder	3/1879	24	widow	0	Florida	Florida	Florida
Janet LaMange	Boarder	10/1886	26	single	0	Illinois	France	New York
Maud Dunkerton	Boarder	3/1875	25	widow	1	Kansas	Kansas	Kansas
Margaret Hall	Boarder	5/1873	27	widow	0	Kansas	Kansas	Kansas
Bertha Smith	Boarder	6/1879	21	widow	1	Kansas	Kansas	Kansas
Mabel Clark	Boarder	5/1881	19	single	0	Oklahoma	North Carolina	North Carolina

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# Mary E. O'Toole Parker

## *The Judge's Wife*



MARY O'TOOLE PARKER, third from left in back, in front of St. Catherine's Mission in November 1908.

(Photo courtesy of Sue Robison)

### By Sue Robison

**T**he American Party or Know Nothing Party remained active in Fort Smith long after the Civil War ended. The party was made up of men who disliked the Irish, the Germans and Catholics. Albert Pike, a notable Arkansan and former resident of Fort Smith, held membership in the secretive organization that some believe laid the foundation for the Ku Klux Klan.<sup>1</sup>

Into this air of distaste and distrust walked a devoutly Catholic woman of Irish descent on the arm of her husband, Judge Isaac C. Parker. Once established in Fort Smith, Mary Parker hired a lady of German birth named Lena Schulte to run her household. Lena, in turn, recruited young German girls from the Subiaco area to work in the Parker home, including a teenager who would stand as Judge Isaac Parker's witness during his deathbed conversion to the Catholic faith.<sup>2</sup>

The Know-Nothings must have been aware of Mary Parker's good feelings about race as well as a religion that they scorned, but what could they do? She was the Judge's wife. When the Parkers arrived in Fort Smith in 1875, the thirty-six-year old Mary placed her membership, and that of

her sons, with Saint Patrick Catholic Church, now known as the Church of the Immaculate Conception. Mary joined various "circles," as was expected of women in the Church, but she took part in one volunteer activity that reportedly caused tension between herself and her husband. Mary was one of the ladies who volunteered to visit prisoners sentenced by her husband to hang. Mary and her friends carried sweets to the prisoners, offered to pray with them, and tendered what comfort they could. Judge Parker believed that, while the murderers should be encouraged to seek forgiveness for their sins, it would be more beneficial for the ladies to offer comfort to the families of their victims.<sup>3</sup>

It does not appear Parker's argument swayed his wife. In fact, the Judge and Mary's confessor, Father Lawrence Smyth, eventually became close friends. There are reports of Parker allowing condemned men to visit Saint Patrick Catholic Church to make confession before their execution. In the end, it would be Father Smyth who brought Isaac Parker into the Catholic Church and who presided at his burial.

Both Mary and Isaac Parker were active citizens of Fort Smith. They were progressive in their thoughts and actions, sharing a dedication to public education. Mary had

a hands-on involvement with the Fort Smith public schools. She substitute taught when needed and volunteered to tutor. Judge Parker was commended for his efforts on the Fort Smith School Board, chairing committees and making dedication speeches. The couple placed their sons, Charles and James, into the public school system as a way to show support for the educational program in Fort



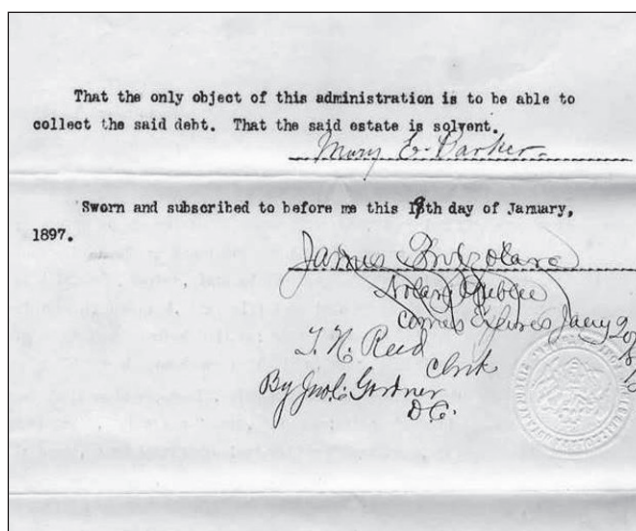
**CHARLES CHANDLER PARKER** (1872-1925),  
oldest son of Isaac and Mary Parker.

Smith. Mary had received an education not available to most women of her time, graduating from the Sacred Heart Academy in St Joseph, Missouri. One of Mary Parker's final acts to benefit public education was to loan \$3,000 to the school board in March, 1896, just four months after her husband's death.<sup>4</sup>

One of Mary Parker's most notable accomplishments was to co-found the Fortnightly Club, which eventually led to the establishment of the Fort Smith library system. It seemed Mary missed sharing the new developments in literature happening in the world and joined with Mrs. C. M. Barnes to form an organization dedicated to "buy and circulate books among its members."<sup>5</sup>

It did not take long for Mary and a few of her Fortnightly lady friends to begin planning a library for children which they opened in Belle Grove School. At one time, this was the largest library in Arkansas. The Andrew Carnegie Library soon followed and, although Mary was widowed and living with a son by the time it was dedicated, she may have made it back to Fort Smith for its dedication although there is no documentation to that effect.<sup>6</sup>

It seems Mary Parker may have been something of a task-master. In her opening speech to the Fortnightly Club, she called upon members to enter the organization with "earnestness and zeal." There appeared later to be a division in the Fortnightly membership concerning the subject matter of their readings. Mary was adamantly in favor of the scholars, ancient history, and poetry. Some members wanted more Bible studies. Mary held sway until her husband's death on November 17, 1896, at the age of fifty-eight. When Mary Parker left to visit her sister's family in California after burying her husband, the Fortnightly club scheduled readings from the Bible and



**AN ADMINISTRATIVE DETAIL** performed by Mary Parker after the death of her husband.

(Photo courtesy of Sue Robison)

when Mary Parker died it appeared that her name as a founding member was vigorously scratched off at least one of the club's programs.<sup>7</sup> The Parkers were accepted socially in Fort Smith. Their ventures into balls and weddings are recorded in several newspapers. Still, you might wonder how welcome a "carpet bagger" from Missouri with his Irish Catholic wife could really have been in post-Civil War Fort Smith. Mary Parker, along with her dear friend Florence Clayton, offered open house to the public each New Year's Day. These open houses became a tradition for the two families, although it does not seem any of the other notable Fort Smith households joined the effort. In a time that did not allow women a vote in political events, Mary Parker made opinions known in print. In August 11, 1895, *The Indian Chieftain* newspaper in Vinita, Indian Territory, printed a rather long letter from her urging white citizens to review the past actions of their government and to resist the call to remove from the Indian Nations what little they had left.

As was popular in the late nineteenth-century, Mary's letter is written from the point of view of a historic person who serves as spokesperson for the subject. Mary chose to write as Pocahontas, calling upon her readers to remember the government's previous dealings with American Indians.<sup>8</sup>

In the letter, Mary reminded her readers, "The one great lesson of History with its records of rights and wrongs, its chronicles of noble deeds and dastardly acts, is that it is ever repeating itself." Mary even called her





(ABOVE) O'Toole family home in St. Joseph, Missouri, as it looks today.

(RIGHT) Checks drawn on the American National Bank, Fort Smith, Arkansas, 1897, by Mary Parker.

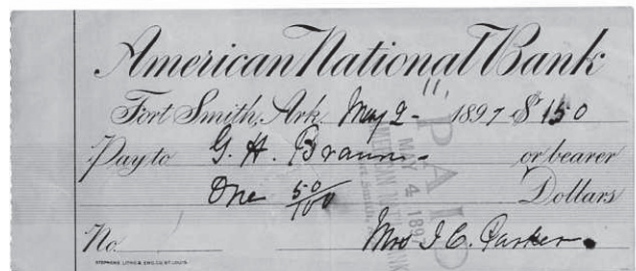
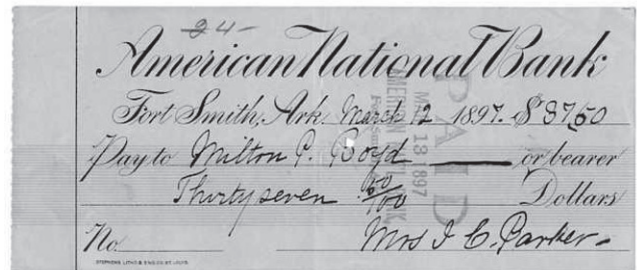
(Photos courtesy of Sue Robison)

husband to mind by writing, "True civilization is based on honesty, on truth, and on equal and exact justice."

Mary closed her letter by invoking divine help for the Indian Nations. "...Let me invoke the power of God of Eternal Justice that he may guide and direct my white brethren to render unto the Indian what belongs to him, whether it be property, possessions or political rights. Assist him in protecting his rights and heritage and home from invasion and robbery."

Of course, Mary's letter did little to slow the transformation of the Indian Territory into the Oklahoma Territory. It did, however, seem to clarify the opinions of the Parker household on the treatment of the Indians and their future as Americans.

One might imagine widowhood would be a quiet state of life for Mary Parker, but it seems she was only beginning a new adventure as she turned sixty years old. For some reason, Judge Isaac Parker left no will. There was a tremendous amount of details and debts to be settled and, in an almost unheard of act, Mary Parker was named



administrator of her husband's estate. Mary's older son, Charles, was practicing law in St. Louis at the time of his father's death, and young James had not completed his education. So, it appears the task fell to Mary. With the help of her attorneys, John Brizzolara and William H. H. Clayton, Mary deftly completed the task before retiring to her sister's family in Los Angeles.

All would have been well with the Parker estate, had there not been an outstanding loan owed to a local banker

by her oldest son, Charles.<sup>9</sup> Mary was called back to Fort Smith to settle the matter, which received much attention from the local press. Mary conceded to the bank and lost all that remained of Judge Parker's estate saving only the Parker home on North Thirteenth Street, which would later become the location of Fort Smith's first public library. Mary Parker lived with family members during the later years of her life. She eventually joined Charles in Durant, Oklahoma, where he became the first United States Commissioner for the Eastern District of the Indian Territory. When Charles married the widow Ann Clayton Ferris. Mary helped with the children.<sup>10</sup>

It seemed legal issues would forever be part of Mary's life. Her son, Charles, took the first estate tax case to court in Bryan County, Indian Territory, to settle the inheritance left by his young wife, Ann Clayton Ferris Parker to her children by her first husband. It is uncertain how the case ended, but the children, who were by then young adults, made a visit to their Clayton grandparents in McAlister after the hearing, then left to pursue education in the East.<sup>11</sup>

While Mary Parker was well known during her life, not everyone spoke highly of the Judge's wife. There were always rumors and whispers about the family's personal lives, but perhaps the most stinging assessment of Mary comes from Homer Croy in his book, *He Hanged Them High*. Croy stated that Mary Parker returned to Fort Smith after the death of her son, Charles, in January 1925. After being upset that no one seemed to remember her, Mary decided to return to Durant because, according to Croy, "Fort Smith wasn't what it used to be." Since Mary Parker, according to her obituary from Durant, Oklahoma, was bedridden at the time of her son's death, it is unlikely she was capable of making one last trip to Fort Smith alone.

Mary Parker lived one year after her older son's death, passing from life on January 25, 1926.<sup>12</sup>

Both Mary and Charles Parker appear to have been greatly respected in Durant.

The obituary for Charles appeared in the *Durant Daily Democrat* on January 15, 1925, and included a personal observation of the man known as the best land attorney in the Territory. The writer stated, "...after his college days were completed, he went to St. Louis, where he remained two years when he was lured to California, where he became interested in gold mining and the practice of law. It is not recorded whether he took any gold from the earth, but he gained much from the practice of law and became well known in this profession."<sup>13</sup>



CONSTRUCTION OF the Carnegie Library in 1907 on the grounds of former home of Isaac and Mary Parker.

(Photo courtesy of Sue Robison)

One year later, in January 1926, the same newspaper announced the death of Mary Parker. Along with the usual recounting of her family history, there is an invitation from her church that points to the way Mary was received in Durant. "A week from Saturday morning at Saint Catherine's Church here a Requiem High Mass will be held in honor of Mrs. Parker. This service will also be in charge of Rev. Stephenson. All friends of the deceased, Catholic or non-Catholic are cordially invited to attend this service."<sup>14</sup>

It seems Mary retained her good reputation in Fort Smith, even into death. An obituary printed in a Fort Smith newspaper and held at the Fort Smith Museum of History reports, "All the city and county offices will be closed Friday during the funeral hour of Mrs. Parker, according to advices Thursday night from County Judge T.A. Norris and Mayor J.H. Parker."<sup>15</sup>

As with most women in the late nineteenth century, Mary Parker remains in the shadow of her husband and her sons. While Mary was raised to accept her position of help-mate and mother, she was able to find ways to make her



own voice heard. She was involved. She was motivated, and she motivated others. She rose to face difficult occasions without losing her faith or her grace, and she appears to have made a great number of friends along the way. It is intriguing to think what Mary Parker might be doing today.



*Sue Robison lives in Fort Smith and portrays Mary O'Toole Parker in historical re-enactments for the National Historic Site and the Fort Smith Museum of History.*

## Endnotes

- <sup>1</sup> *The Encyclopedia of Arkansas History and Culture*; Darrell Overdyke, *The Know Nothing Party in the South* (Baton Rouge: Louisiana State Press, 1951).
- <sup>2</sup> United States Census Fort Smith, Arkansas, June, 1880; Joseph Walbe family history, Subiaco, Arkansas.
- <sup>3</sup> Fort Smith National Historic Site, John Lane.
- <sup>4</sup> Michael J. Brodhead, *Isaac C. Parker, Federal Justice on the Frontier* (Norman: University of Oklahoma Press, 2003), 9. Fort Smith Public School Records, March 1, 1897. "On March 1, 1897, the School Board borrowed a sum of money not more than \$5,000 from Mrs. I. C. Parker for the use of the Fort Smith School District.
- <sup>5</sup> Fort Smith Public Library Fortnightly Club, Series Box 1.
- <sup>6</sup> Fort Smith Public Library, "History of the Library" <http://www.fortsmithlibrary.org/fsplhist.html>, accessed February 1, 2016.
- <sup>7</sup> Fort Smith Public Library Fortnightly Club, Series Box 1.
- <sup>8</sup> *The Indian Chieftain*, Vinita, Indian Territory, August 1, 1895, page 2.
- <sup>9</sup> Isaac C. Parker Probate Records, Sebastian County, Arkansas.
- <sup>10</sup> Bryan County (Okla.) Genealogy Library and Archives Quarterly, November, 2002, page 19; Choctaw Nation Marriage 1890-1907, Groom Index.
- <sup>11</sup> *Bryan County Genealogy Library and Archives Quarterly*, November, 2002, page 20.
- <sup>12</sup> Homer Croy, *He Hanged Them High* (Perma Books 1954), 201.
- <sup>13</sup> *Durant (Okla.) Daily Democrat*, Thursday, January 15, 1925.
- <sup>14</sup> *Durant Daily Democrat*, Thursday, January 28, 1926.
- <sup>15</sup> *Southwest American* (Fort Smith, Ark.), January 29, 1926.

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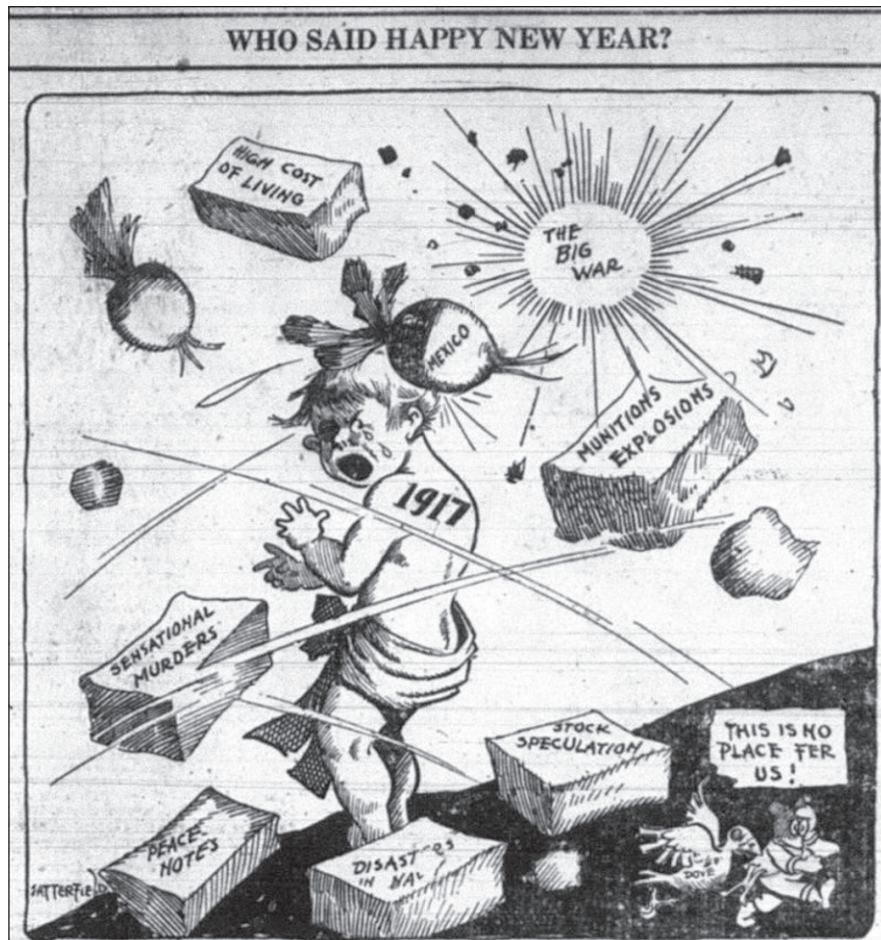
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# Fort Smith and 'The Great War'

## Part IV

*January 1-December 31, 1917*

By Jerry Akins



Some of you may be old enough to remember the title song from the 1948 movie: "Feudin', Fussin' and A'Fightin'—Sometimes it gets to be excitin.'"

That's the way it was in Fort Smith and the nation in 1917, enough so that they didn't need a foreign conflict to keep them busy.

Fort Smith had three mayors, three chiefs of police that year, and a telephone strike that tied up the city for months, and cost a mayor his job. With the telephone strike there were sympathetic strikes, "boycotts on such institutions as refuse to join with organized labor in its fight."<sup>1</sup>

In Sebastian County, there were strikes and threats of

strike by miners, and farmers were still blowing up dipping tanks and being prosecuted for not complying with the tick eradication program. Two state senators were charged with bribery, one of whom was convicted, fined and imprisoned. But, at least they avoided the race riots, soldier riots, conscription riots, food riots, miner riots and lynchings, (thirty-eight in the nation) that plagued the rest of the country.<sup>2</sup> There were no International Workers of the World (IWW or Wobblies) and few enemy aliens, only some people labeled "unpatriotic."

In January, the Adamson Act that mandated an eight-hour work day and time and a half for overtime for railroad employees was being argued before the U. S. Supreme Court



on constitutional grounds. The secretary of war and the president were arguing over conscription, the secretary for and the president against. A House Committee of Investigation was holding hearings over a “leak” of President Woodrow Wilson’s peace note that he had sent to the German Chancellor in December. Apparently someone high up in government “leaked” contents of the note to people in the world of finance prior to its release and they had made a killing in the stock market.<sup>3</sup>

As the country edged closer to war, the president who had been re-elected on the slogan, “He kept us out of war,” began to sound more and more war-like. But, he had other domestic problems. On January 10, the “silent sentinels” set up their pickets at the White House gates, the “silent sentinels” being the suffragists. The sentinels, twelve in number, worked in shifts in twenty-eight-degree temperature and ignored the administration’s offer of coffee and sandwiches in the warmth of the White House.<sup>4</sup> And on that day in Denver, Buffalo Bill Cody died.

Back in Fort Smith Miss Josephine Miller of Little Rock, national organizer of the National Woman Suffrage association spoke at the Goldman Hotel on Saturday, January 6, 1917, “to convince the women of this city of the necessity for the suffrage amendment.”<sup>5</sup> Suffragettes would occupy local and national news and the gates of the White House for the rest of the year.

In the same edition of the *Southwest American* on the same page as the announcement of the suffrage speaker, there was an announcement of the continuing prosperity of Fort Smith. The Solid Steel Scissor Company factory would be in operation by February 1. The same day that Miss Miller spoke at the Goldman Hotel, J. F. McGehee, president of Clear Creek Oil and Gas Company, left for Pittsburgh to tell the National Association of Glass Manufacturers of the enormous reserves of natural gas in the Fort Smith area. Durrett Flour Company took over Majestic Flour Company and added an extension to its building at Sixth Street and Garland Avenue. Later in the month, the Business Men’s Club was assured that Holland-American Food Products would build a canning factory in Fort Smith. And, at another meeting, “rubber capitalists” from Akron, Ohio, laid their plan before the businessmen for an auto tire plant “in some city with otherwise favorable facilities if a five-acre free site and a \$50,000 bonus were given.”<sup>6</sup> And, “S. Nussbaum, an official of the Indiana Brass and Iron Bed Company of Indianapolis, Indiana, arrived in Fort Smith on Thursday morning to conclude negotiations with the furniture

manufacturers of this city for the location of an iron bedstead factory here.”<sup>7</sup> With one real estate company having three new subdivisions going, the housing industry was booming. Not surprisingly, the Federal Reserve Bank of St. Louis declared that business was extremely active.

But amid all that prosperity there was a famine, an egg famine. Poultry had been at top prices the previous spring and farmers had sold off much of their stock. Combined with the cold weather that had stopped the remaining hens from laying, egg prices had gone up to 40 to 50 cents a dozen retail and \$12 to \$13 a case wholesale for what eggs were available. Apparently the shortage was a national problem, at least it was widespread. Page one of the *Washington Times*, January 7, 1917, stated, “Eggs Headed for \$1 Mark, Hens on strike with no relief in sight.” In both cases, all fresh eggs had been used up and cold storage eggs were being shipped in.

Across the ocean, events were taking place that would cause famines and all of the *Horsemen of The Apocalypse*. On January 2, the *Washington Times* reported that Gregory Rasputin, the mad monk, had been reported “dead once more.” There had been two other reports in the last year, but this time they had fished him out the river Neva. Rasputin had been the confidante of the Russian czarina and had tremendous influence over her. A week after that announcement, the Russian premier quit the cabinet along with the minister of public instruction. Next, reactionaries took over the government. So began the end of the czarist empire, an event that reverberates today. Reading about the Russian Revolution in the newspapers and watching the story unfold was like watching *Doctor Zhivago* in slow motion, without Lara and Yuri.

But, in Fort Smith and Arkansas, there were enough local items of interest that Russian problems, and even the war, were not foremost in people’s minds.

In January, the state legislature was in session. By January 6 it had elected Samuel C. Sims president of the senate. And the February 28, 1917, edition of the *Southwest American* had the headline and article,

### BRIBERY EVIDENCE IN SENATE

AP Little Rock Feb. 27—At the conclusion of a public reading of 82 pages of typewritten testimony taken by the senatorial committee investigating the charges of graft against Senators Sims and Burgess, Senator Bush tonight offered a resolution suspending Sims and Burgess from the senate. It provides that the accused be

forever barred from the privileges of the senate.

On Wednesday, February 28, 1917, the Senate voted, 25 to 8, one more than the two-thirds majority, for expulsion, of the two accused senators. Two days later, the grand jury indicted Walker Powell, former industrial commissioner of the Cotton Belt Railroad, on a charge that he conspired with Senator Burgess to solicit bribes. Representative Stephen Meador was also arrested on a charge that he offered \$100 to vote for a bill that would, of all things, have allowed people of first-class cities to have Sunday baseball!<sup>8</sup>

Sims seems to have been the main focus in this sting, for Meador is not mentioned in following articles, and Burgess turned state's evidence when it came to trial. Senator Sims' defense was that Prosecutor M. E. Dunaway and Senator Burgess conspired to "frame" him when he was placed on trial for accepting \$900 to oppose a bill to regulate trading stamps. Sims' attorneys charged that John E. McGraw, detective employed by Dunaway, stuffed part of the bribe money into Sims' pocket.

Detective McGraw, working under the name McGarvey, testified that he gave Sims a total of \$1,000 in marked money in two transactions and gave Burgess a like amount. The arresting officers said that they took two rolls of money from Sims and Burgess and that Sims tried to throw his roll away.<sup>9</sup>

Lobbyist Walker Powell, also under indictment, had rented room 404 at the Marion Hotel where the conversations and transactions took place, according to former Senator Burgess, who was now trying to save his own hide. It was in that room that Fred Satterfield testified that he hid under a bed and listened to the whole proceedings among the three accused men.<sup>10</sup>

At the end of May, Senator Sims was sentenced to one year in the penitentiary and \$1,000 fine. He immediately asked for an appeal to the Arkansas Supreme Court, and it was granted. As appeals do, it dragged on. In October it was continued until November. Sims' attorney appeared before the Supreme Court in the submission of his appeal from the decision of the Pulaski Circuit Court, and then the case seems to disappear from the news, probably in deference all of the other national and international headlines of the time.

In that same session of the legislature where those expulsions occurred, there was passed a women's suffrage amendment, a law that would, later in the year, affect Fort Smith politics. On January 12, Rep. Garland Riggs introduced the first woman suffrage constitutional

amendment in the house. On March 2, "the wildest spasms of the stock exchange faded into insignificance" when House members led an unsuccessful filibuster against the suffrage bill. About twenty members took part for two hours and fifteen minutes in a struggle that kept the House in an uproar. "Extreme excitement, burlesque, singing, shouts and hoots resounded through the capitol, and such racket was raised that senators left their seats and hastened to the house to see the fun." But, the bill passed and was next day signed by Governor Charles Hillman Brough.<sup>11</sup>

The Riggs Bill, as the suffrage amendment was known, did not provide for general suffrage, women could vote only in primary elections. A week after the bill was signed into law, women began to pay the poll tax that was required of everyone to qualify to vote. But assessment ended as quickly as it began. The county clerk ordered assessment to cease until the prosecuting attorney could render an opinion as to whether or not women were required to pay a poll tax. The Riggs Bill did not state that women had to pay a poll tax to vote.<sup>12</sup> After that issue was resolved, there were drives in the county by suffragists for registration. On April 4, 1917, Susan C. Anthony, seventy-three years old, paid her poll tax.

In Fort Smith, Mayor Read had announced in January that he was not running for re-election, leaving the field open in the municipal primary election in March. The women wouldn't play a part in this election, but they would in later election events. The race for mayor was contentious to say the least. For one thing, Representative Carl Held had managed to get passed a bill to reduce the city commission of first-class cities from five to three. It provided for election of a mayor and two commissioners to be elected at the next municipal election and that the terms of current office holders "shall expire at that time."<sup>13</sup>

*The Southwest American* advocated the Held Bill and a clean sweep of the city commission and opposed what they called "the invisible government." From what is published in that paper, *The Herald* took the opposite view and supported "the invisible government." No copies of *The Herald* are available later than 1914. "The invisible government" was the Fort Smith Light and Traction Company, owners of the Goldman Hotel, and bankers. The candidates of "the invisible government" were two members of the current commission and the perpetual mayoral candidate, Fagan Bourland. His opponent was J. H. Wright.

*The Southwest American* had, for weeks if not months, been attacking city government on an almost daily basis. The criticism was mostly about economic efficiency, with



hints of malfeasance. This had gone on before the candidates announced for the offices. Issues of *The Herald* are not available past 1914, but judging from the articles in the other paper, they supported "the invisible government." The two papers attacked each other regularly, too.

*The Southwest American*, in articles about the Light and Traction Company referred to its "mouthpiece," meaning *The Herald*. Before and after the Held Bill was passed, there were articles in the paper showing the cost of city government, five commissioners versus three commissioners, and questionable spending by the current government.

For more than a year, there had been intense interest in a municipal electric plant. The Light and Traction Company opposed that because they had a monopoly on city electric service and, until the 1916 discovery of the local gas fields, the gas service. The *Southwest American*, at least weekly, published articles about other cities with municipals and compared electric rates. The 1917 session of the legislature passed a bill allowing Fort Smith to build a municipal plant, but it was not yet built.

On February 25, J. H. Wright had announced his candidacy for mayor, and the battle that had already begun sometime before with the *Southwest American* became a battle among all of the forces involved. At issue was Wright's eligibility to run for, or hold, the office. His opposition attacked him on the basis of poll tax. They claimed he had not paid his 1915 poll tax. At the time, it was the practice of some people to leave a list of his property and a signed blank check with the county clerk. The amount owed was to be filled in by the clerk after the rush of the assessment was complete, and the checks cashed. In some cases that made it appear that the person had filed late since the check was deposited after the deadline for filing. However, there had been an Arkansas Supreme Court ruling on this practice in an earlier case. The ruling was that, essentially the payment was in the hands of the collector by the assigned date.<sup>14</sup>

Wright and Bourland were the winners of the primary and both immediately filed for the office for the April election. On April 9, 1917, "Fort Smith's first set of city officers with four-commissioner government passed into history," and the amended two-commissioner form went into effect with Mayor Wright and Commissioners T. A. Bayley and Mike Smith in control. Outgoing Mayor Read presented J. H. Wright with the city flag and the keys to the city. Wright remarked that he and the two commissioners were

ready to be "sworn in today and cussed out tomorrow." Those were prophetic words, and maybe an underestimate.

But, on April 6, 1917, a totally different headline dominated the front page of every newspaper. In Fort Smith, the word "WAR" occupied the top third of page one. On March 3, the day before newly elected President Wilson was to be inaugurated, a totally different headline had dominated the *Washington Times*, "GERMANY CONFESSES TO MEXICAN PLOT...."<sup>15</sup>

The news had broken on Feb. 28 that a letter had been intercepted from German Foreign Secretary Zimmerman to the German Minister in Mexico, von Eckhart. It was an attempt to ally Mexico and Japan to make war on the United States in the case that the U. S. did not remain neutral. Japan declined to be involved. The offer to Mexico was, "That we shall make war together, and together make peace. We shall give general financial support and it is understood that Mexico is to reconquer the lost territory in New Mexico, Texas and Arizona. The details are left to you for settlement."<sup>16</sup>

Almost immediately the country went from mundane to militant. Before that date, Americans in general had been for neutrality and had rallied around "He kept us out of war." Before that date, only the political cartoons dealt with war items. After that date, all of the cartoons had some war theme. Congress turned from stalemating on domestic issues to filibustering on defense issues.

As far back as February, President Wilson had asked for authority to use force to protect American shipping-armed neutrality. The revelation of Germany's intrigue to involve Mexico and Japan in war against America got Congress off dead center, at least the House of Representatives. They passed the bill to give the president the power to arm merchant ships on March 2. But when the bill went to the Senate, it met a filibuster that was ended only with the end of that session of Congress at noon. On March 4, 1917, President Wilson was inaugurated for his second term as president.

Later in the month, a special session of Congress was called for, but in the meantime the president, acting on the advice of Secretary of State Lansing and Attorney General Gregory, by executive order, ordered the arming of U.S. merchant ships.<sup>17</sup> In April, Congress assembled in joint session to declare a state of war with Germany, and the fight was on again. By April 5, after almost fistfights among senators, the war resolution had passed. Americans became warlike, pacifists were treasonous, and slackers (draft

resisters) were treasonous pariahs.

But while Congress battled, Russia had real battles. Besides their war with Germany, there was a revolution going on. As a consequence of that Czar Nicholas II abdicated.<sup>18</sup> On Friday, March 16, 1917, the *Washington Times* proclaimed, "DEMOCRACY IN CONTROL, RUSS HUNT TRAITORS."<sup>19</sup> Later that month, Vladimir Lenin arrived in Russia; Leon Trotsky was already there. The western world had great hopes for the future of Russia at that time. Fort Smith's *Southwest American*, on April 28 ran a column titled, "Jews will Americanize new Russia and repay U.S. for good treatment given here." It elaborated on the mistreatment of Jews under czarist rule, children barred from schools, people from hospitals, jobs, travel, and confinement to ghettos. The writer believed that those "who were driven into exile" were returning to Russia by tens of thousands and "spreading American ideals, customs, and trade throughout new Russia."<sup>20</sup>

In Fort Smith, in April, Mayor Wright and his two new commissioners were going about their setting up of the new three-commissioner government. They first appointed new people to offices. Only Fire Chief Frank J. Brun and City Engineer Walter H. Evans retained their positions. R. James Fernandez was appointed chief of police. In going from a five-person to three-person government, necessarily, several functions were combined, and all offices were moved into the courthouse. The department heads then began the examination of finances and accounting and checking all property, records, and materials of the several offices. It was only their first day on the job, and they weren't to the point of being "cussed out" yet, but it was a beginning.

At the next meeting of the city commissioners, dated April 14, 1917, they passed an ordinance decreasing the salaries of almost every city office. A second ordinance was passed stating:

An Ordinance to Prohibit the Shipment of Intoxicating Liquors into the City of Fort Smith, Arkansas, Prohibiting the Keeping, Storing or possessing said Liquors within the limits of the City of Fort Smith or taking of orders for the Liquors defined in this act, prohibiting the Storage of any of said liquors in lockers or other places in said City and fixing punishment and penalties for violating the same.<sup>21</sup>

April 14 was Saturday. In the Tuesday, April 17, issue of the paper, this title appeared over an article: "Attorney

General Arbuckle refuses Quo Warranto Suit to Oust Wright as Mayor." This went back to the problem refuted by Wright during the run-up to the election, that he had not paid his poll tax on time. H. C. Mechem had written a letter to the attorney general asking for the filing of quo warranto proceedings (show by what right one holds any office) on the grounds just stated. H. C. Mechem will show up later in another role.

The attorney general's reply looks almost like a rebuke of Mechem's letter of complaint. He told him that the poll tax matter had been "thoroughly advertised before the election." He expounded for the rest of a paragraph on that, then added, "To be frank with you, I am not disposed at this time to lend assistance of this office in proceedings of this character unless a very clear case is represented and an imperative demand is made on the part of the people."<sup>22</sup> But that was not the end of that; it would resurface later in the year when other problems arose.

In that same issue of the paper, a small article appeared with the news that Fort Smith had gained several times as much in population in 1916 as in all the proceeding four years combined based on the increase in the number of gas and electric meters. From January 1, 1916, to January 1, 1917, there had been an increase of 185 telephone subscribers and another 100 to the present date.

Industry, in general, was progressing at the rate of utility users except for F. E. Champion Manufacturing Company, a manufacturer of brooms. The books were missing, and the president of the company stated to the U.S. Referee in Bankruptcy that the company's "monies must have been used for private matters." The general manager had not been seen since March 28 and had borrowed the full loan value of a \$5,000 life insurance policy on her life.<sup>23</sup>

But in Van Buren, the Light and Traction Company extended tracks to the Arkansas Zinc and Smelter Company so that the workmen did not have to walk from the end of the bridge. That was expected to cause growth of the town in that direction.

The United Mine Workers were making plans to establish a big hospital somewhere near the Arkansas-Oklahoma coal fields. Naturally, Fort Smith businessmen jumped into the competition for that.

On Thursday night, April 19, listeners heard a two-hour oratory touting the Arkansas connection of the Albert Pike Highway, a highway to connect Hot Springs, Arkansas, with Pike's Peak, Colorado. The Oklahoma delegation desired to reach Fort Smith, which they described as "their town," via a



bridge at Garrison Avenue. That conversation had gone on, and would go on, for a long time.

The Solid Steel Scissor factory had received enough orders to keep it busy for six weeks. At fifty dozen per day, it required two tons of steel per month. They were increasing production to fifty dozen per day, and expected to soon go to 100 dozen per day.

On Wednesday, April 11, Charles T. Orr, president of Athletic Smelter Company, made a speech that surely made the businessmen of Fort Smith proud. He called Fort Smith “the coming city of the southwest.” He was speaking on the subject of the local Athletic Smelter plant and the expansion of it. They were already operating with an \$8,000 payroll and with the expansion would employ 200 men. Besides abundant, cheap gas, he cited the excellent school system and everything “that would attract men to the city as a business and residence town.”<sup>24</sup>

On April 29, the first charge of zinc ore was placed in the retorts of block No. 1 of the Athletic Mining and Smelting Company’s three-block-long smelter. The Athletic Smelter was one of the industries secured with the first factory fund raised by the Businessmen’s Club in the fall of 1916.<sup>25</sup>

Along with all that civic prosperity and pride, a spirit of national patriotism manifested itself in city parades. On April 22, Van Buren had its parade where it was said that thousands took part. On April 27, Fort Smith had a demonstration that was “unique in the history of this city—a spontaneous outburst of militant patriotism participated in by all—from the most humble to the greatest, white and black.”

26

But “militant patriotism” can have other connotations. Pacifists were fair game for attacks, both verbal and physical. The *Washington Times*, on April 2, reported, “Senator Lodge First Floors Assailant and Then Messenger Boy Jumps Into Fight and Finishes Job Up.” Senator Henry Cabot Lodge of Massachusetts was confronted by pacifists at his office door and after “an exchange of epithets,” Alexander Bannwart hit Lodge, who in turn, punched Bannwart in the jaw knocking him down. A Western Union messenger boy then jumped on Bannwart and “pummeled him severely.”<sup>27</sup> A few days later, the *Southwest American* published a front-page picture of pacifists being driven by police from the steps of the U.S. Capitol. Senator Robert LaFollette of Wisconsin was already branded a pariah for his opposition to several bills dealing with preparedness and to the declaration of war.

April 1917 saw the creation of the Committee on Public Information (read “propaganda”), and President Wilson’s proclamation defining treasonable acts and the penalty of death for such acts.<sup>28</sup> He, apparently, was relying on the Alien Enemies Act of 1798, parts of which had not expired or been repealed. The Espionage Act of 1917 did not come about until June 1917. But this prompted headlines in the *Southwest American* like “Iron Hand For Bomb Plotters and Spies” and in the *Washington Times*, “Death For Spies, America’s Decree.”<sup>29</sup>

Fort Smith didn’t produce any “bomb plotters,” but did apprehend some potential “spies.”

The first was “a Rhennish Prussian stranger giving the name Robert Schmidt.” Schmidt was not really from Fort Smith; he was arrested at Hartford and brought to the U.S. District Court at Fort Smith. He had aroused suspicions when he had been observed inspecting the front and rear of the Hartford bank building, a hardware store and had visited the Mansfield Lumber Company three times in one day. At the time of his arrest, he was “making a thorough survey of the Central coal mine No. 10.” He was an itinerant and had a lengthy story of who he was and what he did that made little sense.<sup>30</sup>

In Logan County, John J. Irion, of Blue Mountain, was held on charges of “language derogatory to the United States and President Wilson.” Among the actionable things that he said was: “The people of the United States are a damned set of cowards. President Wilson is a coward, and he had no business in Mexico. He ought to be shot. I hope Germany will wipe France off the map and then will come into the United States through Mexico.” Witnesses said that they tried to quiet Irion but that “he was angry and argued in a heated way.”<sup>31</sup>

The next day after Robert Schmidt appeared before the federal judge, Joe Zinn, an employee of Ward Furniture Company was before Judge Youmans. It was ordered that Joe’s pistol and sword cane be confiscated and that he be required to report each week to the U. S. Marshal. Since the president’s proclamation, Zinn was now an enemy alien who must surrender all firearms, ammunition, and explosives. In Germany, Zinn was considered a deserter. He was a reservist and showed the court his call to the German colors from the first year of the war. He said he had paid no attention to it and had never gone back to Germany. Judge Youmans told Zinn to “Obey the law and keep his mouth shut,” to go about his business, not argue with anybody and not talk about the war.

On May 14, the Senate passed its version of the Espionage Bill of 1917, but it would not be signed by the president until June 15, 1917. The bill had been stripped of the prohibition amendment that had been added two days before. That amendment would have prohibited the use of “any cereals, grain, sugar, or syrup in the production of intoxicating liquor in any form, or of any kind.”<sup>32</sup> It did allow for alcohol or intoxicating liquor for industrial, mechanical, medicinal, sacramental, or scientific purposes. But Arkansas had already passed a “bone dry” law, effective January 1, 1916.

Fort Smith people, at least some, were more interested in another congressional act. For at least four years, citizens had lobbied for a free bridge at the end of Garrison Avenue. That was opposed by the Gould bridge company and railroad interests, as well as other moneyed forces in Fort Smith. However, after the April mayoral election, by vote of the citizens, they got a bill before the U.S. Congress to allow a bridge across the Arkansas River. A congressional act was necessary because the river was a navigable stream (sometimes).

But it was a bumpy road getting to that point, and it got rougher after that. As stated, some powerful interests opposed a free bridge. Interestingly, the president of the anti-Garrison Avenue-bridge organization was H. C. Mechem, the same person who petitioned the Arkansas attorney general to file a quo warranto suit against Mayor Wright. This group, which had a president, secretary, treasurer and all the trappings of an organization, called the pro-bridge people an “organized Fort Smith gang.” Actually, it appears that the only organized gang was the Garrison Avenue merchants and the people on the Oklahoma side of the river. The Oklahoma people considered Fort Smith their town.<sup>33</sup>

The battle went on and didn’t even end after election day. On May 19, the voters voted in favor of the bridge 1,102-430. On May 26, the form of a bill went to Washington, D.C., to Congressman Otis T. Wingo for a bridge across the Arkansas River. On that same day, the Iron Mountain Railroad proposed to the city that they rent the Gould (Iron Mountain) bridge for \$10,000 for use as a public bridge. It was thought that the bridge district could easily take the rental out of Iron Mountain taxes. However, when it was totaled up, in 1916 Iron Mountain only paid \$7,583.08 in taxes. The citizens had voted more than two to one for a bridge, so the commissioners rejected that idea.<sup>34</sup>

When bids were opened on August 30, 1917, the

winner was H. C. Gass of Houston, Texas. His bid of \$434,500 was well below the \$500,000 limit that the people had voted for. The bridge commission was pleased with the low number, but not for long. Gass came to town on September 11 to discuss the details of his contract. On September 12, there was on file in circuit court, a damage suit naming H. C. Gass as defendant and seeking \$50,000 from him for failure to complete contract.

Gass claimed that after he got back to Houston, he had found that he had made mistakes and that his price should have been \$493,000 and that he notified the board by telegram that he withdrew his bid. Through convoluted offers, he offered to split the difference with the city, but all offers were refused. All of the bidders were supposed to have deposited certified checks before the bids were opened, and it was discovered that Gass’s check, although having a certified stamp, had before the word “Certified,” in small hand-written letters the word “not.” He made no explanation of why he had not deposited a certified check.<sup>35</sup> This issue dragged on throughout 1917.

Frank Fenolio got into the fray by filing suit for an injunction to restrain the building of the bridge on two objections, one, that the act of the Oklahoma legislature in passing a bill permitting the building of the bridge was illegal, and two, that building the bridge according to current plans would injure his property. The suit was denied by the chancery court but the bridge never got started in 1917.<sup>36</sup>

That year as temperatures rose, so did tempers. In June, the “suffs” were still at their posts in D.C., as they would be for months to come, trying to sway the administration to their women’s suffrage cause. The suffragists held up large banners addressed to the new Russian ambassadors visiting the president. On both days, mobs tore down their banners while the police stood by.<sup>37</sup> The previous month Josephine Miller, of Little Rock, had a much friendlier visit when she came to organize the women of Sebastian and Crawford counties. The suffrage movement was calmer in Fort Smith. Arkansas had just passed a sort of suffrage law allowing women to vote in primary elections. Sheriff Claude Thompson explained the workings of that law at the suffrage meeting. Judge Paul Little addressed the second meeting. Miss Miller was given a friendly interview and write-up in the *Southwest American*.<sup>38</sup> There were no torn signs, and nobody went to jail in Fort Smith like they did in Washington, D.C.

As June warmed into summer, riots (not all racial)



broke out all over the country. A horrible race riot took place in East St. Louis, Illinois, starting in June and continuing into July. Wednesday morning, May 30, 1917, the Fort Smith newspaper had, above an Associate Press article datelined, East St. Louis, May 29, this headline:

#### **EAST ST. LOUIS RACE RIOTS ARE RENEWED**

*The Washington Times*, May 29:

#### **TROOPS CALLED OUT TO END RACE RIOTS**

*The Washington Times*, July 3:

#### **NEW OUTBREAK OF RACE RIOTS BRINGS ORDER FOR TROOPS TO SHOOT TO KILL**

**Total Number of Dead Estimated By Police to Be in  
the Hundreds**

On July 7, the *Kansas City Sun* had a different view on the subject:

#### **FIENDS INCARNATE**

**Cowardly Police and Militia Search Negro's  
Homes, Disarm Them and Then Turn Them Over to  
the Blood-thirsty Demons  
Clamoring for Their Lives. Without Arms  
or Protection 38 are Killed,  
More than 200 Wounded and 325 Negro Homes  
are Burned and Looted.<sup>39</sup>**

Those headlines didn't tell half the story. That summer race riots took place all around the country, but East St. Louis seemed to be the worst. There were killings on both sides, the cavalry troops were almost helpless, and the police seemed to be in collusion with the rioters. The disarming, burning, looting, and killing did take place. But in East St. Louis, white women, who in other cases didn't take active part in rioting, vigorously took part in this one. One incident was described where two young white women dragged a black woman from a trolley and beat her with their shoes. In September, "Dorothy Ruth, 16 years old, was arrested on an indictment charging conspiracy and rioting at the time of the race riots in East St. Louis."<sup>40</sup>

The same origin was given for the riots in East St. Louis, Pittsburgh and other northern cities: the influx of southern blacks into the job market. East St. Louis was so

crowded that people were living in any kind of shelter and conditions they could find. The flood of people was due to the lure of work in northern factories fueled by "employment agencies" that, for a fee, promised jobs in the north.

Other types of riots took place in other places, American miners stoning foreign-born miners, and the IWW is a story in itself. Draft resistance wasn't exactly riot, it was just small local wars.

In Fort Smith the nearest thing to riot happened in connection with a strike by the "Hello Girls" of Southwestern Bell Telephone Company. On the night of September 19, 1917, the "phone girls" voted to strike. The next day's headline read: "PHONE GIRLS STRIKE: Labor Forces of Whole Section Unite in Support of Operators."

Two operators had been terminated for talking to one another while at the switchboard, a rule that had not been enforced previously. The two had been active in an effort to unionize the local telephone operators of Fort Smith and Van Buren. C. A. Vedder, manager for Southwestern Bell, refused to discuss their situation with union representatives, and would only negotiate individually. He made the same statement to representatives of the committee of the Central Trades and Labor Council and said that it would be useless to meet with the committee again.

Beside that article was another announcing, "GIRLS FROM TEXAS WILL FILL PLACES OF LOCAL STRIKERS."

The article indicated that members of the electrical workers (IBEW) "had tendered their services and were on picket duty at the railroad station to meet girls expected to arrive from nearby places to take the places vacated by the strikers." The picket duties were well organized, and set up so any woman or girl approaching the phone exchange would be met and questioned.<sup>41</sup>

Early in the evening of September 19, the lights went out in the phone building, "the power wires were cut or otherwise put out of business." The next morning, groceries amounting to about \$400 that were ordered by the telephone company were scattered over the street and sidewalk. About four o'clock that day, the city water was cut off by "persons unknown." That was at about the same time that U.S. District Court Judge Youmans issued a restraining order for the striking telephone operators and restrained strike sympathizers from "illegally interfering with, damaging or injuring the telephone company's property, employees or business."<sup>42</sup>

On September 21, "The Southwestern Bell Telephone

Company yesterday virtually abandoned all efforts to handle the business of the local exchange." It was "arranged for nine women to leave the building," and the male employees attempted to handle the long-distance business. Water, gas and light services were restored, and strikers had no knowledge of the "unidentified persons" who turned off the services and would aid in the discovery of said persons.

By Sunday, September 23, Southwestern Bell Vice President Eugene Nims and Traffic Manager Gates had arrived in Fort Smith, and *Times Record* General Manager R. S. Carver had put together a committee composed of Rudolph Ney, Chauncey Lick, and Judge W. A. Falconer with the intention of meeting with the telephone representatives. But even with the presence of a vice president and a district manager, the phone company would talk only with individuals.

Vedder petitioned Mayor Wright a second time for police protection, citing "serious depredations" and "threatening conditions...seemingly without the slightest police or governmental interference." Mayor Wright replied that he was confident of the city government's ability to deal with the situation and provide police protection "as may be necessary." Vedder had previously asked Sheriff Claude Thompson for deputies to escort the nine women out and had been refused. This would be the beginning of the end for Mayor Wright and Police Chief R. J. Fernandez and much grief for the sheriff.

Local sympathies, except for a small group, were with the phone girls. The operators at Van Buren, Mansfield, and Huntington walked out. All of the other unions in the Fort Smith area donated money to make up for the girls' salaries. Actually, they received more on strike than when they were working. Local operators made nine dollars a week, while long-distance operators made nine dollars and fifty cents. The management of the Lyric Theatre offered to donate a portion of their receipts for the Thursday and Friday performances of "Broadway Review" to go to the general strike fund.

The phone company finally did get the attention of law enforcement, but not in the way Vedder had requested. On Thursday morning, September 27, the *Southwest American* had in seventy-two point type, "Strike Breakers Pull Gun Play; Leave City." At two o'clock that morning, the strike breakers, men and women, were visited at their rooms at the Goldman Hotel by Sheriff Thompson and Chief of Police Fernandez. Fernandez had in his possession "two shotguns and two pistols taken last night from the Hotel Goldman

quarters of the strike breakers and other employees of Southwestern Bell Telephone Company, where members of a committee of strike sympathizers were made prisoners."

The committee was not from the Labor Council, but was selected by strike sympathizers to parley with the phone company about some arrangement to remove the strike breaker girls. Mayor Wright and Chief Fernandez dispersed a crowd that had assembled when they heard that the "committe" was being held hostage. The strike breakers, male and female, were hurried out of town in automobiles.<sup>43</sup> The next morning, the telephone company published this announcement: "To Our Patrons and the Public: Local and long distance telephone service is now necessarily suspended and the exchange closed until the same can be operated with some degree of safety for our employees.— Southwestern Bell Telephone Company"

Along with the operators went the city's police and fire alarm system. Fire Chief Brun, in conference with Mayor Wright, established a motorcycle patrol, with four men on motorcycles who would patrol the city at all times.

While the firemen prayed that there would be no fires, housewives were concerned about buying their groceries and getting them home. Until the cessation of service, a housewife could just go to the phone on the wall, ring central and ask for the merchant, dry goods, grocer, or butcher, order whatever was desired, and it was delivered. Now merchants in their advertisements stated that they would no longer deliver.

Apparently Southwestern Bell wasn't the only show in town. Independent companies from Greenwood, Hackett, and Barling were making plans for a co-operative system. They called on the city commissioners to inquire if they would have any objection to the system. They proposed to string wire into Fort Smith and thereby provide communication among those cities and especially the coal mines. In Van Buren, a group formed the Mutual Union Telephone Company through a stock issue.<sup>44</sup>

Two weeks into the strike, the Commissioner of Conciliation of the U.S. Department of Labor came into the dispute. That announcement was in the lower right corner of page one of the *Southwest American* on October 5. In the lower left corner was this: "Grand Jury Probes Action of Officers in Telephone Strike"; "officers" meaning the mayor and chief of police.

The grand jury returned eight similar indictments for Mayor Wright and Chief Fernandez.

Wright was indicted for pre-election promises and



nonfeasance in the case of the strike fracas. Chief Fernandez was indicted for accepting a bribe and six other charges relating to the strike disorders. Wright had purportedly promised to support a local attorney for the job of city attorney in return for his support in the election. Fernandez was accused of accepting a bribe from Clarence Owensby to permit the opening of a “bawdy house” at 105 Front Street.<sup>45</sup>

In July, the mayor had ordered the bawdy houses of the “segregated district” closed.<sup>46</sup> An ordinance legalizing prostitution within what was referred to as the segregated district had been passed in 1907, so it appears that he had closed legitimate businesses. That was challenged in court and the case had been appealed to the Arkansas Supreme Court just a few days before the grand jury’s actions. The closing of the houses of “the row” was another thing that brought the ire of the “invisible government” and played a part in its accumulating of charges to bring against him. The closing was strongly protested by the Boston Store, at least until they could get their bills collected down there.<sup>47</sup>

All of the grand jury’s indictments were demurred with the result that the mayor and chief of police had one charge against them. On October 12, a jury, after about two hours of deliberation, returned a verdict of guilty against Wright of making pre-election promises and fined him fifty dollars. His attorney was fined twenty-five dollars twice for outbursts in court.<sup>48</sup> Now Wright was no longer the mayor of Fort Smith. Chief Fernandez, having been tainted by the charges of nonfeasance and accepting bribes, would eventually resign from his job.

The foreman of the grand jury that handed down the indictments was John W. Howell, the candidate for mayor who was defeated by J. H. Wright.<sup>49</sup>

Four weeks into the strike, now former mayor J. H. Wright was on trial again, this time for nonfeasance (failure to meet legal obligations). He was accused of witnessing unlawful acts and taking no action to prevent them or arrest the perpetrators. Wright purportedly witnessed, or was aware of the cutting of electrical wires, digging and damaging of the gas line, and unlawful assembly. Although affidavits were sworn that one juror stated to others, “You know damned well Wright is guilty,” and by the testimony of sixty-five witnesses it appears Wright was not guilty, the jury found him guilty. He was fined \$250 plus court costs of more than \$450. This verdict was immediately appealed, and would eventually go before the Arkansas Supreme Court.

One week later, on October 26, 1917, this announcement appeared:

To the Electors of Fort Smith.

I hereby announce my candidacy for re-election to the office of Mayor of Fort Smith subject to the primary election to be held on November 13th, 1917.

I shall, if elected continue to administer the governmental affairs of the City in the interest of ALL of the people ALL of the time.

Respectfully, J. H. Wright

Fort Smith Ark., Oct. 25, 1917

By October 30, Bell manager Vedder was demanding police protection for the workers that he intended to import to provide the fire protection that the city demanded, and the insurance men were wanting to know what was going to be done. Five of the striking girls offered to work free to provide fire protection. At that meeting, he was served with a demand of the City Commission voted on by “all members of the board,” both of them.<sup>50</sup> (With the removal of Mayor Wright that left only two of the three-man commission.) The commission demanded the removal and relocation of certain phones. Vedder refused.

The opposition to ex-Mayor Wright and to unions formed a group, self-proclaimed, self-named, the Law and Order League. Now that they had deposed the elected mayor, they next took on the telephone union, not that they had any great influence on changing the women’s minds. At a meeting with representatives of the Businessmen’s Club, they were told, “There is nothing to this arbitration business.” The women were steadfast in their stand that the two girls originally fired be reinstated with the others, as well as wage and hour demands.

In the midst of all of this, on October 15, 1917, the Chicago Americans (White Sox) defeated the New York Nationals (Giants) in the World Series. Fort Smith had a successful Centennial Celebration October 8 through 13 with the “Red Men” and old deputy marshals gathering here. Of the many reunions that they had had, that is the only reunion of deputies that newspapers recorded their assembling in large numbers, in period clothing, and re-enacting Judge Parker’s Court. So, that is probably when the famous picture was taken of the thirty-seven deputies with horses and wagon. And in September, Bertha Gale Dean accidentally shot herself—twice—on the night of her wedding to Mack Dean.

The phone strike dragged on with a conciliator, Governor Brough and Attorney General Arbuckle invited to a mass meeting in Fort Smith. But the telephone company vice president notified Arbuckle that it would be useless for him and the governor to come.<sup>51</sup> If the governor had tried to arbitrate all of the phone strikes, he might have been busy, as there were also strikes at Little Rock and Pine Bluff.

As the November 13 election approached, J. H. Wright published his election promises and rebuttals to The Law and Order League, *The Herald*, the Boston Store, and other detractors. He seemed to be supported by a large portion of the voters by their letters to the *Southwest American* and at a rally on Saturday, November 10. But when the sun came up on November 14, Arch Munro was the winner of the primary election.<sup>52</sup> Wright immediately filed a contest of the election based on his assertion that, "under the laws of the state of Arkansas and the charter of Fort Smith," that women were not qualified to vote in the primary election. By "eliminating the women's votes he was nominated by a majority of thirty-one votes." However, he was ignoring the suffrage law passed in the last session of the legislature that went into effect ninety days after passage, which would have been sometime in September.<sup>53</sup> Wright then filed petitions in chancery court and county court to prevent the election that was to be held November 27. But, before the 27, Circuit Judge Paul Little declared the ex-mayor ineligible to hold the office of mayor. So, as a result of the November 13 election, it was Munro almost by default. An editorial on November 12, 1917, stated, "Arch Munro, candidate for mayor, came to Fort Smith in 1895, but did not take out his naturalization papers until 1908."<sup>54</sup>

The city commission meeting minutes note on October 2, 1917, Regular Meeting of the Fort Smith City Commission, "Hon. Act. Mayor T. A. Bayley presiding." The minutes of the Special Meeting of the Board of Commissioners for November 28, 1917, note, "The newly elected Mayor Arch Munro was present and having filed his oath of office and bond required by law took the chair and entered upon his duties as Mayor of Fort Smith, Arkansas."

While the mayoral battle was taking place, the telephone confrontation continued. The operators demanded that the two terminated operators be reinstated, two dollars per hour per eight-hour shift, and time and a half for work between 9 PM and 6 AM. But Vedder had sent letters to all of the women except two inviting them to return, recalling "that prior to the strike only the most pleasant relations existed between the company and the operators."<sup>55</sup>

Businessmen and citizens were getting anxious for an end to this stalemate that was going into its third month. Businessmen of the county tried to negotiate with phone company representatives. They tried a petition signed by telephone subscribers to no avail. Finally Mayor Arch Munro did manage to get four women representing the operators and manager Vedder in the same room, but all were adamant in their demands.

November passed into December, and the telephone company opened the local exchange with fourteen non-union operators. At a mass meeting of organized labor, a boycott was pronounced on "the telephone company and on such institutions as refuse to join with organized labor in its fight." Cards declaring, "We refuse to use the property of the Bell Telephone Company until it treats its employees like human beings," were to be distributed to all businesses and residences with a request that it be prominently displayed.<sup>56</sup>

Then began a general strike of union labor with a representative of every union organization vested with authority to call a strike at any time. However, that order was "held in abeyance" until a later meeting of labor and business. Abeyance or not the city was nearly shut down; only firemen, plumbers and retail clerks were working. The power plant was closed; there was no edition of the paper from Saturday, December 8 until Tuesday, December 13. The power plant was restarted because it had shut down the coal mine pumps.<sup>57</sup> The general strike ended Saturday, December 15, pending settlement of the phone strike. Four days short of three months since the walk-out, Fort Smith phones started ringing. Meantime, federal conciliators were busy looking for a resolution.

Back in Fort Smith, the December 27, 1917, edition of the *Southwest American*, in seventy-two point type proclaimed, "Phone Strike Ended-Girls Resume Work." After three months and one week, the sixty-five operators, through the ministrations of federal mediators, were back at work. The case of the two terminated operators was "left in the hands of the federal mediators for adjustment."

On December 18, 1917, while Bell Telephone was battling the Hello Girls, the U.S. Congress battled out the bill to prohibit "the manufacture, sale or importation of intoxicating liquor for beverage purposes in the United States or its territories."<sup>58</sup> That bill, enforced by the Volstead Act, would, when ratified on January 16, 1919, become the Eighteenth Amendment to the constitution.<sup>59</sup> The Nineteenth Amendment, women's suffrage, was



scheduled for vote in December 1917, but did not make it until January 1918.

While the city and the nation were plagued with problems, the industry of Fort Smith went on about the business of prosperity. Some companies that still exist today, although with some change of name, like Tucker Duck and Rubber, were expanding. Tucker Duck and Rubber acquired the building of the defunct Champion Broom Manufacturing Company to enable it to build army cots. Tucker, in June 1917, received an order from the International Committee of the YMCA for twenty-five forty-foot-by-eighty-foot tents, a contract for \$10,000. "Fort Smith's fame as a tent manufacturer will soon be known along the allied firing line in France...." Tucker had just sold and shipped \$1,500 worth of tents to the contractors at the cantonment at Little Rock.<sup>60</sup> In July, Tucker announced that they had two orders for \$54,000, and with the additional orders, it would be required to double the capacity of its plant.<sup>61</sup>

The June 17 Sunday morning edition of the *Southwest American* listed twenty-one new manufacturing plants that had located in Fort Smith since the previous June. Twenty-one factories represented investments of \$1,435,000 with payrolls totaling \$1,936,000 and 2,170 employees. It bragged of "Two Million Dollars Added to Fort Smith's Annual Pay Roll In Past Eighteen Months...sixteen new factories, employing 2,000 people."

On October 6, the *Southwest American* had an unusual article in the Van Buren section of the paper on page ten: "May Mean Securing Contract To Manufacture Bowie Knives For Army."

A want ad that week had asked for information about anyone who had or knew of a Bowie knife. Two people answered the ad with Bowie knives, one who had provenance showing that it had once belonged to General Albert Pike. But the story behind the want ad was, "it was reported" that "the once famous border Bowie knife has come into its own again because of the determination of the war department to equip the troops for the trenches in France with these savage weapons." The report said that the department was considering ordering a million of the knives. Dr. Zimmerman, general manager of Solid Steel Scissor Company, had taken the steps that might mean a government contract for the manufacture of the Bowie knives.<sup>62</sup> It's doubtful that the war department ever placed such a contract.

It wasn't just manufacturing that was benefitting from

the new prosperity, largely created by the war effort. Fort Smith was selected for a government mobilization point for horses and mules. On Tuesday, September 11, large numbers of purchasing agents for the U.S. Army were here, and by Saturday had bought about 1,500 head of livestock from all parts of Arkansas and Oklahoma. Temporary corrals had been erected on Wheeler Avenue south of South G Street where the inspectors and buyers selected animals.

The year 1917 was so eventful that these 10,000 words have barely skimmed the surface of the news of that year, so much went on nationally in dealing with war and domestic strife and other issues. The state government had the usual complications plus corruption matters. And locally things were productive businesswise, and in turmoil on the labor front and governmentally. But the last issue of the *Southwest American* predicted, "1917 Was Glorious Year For Greater Fort Smith; 1918 Will Be Even Better."



*Jerry Akins is an author and historian of early Fort Smith and he is shown here at the Fort Smith National Historic Site where he does much of his research for books and articles.*

## Endnotes

- <sup>1</sup> *Southwest American*, December 4, 1917, p5 col. 4
- <sup>2</sup> *Southwest American*, December 30, 1917, p6 col.4
- <sup>3</sup> *Washington Times*, January 9, 1917, p1 col 1&7
- <sup>4</sup> *Washington Times*, January 12, 1917, p1 col. 6
- <sup>5</sup> *Southwest American*, January 7, 1917, p1 col. 3
- <sup>6</sup> *Southwest American*, January 24, 1917 p6, col. 1
- <sup>7</sup> *Southwest American*, January 26, 1917 p1 col. 2
- <sup>8</sup> *Southwest American*, March 4, 1917 p1, col. 7
- <sup>9</sup> *Southwest American*, April 3, 1917, p1 col. 4
- <sup>10</sup> *Southwest American*, April 5, 1917 p1 col. 7
- <sup>11</sup> *Southwest American*, March 3, 1917, p1 col. 4
- <sup>12</sup> *Southwest American*, March 14, 1917, p5 col. 5
- <sup>13</sup> *Southwest American*, March 14, 1917, p1 col. 5
- <sup>14</sup> *Southwest American*, March 20, 1917, p1 col. 1
- <sup>15</sup> *Washington Times*, March 3, 1917 p1 col. 7
- <sup>16</sup> AP dispatch February 28, 1917, *Southwest American*, March 1, 1917, p1 col. 7
- <sup>17</sup> *Washington Times*, March 9, 1917, p1, col. 6
- <sup>18</sup> [www.firstworldwar.com/timeline/1917](http://www.firstworldwar.com/timeline/1917)

- 19 *Washington Times*, afternoon edition, March 16, 1917, p1 col. 4
- 20 *Southwest American*, April 28, p7 col. 4
- 21 Minutes of Special Meeting of The Board of Commissioners, April 14, 1917, City Hall
- 22 *Southwest American*, April 17, 1917, p1 col. 1
- 23 *Southwest American*, April 17, 1917, p10 col. 1
- 24 *Southwest American*, April 12, 1917, p 10 col. 6
- 25 *Southwest American*, April 29, 1917, p1 col.5
- 26 *Southwest American*, April 27, 1917, p1 col. 1
- 27 *Washington Times*, April 2, 1917 p1 col.5
- 28 *Washington Times*, April 16, 1917 p6 col. 6
- 29 *ibid.*
- 30 *Southwest American*, May 9, 1917, p2 col. 1
- 31 *Southwest American*, May 8, 1917, p5 col. 1
- 32 *Ibid*, May 15, 1917, p1 col. 6
- 33 *Southwest American*, May 5, 1917, p2 col. 1
- 34 *Southwest American*, May 27, 1917, p3 col. 3
- 35 *Southwest American*, September 13, 1917, p2 col. 1
- 36 *Southwest American*, September 15, 1917, p2 col. 2
- 37 *Washington Times*, June 20 & 21, 1917, p1
- 38 *Southwest American*, June 1, 1917, p1 col. 1
- 39 *Kansas City Sun*, July 7, 1917, top of p1
- 40 *Southwest American*, September 13, 1917, p6 col. 4
- 41 *Southwest American*, September 20, 1917, p1
- 42 *Southwest American*, September 21, 1917, p1 col. 7
- 43 *Southwest American*, September 27, 1917, p1 col. 7
- 44 *Southwest American*, September 30, 1917, p1 col. 3
- 45 *Southwest American*, October 6, 1917, p1 col. 1
- 46 *Southwest American*, July 19, 1917, p1 col.3
- 47 *Southwest American*, November 13, 1917, p1 col. 4
- 48 *Ibid.* Oct. 13, 1917 p1 col. 1
- 49 *Ibid.* p8 col. 4
- 50 Minutes of Fort Smith City Commission, Special Meeting October 31, 1917 p636
- 51 *Southwest American*, November 6, 1917, p7 col.4
- 52 *Southwest American*, November 14, 1917, p1 col. 2
- 53 *Southwest American*, November 18, 1917, p1 col. 1
- 54 *Southwest American*, November 12, 1917, p4 col. 1
- 55 *Ibid*, November 27, 1917 p2 col. 3
- 56 *Southwest American*, December 4, 1917, p5 col.4
- 57 *Southwest American*, December 13, 1917, p2 col. 3
- 58 *Washington Times*, December 18, 1917, p2 col. 2
- 59 United States Constitution, Amendment XVIII
- 60 *Southwest American*, June 27, 1917, p2 col. 1
- 61 *Southwest American*, July 3, 1917, p2 col. 1
- 62 *Southwest American*, October 10, 1917, p10 col. 1

## Letters From Readers

Inquiries will be published in the *Journal* as space allows and should include the following:

- Your full name and address.
- Full name of ancestor about whom you desire information.
- Definite time period (birth, marriage or death date or date appearing in a certain record at a definite time period).
- State the relationships (names of parents, names of children, names of brothers and sisters, or in-laws).

Material should be submitted using word-processing programs supported by Windows. Do not abbreviate any words; put all surnames in capital letters; capitalize only the first letter of given names and places; write dates as follows (day, months, year: example 25 January 1978).

## Suggestions for Submission of Articles

We welcome the submission of articles, previously unpublished, covering significant historical events and persons in Fort Smith and the surrounding area. 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 additional sources. The author's name, address and phone number and email address should appear only on the title page. Manuscripts may be submitted on CD disks, using word-processing programs supported by Windows. Photographs should be submitted in digital format.

All correspondence and manuscripts should be submitted to:

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*The Journal of the Fort Smith Historical Society*  
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# Philippine Immigration

*to the U.S. and to Fort Smith*

By Larry Jones

## COLONIAL BACKGROUND

In 1494, Pope Alexander VI negotiated the Treaty of Tordesillas as a solution to the ever-growing competition that had arisen between Spain and Portugal over newly discovered territories. The knowledge of what precious trade goods gained from voyages like those of Columbus through Ferdinand Magellan compelled Alexander VI to draw a demarcation line around the globe which would proclaim which newly discovered non-Christian lands were reserved for Spain and which for Portugal. An archipelago of 7,100 islands large and small in the Western Pacific went to the Spanish, who by 1542 had turned it into a wealth-producing colony with a strong centralized authority, named for King Philip II of Spain. The islands as well as residents came to be known as the Philippines or Filipinos.

Throughout the colonization period under Spanish rule, some Filipinos had made their way out of the Philippines and on toward parts of present-day United States. This, according to some sources, launched the first known wave of immigration from the Philippines to America.

Filipinos were the first Asians to cross the Pacific Ocean and settle in North America arriving on October 18, 1587, when they established a settlement in Morro Bay, currently the city of San Luis Obispo, California, fifty years before the settlement of Jamestown in Virginia. A lucrative and successful trade between Manila and Acapulco known as the galleon trade brought porcelain, silk, ivory, spices, and other hotly desired exotic goods which all steadily flowed from China to Mexico. Those Filipino sailors drafted into the Spanish naval service were known as Manila men because of their command of Spanish language and were also at times called Luzon Indians. The trade continued for 250 years and only ended when the newly independent Mexican government took over key Spanish ports in 1821.

In 1763, Filipinos (Manila men) while suffering the grueling and brutal work aboard the galleons, jumped ship with the thought in mind to establish settlements. Which



AIDA, GEORGE JONES, EVELYN JONES,  
AND MARILYN GARCIA

(Photo courtesy of Larry Jones)

they did. Deep in the marshes and through the use of Louisiana Bayous they built houses on stilts along the Gulf ports of New Orleans and came to be called Batavians. They were the first in the United States to introduce the process of sun-dried shrimp.

In 1781, Antonio Miranda Rodriguez Poblador, along with forty-four other Filipinos, were sent by the Spanish government from Mexico to establish what is now known as the city of Los Angeles, California. During the War of 1812, Filipinos were among a group of Batavians who fought against the British while serving with the pirate John Lafitte under the command of Andrew Jackson.

It is in the last twenty to thirty years of this time period when the highest number of Filipino immigrants arrived, their fate tied directly to the emerging economic impact of the Hawaiian Islands. In the post-Civil War period of United States, numerous investors found great sources of investment and profit in the harvesting and selling of tropical fruit such as bananas and pineapples and coconuts. The one missing element however, was a large body of workers available and willing to harvest, store, and transport the fruit. American investors were aware of the profitable use of Chinese labor gangs that were laying

railroad track and dynamiting mountains to search for gold and silver in the Pacific West. At first, Chinese workers in Hawaii served this purpose. But, in time they saved money and bought land of their own and became investors. Then, they faced the same problem, labor shortage. A new source of labor was found and that was the newly arriving Filipino workers to Hawaii.

Asian labor groups underwent severe prejudice. Chinese were hated by Anglo workers and cultural bigots in general. Mounting political pressure led to the enactment of the 1882 Chinese Exclusion Act that prevented new immigrants except to join family members already established here. The vast majority of Asian laborers, Chinese, Japanese and Filipinos were processed into the country through the immigration station in the center of San Francisco Bay sitting directly behind Alcatraz and called Angel Island. The stories of Angel Island often tell of dashed hopes as Asian immigrants were deported when it was discovered that they were not truly family members or did not possess the documentation to be admitted. Angel Island and Ellis Island may have applied a different set of rules for some immigrants versus another because of ethnic background. Both locations today are closed to immigration traffic, but instead serve as national parks and museums for teaching purposes.

In the western regions of the United States, particularly California, anti-Asian sentiment grew as large numbers of Asian workers came in response to the need for agricultural labor. It is often thought that Mexican labor rivaled or exceed that of Asian. Such was not the case and in fact it would not be until mid-twentieth century that Latino workers numbers became as numerous.

Spanish colonial rule of the Philippines is reflected in the Spanish surnames adopted by the populace. Tagalog consists of Spanish words blended with the native tongue. Education was provided by the friars of the monasteries. From such exposure the Philippines came to be more western than any other eastern Asian nation and the only one to become predominately Christian.

Western education with its emphasis upon equal justice and majority rule inspired numerous republican-minded intellectuals and revolutionary movements, the most influential and well-known being that led by Jose Rizal. Rizal was described as a polymath, equally talented in science and math, as well as arts and humanities and a polyglot, one well-versed in languages. As such, Rizal spoke twenty-two languages and as a renaissance scholar

was touted to be the first modern nationalist in the Far East. By 1897, Rizal's body of literary work and growing number of followers brought him into direct conflict with Spanish authorities who sought to squelch such ideas. Unwilling to recant, Rizal was executed. His death as a martyr inspired numerous uprisings, the most important being led by Emilio Aguinaldo.

### AMERICAN INTEREST

In the 1890s when protest against colonial Spanish rule was growing in the Philippines, Cuban revolutionary fervor was growing in this hemisphere championed by a similar martyr, José Martí who was executed in 1896. The unrest in Cuba, normally of little concern to the American public, drew the attention of both government and business circles as overseas territorial expansion entered discussion. From 1892 to about 1905, powerbrokers in America focused on competition with Europe over territorial annexation around the world, but to put it more candidly, there was an imperialistic race between America and Europe. Theodore Roosevelt, Albert J. Beveridge, and Henry Cabot Lodge were strong advocates of enlarging the U.S. Navy to comply with the thesis expressed in a popular book, *The Influence of Sea Power Upon History* (1890) written by Alfred Thayer Mahan. Mahan proposed that in the modern era, nations who wanted to become or remain great must recognize that a steel ship Navy was vital to defending one's overseas possessions and protect markets in those areas. Expansionist fever mounted in Congress. Hitherto obscure, unheard-of places on the planet became household words as potential economic or military outposts.

Similarly, locales such as Cuba and the Caribbean fit well as potential naval bases to protect a future Central American canal. Possession of the Philippines would be a vital foothold in protecting our trade with China, keeping the door to that market open. American expansionists and Cuban and Philippine revolutionaries found common cause with supposed atrocities by Spain to the Cuban populace and blowing up the battleship *USS Maine* in Havana harbor. These actions, fed by the "Yellow Press" led to the United States declaring war on Spain in 1898.

Early in the mobilization, Assistant Secretary of the Navy Theodore Roosevelt found an opportunity. While the Secretary of the Navy was out taking care of personal business, Roosevelt, temporarily left in charge, sent out an order to Admiral George Dewey, commander of the



American Pacific Fleet stationed in Hong Kong, for Dewey to sail for Manila and attack the Spanish fleet there. American warships steamed into Manila Bay and on May 1, 1898, sank most of the Spanish ships. Dewey lost one man to heatstroke and lost no ships.

This one-sided battle was a testimony to the modernization of the U.S. Navy as Roosevelt and other expansionists had advocated despite the Teller Amendment which declared in essence that this war would not add foreign lands, but rather was only to free Cubans from Spanish autocracy. This put American actions in the Philippines into question. Were Filipinos to be liberated like Cubans or was Alfred Thayer Mahan's advocacy of a large navy with global bases to protect interests the true reason for war?

Knowing that more military action would be needed to close the deal in the Philippines, Dewey and Aguinaldo met aboard ship and mapped out strategic plans to defeat the Spanish on land. Aguinaldo stated later that Dewey had agreed to an independent Philippines with guarantees to recognize Aguinaldo's eventual position as president of the Philippines. Dewey on the other hand maintained that their discussions concerned only the defeat of the Spanish, with no promises implied or stated about Philippine independence.

Following the U.S. victory in this three-month-long "Splendid Little War," a peace treaty negotiated in December of 1898 called for recognition of Cuban independence and listed other Spanish possessions that would be annexed by the United States but made no reference to Philippine independence. Instead of that, the U.S. declared its acquisition of the islands and agreed to pay Spain twenty million dollars for the Philippines. The treaty engendered a fierce public debate in the U.S. over the annexation of fifteen million people against their wishes. Elements of our constitutional past such as rule by the consent of the governed, all men are created equal, and self-determination clashed with arguments of defending one's interests with necessary force in strategic locations, racial superiority, and social Darwinism as justification for the acquisitions.

President McKinley himself when asked how after a time of deliberation he came to such a firm support of the treaty, responded, "I was up all night praying when it came to me, it would be cowardly to return the Philippines to the Spanish, and bad business to give it to the Germans, therefore we had no other choice but to uplift, Christianize,

and civilize the Philippines."

The 1900 presidential election, which featured McKinley vs. Democratic candidate William Jennings Bryan in a repeat match of the monumental 1896 election, saw the margin of victory for McKinley even higher in the second go around as Bryan lost large. The voting public was pleased with military success, domestic economic revival, and beating up on a European nation and taking their land. Bryan's statement that immediate liberation should be granted to the Philippines did not win him many votes.

Racism was actually a strong defense for both sides of the argument. Expansionist and imperialists arguing from a social Darwinist perspective claimed the right of superior powers or nations to govern the affairs of ethnically inferior countries. Those who opposed annexation also used racism as an argument claiming that those of non-Euro background needed tutelage and training from America to understand and create a republic based on democratic virtue. It was not uncommon for liberal reformers to hold a consistent paternalistic attitude towards foreigners under American jurisdiction as well as a condescending view of immigrants seeking to assimilate.

Those least moved by either side's argument were the Filipinos themselves who had declared the islands free and led by newly elected Council members and President Emilio Aguinaldo. The Filipinos refused to accept the Paris peace treaty in 1898 and instead established their own government under Aguinaldo. Occupying U.S. forces fought to subdue a Philippine revolution which ultimately lasted to 1903. Causality estimates vary but Americans lost 50,000 to 70,000, while rebel forces' loss of life was estimated to be as high as 220,000. John J. Pershing, the last U.S. commander, ended torture tactics and insisted on a set of international rules of war. Pershing had been nicknamed Black Jack in his earlier days because he had commanded units of black soldiers and treated them with dignity and respect, a treatment rarely applied by other white officers. Pershing's service in the Philippines combined with his campaign in Mexico to pursue Pancho Villa in 1916 led to his command of the million-man American Expeditionary Force that landed in France after the U.S. entered World War I.

Bitterness felt by Filipinos over U.S. fighting them in their land was reversed surprisingly soon by the administration of territorial governor William Howard Taft starting in 1901. Under Taft, serious efforts to conquer

jungle diseases resulted in building hospitals and training nurses and doctors. The success of these efforts bore fruit within the first five years of rule and little revolutionary activity ensued in the Philippines until it resurfaced with the Japanese occupation, 1942-1945.

### WESTERN WAYS

From these national experiences the Philippine culture assimilated with Western values. Centuries of Spanish culture, Spanish language, and Roman Catholicism combined with half a century of American occupation that brought education, English language, and American political ideals. Throughout much of the twentieth-century, Filipinos from every economical and geographical station spoke, read, and wrote in near immaculate English because their schools classes were conducted in English and demerits fell to those who slipped back into Tagalog.

The training of Filipinos gave them a background to enter highly competitive fields of nursing, engineering, and education after immigrating to the United States. From 1906 to 1934 Filipinos could and did travel to the United States because of their unique status as being nationals under American jurisdiction although not full citizens. Large numbers of Filipino workers moved to Hawaii and to the West Coast where they dominated the labor market in the salmon canning industry of Alaska, seasonal jobs which meant after that season, they typically moved to southern California where heavy construction and other labor-intensive work was available. A third area for Filipino workers was that of domestic work. It was quite common to see Filipino workers in West Coast establishments such as restaurants, bars, and hotels.

Since the ratio of immigrant Filipino men to women was some 20:1, Filipino men were drawn towards available white women. The racial prejudice exhibited by young white males towards Filipinos because of competition for jobs, became even more intense if they witnessed an interracial couple in town on the weekend, a situation that often led to violent confrontations in which storeowners and police almost always took up the fight against Filipinos. Anti-miscegenation laws arose at the city and state level in western states and issues of legal and illegal marriages led to racially interpreted explanations of rights and equality.

The Philippine government allocated funds to send Filipino students to school in America. These government-sponsored students were known as pensionados. They were most often daughters and sons of rich influential Latino

families who came to the U.S. for higher-level education. Both the workers mentioned earlier as well as the pensionados held dreams of accruing wealth, security, or skills.

The 1934-35 Tidings-McDuffie Act changed the Philippines from being a territorial possession of the United States to having commonwealth status meaning it was not a colony, but not totally independent yet either. It was a step towards full independence during which time it had an elected legislature but a U.S. appointed governor. Plans were for Philippine independence in ten years, but that was delayed because of the invasion of the Philippines by Japan in 1942.

The law had two prominent points. The first would be to increase the role of self-determination for the Philippines. It was hoped that this would demonstrate to the world that the U.S. was serious about nonintervention in the affairs of other nations. But a second section of the Tidings-McDuffie Act restricted immigration to fifty Filipinos a year and they would have to qualify as students, or have advanced skills that could be further sharpened. As a result, Philippine immigration to the U.S. was markedly reduced.

### WORLD WAR II

The United States and the Philippines grew closer together as allies after the Japanese invasion of 1942. The bravery and patriotism demonstrated by the Filipino scouts working with American soldiers in resistance to the Japanese earned them the privilege and opportunity for a military pension and with it a wider choice of where to live. The Philippine states grew in direct relation to the expansion of American military power facing Soviet and Chinese threats with the Cold War. Many Filipino citizens in a free nation after 1946 found jobs and careers working for the engineering and medical facilities on U.S. bases in the Philippines and could then seek jobs outside of the bases in civilian life in both the United States and the Philippines.

From 1946 onward to the present a steady growing stream of Philippine immigrants arrived and made today's Filipino population the fourth largest Asian minority in America with a prediction of becoming the largest. Much of this immigration growth has to do with Filipino's typical excellent command of the English language, skills training in the engineering as well as medical field, specifically in the nursing occupation. In 1948, American hospitals began to recruit Filipino nurses and the Luce-Cellar Act made it easier





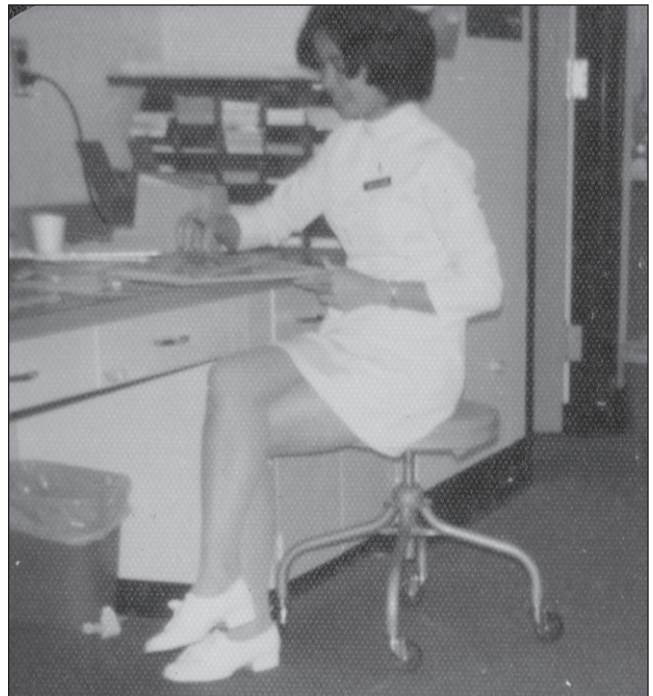
**(ABOVE)** *Aida's father, Pedro, center, Aida to his right, mother Severa in glasses to Aida's right, with family in 1973, leaving Manila for Fort Smith.*

**(RIGHT)** *Aida at Sparks, 1973*

(Photos courtesy of Larry Jones)

for mixed married couples and for Filipino-Americans, mostly brides of U.S. servicemen. The Hart-Cellar act of 1965 eased restrictions because of ethnic and religious backgrounds, changes attributed to Lyndon Johnson's Great Society programs and the president's personal commitment to civil rights as he tried to eliminate racist hurdles.

The changes in immigration laws began efforts by many hospitals in America to recruit Filipino nurses to respond to the glaring vacancies in the medical field. Author/historian Catherine Ceniza Choy dealt with technical and financial circumstances which led to great numbers of nurses from the Philippines going not just to the America but all over the world. She finds that reasons for Filipino nurses coming to America was not only because of the growth and training of nurses after World War II, but more so because of traditions established as early as 1906 when American medical training



and advancements were established in the Philippines. While praising the opportunities and accomplishments of this heritage, Choy argues that American hierarchy and cultural chauvinism were intentionally built into the training of





**FILIPINO DANCERS AT FORT SMITH PARK, 1981**

(Photo courtesy of Larry Jones)

nurses. Her book balances praise for American contributions to medicine with criticism for its gender shortcomings.

#### **MY WIFE AND MY SON**

Aida de Castro (Jones) came to Fort Smith, Arkansas, to work at Sparks Hospital in March of 1973 as a member of a group of thirty-three Filipino nurses, the first to accept this initiative. Aida was twenty-three years old with powerful dreams in heart and mind about seeing and visiting and experiencing life in major cities of the United States and to get directly involved in the serious medical care for which the hospital had been recruiting these nurses to do.

Upon arrival at the Fort Smith airport at night, Aida looked out and saw a near dark sky except for the stars, not what she had expected after seeing the San Francisco and Denver lights from those airports. On a brighter note, while the nurses were traveling from the airport to the hospital dormitory where they would stay, as the bus drove past the front of the hospital there emerged a roar of joy and applause from the patients in the windows realizing that the care so desperately needed had arrived!

In the 1960s, Philippines President Ferdinand Marcos was turning himself into a dictator. A remittance policy established by Marcos and continued after his fall from power in 1986 placed strong pressure on Filipino immigrants

who resided in wealthy foreign countries especially United States, Canada, and the Middle East such as Dubai and Saudi Arabia, to send their wages back to families on a regular basis. This policy towards family money along with the increasingly dictatorial behavior of President Marcos led to an extremely unstable Philippine economy that discouraged investors worldwide from taking chances.

As for assimilation, Filipinos always seem to have a leg up over other immigrant groups because of their command of English and Western values. As is always the case in an ethnic transported minority, Filipinos took comfort and protection by working and living together in family structure or even village structure. Other minorities may say that the Filipinos are too close putting a damper on their own future generations to expand and grow. But those in the family often say that is the greatest security they have.

Aida Jones became the only member of the original team that came to Fort Smith, Arkansas, to still reside here permanently. Although she left for about a year's time she returned, married, and steadily took on more and more responsibility at Sparks Hospital. She became head nurse on the cancer floor, focused on improving cancer care in western Arkansas and has served as the ONS (Oncology Nursing Society) president. She has attended and encouraged colleagues to go with her to the ONS national





**(LEFT)** *Graduation in 1972 from University of Santo Thomas, Manila. Aida center, father Pedro and mother Severa*

**(ABOVE)** *Nurses at Sparks, 1973*

(Photos courtesy of Larry Jones)

conventions each year. In these ways, she has influenced and led fellow nurses.

Most likely due to the absence of a large Filipino community, Aida has next to no accent in pronunciation and is well-versed on national and local politics and cultural entertainment.

Neil, our son, has spent most of his life in Fort Smith or Fayetteville and has not had much contact with his Filipino cousins in Southern California. When asked whether he felt if he were a member of both communities, he responded:

When I was originally asked to share my experience on being Filipino-American, an immediate question presented itself: what distinguishes my experiences as a "Filipino-American" from my experiences as an "American?"

Notwithstanding the obvious criterion that qualifies me as a Filipino-American—a U.S.-born son of a Filipino woman and ethnically Anglo European father—there are few to no aspects of my experiences and memories that could objectively be identified as Filipino. No Tagalog was spoken in the house except from overheard phone calls for brief moments and my only proper contact with the Filipinos was and remains limited to a few visits to relatives every few years. It would be more accurate to count me as a poorly assimilated Filipino-American since I'm not aware of the Filipino half. My range of experiences has a relatively little Filipino influence and yet each time I try to turn my own identity, I continue to see myself as the perpetual minority in company of other Americans. I was down as the "brown" one.

A mixed blessing of being part Filipino in a community with few to no Filipinos is my entertainment as others with

varying levels of skill try and guess my ethnicity; in the company of other Filipinos, I am not Filipino enough. Not knowing what the difference would be, I can only identify as American by default. I would belong to an impossible-to-track demographic of Asian-American children raised in a purely American cities or Americanized household.

In this examination of the history of immigration of Filipinos to America as a background to the experiences of my wife, Aida, I became convinced that peoples of no other Asian country demonstrated such a grasp of both Spanish and American languages as did the Filipino people who became well-versed in European literature and philosophy. Exposure to and embrace of Western republican virtues taught them to resist tyranny and demand justice. Fighting for and achieving legal justice which involved equal protection and due process of law helped insure constitutional rights for naturalized citizens.

After arriving in Fort Smith as a well-trained nurse, Aida Magtubay de Castro Jones continued her professional development becoming a recognized authority in cancer care on state and national levels. She was at ground-zero when it came to creating a local chapter of the oncology nursing society (ONS) and she served as the organization's president for eighteen years. She was recognized for her expertise by Fort Smith Mayor Ray Baker who proclaimed days in her honor.

Great strides in every field of medicine accompanied contributions made by nurses from the Philippines. Their heritage of being experts in patient care can be traced to the hospital training that Governor-General William Howard Taft demanded for the Filipinos in 1906 in order



**AZUSA, CALIFORNIA**, reunion, of Aida (middle) with siblings, naturalized citizens. 2015  
(Photo courtesy of Larry Jones)

to fight malaria and yellow fever. His success in the Philippines has been reflected here, too, in the person of Aida Magtibuy de Castro Jones and her professional medical care for hundreds of people in the Sparks Hospital coverage area.



Larry Jones taught history at Fort Smith Northside High School for thirty-two years and is now on the history faculty of University of Arkansas-Fort Smith.

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# Who Knew?

By Mary Jeanne Black

**W**e all need to occasionally go through our stash of old books. Dust those books off; there is no telling what might shift its way to the top of the stacks.

There it was! It was dressed in the drab faded black shell; blending in with all of the other books. This read was special. I had promised to treat myself to this find as soon as I had a "few minutes." The time just never came so the book came to me.

Full disclosure: It was my husband's find first. He bought some old books at an estate sale; among them the treasure, *Digest of City Ordinances of Fort Smith, Ark.*, the gold lettering along the spine of the book told me. The lower portion spine provided the year 1906, followed by the surnames Read & McDonough.

This edition of "Who Knew?" has a different format. It did not begin with research found in a query. It still offers insight into earlier Fort Smith times. This information came from sharing the book, *Digest of City Ordinances of Fort Smith, Ark.* The ordinances provide a couple of chuckles. They show the creative ways the City of Fort Smith found to prevent the chauffeurs from running low. The city, run by its people, was not always without prejudices or always fair. It was run by humans, warts and all. It is not wise to place an old book out of sight on a dark closet shelf, particularly when it can be of use to others. We learn from the past.

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## DIGEST OF THE LAWS OF THE CITY OF FORT SMITH ARKANSAS

Embracing The Provisions Of The Statutes And  
Constitution Of Arkansas Applicable To Said City Up To  
And Including The Acts Of General Assembly Of 1905, And  
The Ordinances, Resolutions And Orders Of A Public Nature  
Up To and Including The Session Of November 21, 1905

Compiled and Digested Under the Authority of the City  
Council, Embodied in Ordinance 672.

BY

JAS F READ and JAMES B McDONOUGH,  
OF THE  
FORT SMITH BAR

Fort Smith, Arkansas  
Weldon, Williams and Lick Printers  
1905

## SECOND CHARTER

Section 16. Second Incorporation. The town of Fort Smith, in the County of Crawford, with the metes and bounds designated under the charter now in force (a), be, and the same is, hereby declared to be a corporate city, to be known and called the City of Fort Smith, and shall have the same charter, provided for the incorporation of the City of Van Buren, enjoy all of the privileges therein guaranteed to said City of Van Buren, and subject to the same rules and regulations as said City of Van Buren; but to be independent in every particular of said City of Van Buren. That the following named individuals shall be authorized to hold the several elections provided for in this act, to-wit: Samuel Edmondson, John Rogers, and Michael Manning, and elections to be holden at the times and under that same regulations as are provided for holding elections in the City of Van Buren, and that the act of incorporation for said City of Fort Smith now in force be, and the same is, hereby repealed.

Section 17. Be it enacted , that the legislature shall at all times have full and complete control over these corporations, to repeal, amend, or alter at will, and that all laws and parts of laws, inconsistent with this act, be, and the same are, hereby repealed.

Section 18. Be it enacted, that this act take effect and be in force from and after its passage.

John S. Roane,  
Speaker of the House  
of Representatives.

John Williamson,  
President of the Senate.

Thos. S. Drew,  
Governor.

Approved January 4th, 1845.

(a) Fort Smith was incorporated on the 24th day of December, 1842, by an act of the General Assembly of that date. This act is given merely as a matter of history. At the creation of Sebastian County, in 1852, Fort Smith became a part of that County.

#### MAYOR

Sec. 159. *Mayor - Term and Office.* - The mayor shall hold his office during the term for which he shall have been elected, and until his successor shall have been elected and qualified. He shall keep an office at some convenient place in the city, to be provided by the city council, and shall keep the corporate seal of the city in his charge. Kirby's Dig., Sec. 5611.1

Sec. 169. *His Salary Not to Exceed \$2,500.* - And the mayor for his services shall be entitled to receive a compensation or salary not to exceed twenty-five hundred dollars per annum to be fixed by the city council, and when once fixed the same shall not be increased or diminished during the term for which he may have been elected. Act March 21, 1885, and Kirby's Dig., Sec. 5617.

#### PAUPERS

Sec. 218. *Paupers and Diseased Persons to be Excluded. - Punish those Who bring Same in.* - To prevent and punish the bringing or importation into such city of any pauper, mendicant, diseased or other person liable to become a burden on such city or any charity therein, or a change upon the county in which the same is situated, unless the same has been authorized by some competent officer in the state, in a manner provided for by law, punish the conductor of any railroad, captain of any boat or vessel, proprietor or driver of any stage or other conveyance, bringing any such person into such city, unless he can show that he had no reasonable grounds to know or become apprised of the condition or circumstances of such person.

#### DANGEROUS TRADE

Sec. 219. *May Prevent any Dangerous Trade or Business.* - And to prevent or regulate the carrying on of any trade, business or vocation of a tendency dangerous to morals, health (j) or safety, or calculated to promote dishonesty or crime, and to provide by ordinance for the punishment of dishonest practices of any kind.

Sec. 220. *Arrest and Punishment of Dishonest Characters.- One Hundred Dollars Fine- Evidence.* - For the prompt arrest and punishment of all dishonest characters or persons of known bad reputation, such as burglars, pickpockets, sneak-thieves, forgers, fakers, confidence men, common cheats, tricksters and the like who shall come into or be found within the corporate limits of such city without being able to give a good account of themselves, and to provide that, upon the trial of all such, evidence as shall be admissible, and in all such cases to authorize a fine of not exceeding one hundred dollars.

Sec. 221. *May Declare and Abate Nuisances.* - To prevent, abate or remove nuisances of every kind, and to declare what are such, and also to punish the authors or continuers thereof by fine or imprisonment, or both; but no previous declaration shall be necessary as to any matter, act or thing that would have been a nuisance at common law, and all nuisances may be proceeded against either by order of the city council or prosecution in the police court. Kirby's Dig., Sec. 5648.

(j) *Helena v. Dwyer*, 64 Ark., 424.

#### SEPARATE CARS

Sec. 233. *Separate Street Cars for White and Colored.* - All persons, companies or corporations operating any street car line in any city of the first class, in the state of Arkansas, are hereby required to operate separate cars or to separate the white and colored passengers in the cars operated for both, a portion thereof, or certain seats therein to be occupied by white passengers, and a portion thereof or certain seats therein to be occupied by colored passengers. Kirby's Dig. Sec. 5658.

Sec. 234. *Accommodations to be Same.* - No persons, companies or corporations so operating street cars shall make any difference or discrimination in the quality or convenience of the accommodations provided for the two races under the provision of this set. Kirby's Dig. 5659.

Sec. 235. *Conductor to Regulate Seating Places.* - The conductor or the person in charge of any car or coach so operated upon any street car line shall have the right at any time, when in his judgment it may be necessary or proper for the comfort or convenience of passengers so to do, to change the said designation so as to increase or decrease the amount of space or seats set apart for either race; or he may require any passenger to change his seat when or so often as the change in the passengers may make such change necessary. Kirby's Dig., 5660.



Sec. 236. *Passengers Required to take Seat Assigned. – Fine.* - All passengers on any street car line shall be required to take the seat assigned to them, and any person refusing to do so shall leave the car, or remaining upon the car, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not to exceed twenty-five dollars. Kirby's Dig., 5661.

Sec. 237. *Misdemeanor not to so Operate Cars.* - Any person, company or corporation failing to operate cars, or to set apart or designate portions of the cars operated for the separate accommodation of the white and colored passengers as provided by this act, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not to exceed twenty-five dollars. Kirby's Dig., Sec. 5662.

Sec. 238. *Permits Special Cars for Exclusive Use of Either Race.* - Nothing in this act shall be construed to prevent the running of extra or special cars for the exclusive accommodation of either white or colored passengers, if the regular cars are operated as required by this act. Kirby's Dig., 5663.

**ORDINANCES  
OF THE  
CITY OF FORT SMITH  
PASSED BY THE  
CITY COUNCIL  
OF  
Fort Smith, Arkansas**

**BOYS  
(See Minors.)**

Sec. 507 *Unlawful to Visit Houses of Prostitution.* - It shall be deemed a misdemeanor for any boy under the age of twenty-one years to visit any house of prostitution within the city limits.

Sec. 508 *Misdemeanor to Permit Boy to Visit House of Prostitution.* - It shall be deemed a misdemeanor for any keeper of a house of prostitution to permit or allow any boy under the age of twenty-one years to visit any house of prostitution which is under his or her control. Any person or persons violating any of the provisions of this ordinance shall, upon conviction in the police court, be fined in any sum not less than five nor more than twenty-five dollars. Ords. 315 and 323.

**CEMETERIES**

Sec. 565. *Oak Cemetery.* - That eight acres of land purchased of M. Pelly, being a part of the northwest quarter of the northwest quarter of Section 22, Township 8N.,

Range 32 West, as appears from the deed executed by said M. Pelly and wife to the corporation of Fort Smith, on the 22d day of February, A.D., 1870, shall be known as Oak cemetery. Ib., Sec. 15.

Sec. 566. *Set Apart as Burying Ground.* - That the same is hereby set apart exclusively for a burying ground. Ib., Sec. 16.

Sec. 567. *White Dead and Colored Dead, Where Buried.* - That blocks No. 1, 2, 3, 4, 5, 6, 7 and 9 are hereby set apart exclusively for the burial of the white dead; and that No. 12 and 14 are set apart for the burial of the colored dead; and blocks No. 11 and 13 are reserved for the potter's field. Ib., Sec. 17.

Sec. 568. *Treasurer to Keep Account of Cemetery Money.* - It shall be the duty of the treasurer to keep a correct account of all moneys belonging to the Oak cemetery fund in a book to be provided by the council for that purpose. Ib., Sec. 18.

Sec. 569. *City Clerk to Keep a Correct Account With Treasurer.* - It shall be the duty of the city clerk to keep a correct account with the treasurer of the cemetery funds, charging the treasurer the amount of his receipts. Ib., Sec. 19.

Sec. 570. *City Clerk Shall Issue Certificate of Title to Purchaser.* - It shall be the further duty of the city clerk to issue to purchasers a certificate of the title correctly describing the number of lot or lots, range and block, which certificate shall be signed by the mayor, and have the seal of Fort Smith affixed thereto. Ib., Sec. 20.

Sec. 571. *No Transfer of Lots, unless.* - All lots sold in Oak cemetery sold by the corporation of Fort Smith, shall not be transferred unless authorized by the council. Ib., Sec. 22.

Sec. 574. *No Hitching to Trees, Etc.* - It is prohibited to hitch or tie any horse to a tree or shrub, or to cut, break or injure, or remove any tree, shrub, or plant within the limits of said cemetery. Ib., Sec. 25.

Sec. 579 *Misdemeanor to Deface, Cut, Etc.* - Every person who shall deface, cut or chip any monument, tombstone or other memorial at any grave, or shall injure in any manner the fence around any cemetery, park or other public ground in the city cemetery or other cemeteries in the city shall in the city shall be guilty of a misdemeanor, and on conviction in the police court, be fined in any sum not less than five nor more than twenty-five dollars. Ib., Sec. 30.

Sec. 580. *To Dig up or Injure Flowers.* - A misdemeanor. - Every person who shall dig up, cut or anywise injure any flowers, shrubs, trees, or other plant in the city cemetery or other cemeteries in this city, or shall remove from the same any flowers or ornaments placed therein, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not

less than five nor more than twenty-five dollars. Ib., Sec. 31.

Sec. 584. *Naming Avenues.* – All the avenues in Oak Cemetery running east and west shall be named and hereafter known by the following names; commencing with the avenue farthest north in the following order to-wit:

1. North avenue.
2. Begonia avenue.
3. Verbena avenue.
4. Hyacinth avenue.
5. Larkspur avenue.
6. Violet avenue.
7. Geranium avenue.
8. South avenue.

And that all avenues of said cemetery running north and south shall be named and hereinafter known by the following names, commencing with the avenue fartherest east in the following manner to wit:

1. East avenue.
2. Althea avenue.
3. Hawthorne avenue.
4. Myrtle avenue.
5. Lantana avenue.
6. Fern avenue.
7. West avenue. Ord. 317, Sec. 2.

Sec. 585 *Price of Lots in Cemetery.* – The price of lots and parts of lots in Oak cemetery be and the same are hereby fixed and established as follows:

The west ½ lot 1, block 1, range 1	\$25.00
The west ½ lot 2, block 1, range 1	30.00
All whole lots in block 1, range 2	40.00
All ½ lots in block 1, range 2	22.50
All ¼ lots in block 1, range 2	12.00
All whole lots in block 1, range 3	35.00
All ½ lots in block 1, range 3	20.00
All ¼ lots in block 4, range 3	11.00
All whole lots in block 1, range 4	30.00
All ½ lots in block 1, range 4	17.50
All ¼ lots in block 1, range 4	9.00
All whole lots in block 2, range 1	60.00
All ½ lots in block 2, range 1	32.50
All ¼ lots in block 2, range 1	17.50
All whole lots in block 2, range 2	60.00
All ½ lots in block 2, range 2	32.50
All ¼ lots in block 2, range 2	17.50
All whole lots in block 3, range 1	50.00
All ½ lots in block 3, range 1	27.50
All ¼ lots in block 3, range 1	15.00

All whole lots in block 3, range 2	40.00
All ½ lots in block 3, range 2	22.50
All ¼ lots in block 3, range 2	12.00
All whole lots in block 18	40.00
All ½ lots in block 18	22.50
All ¼ lots in block 18	12.00
All whole lots in block 21, w ½	45.00
All ½ lots in block 21, w ½	25.00
All ¼ lots in block 21, w ½	14.00
All whole lots in block 22	40.00
All ½ lots in block 22	22.50
All ¼ lots in block 22	12.00
All whole lots in block 25, w ½	45.00
All ½ lots in block 25, w ½	25.00
All ¼ lots in block 25, w ½	14.00
All whole lots in block 26	40.00
All ½ lots in block 26	22.50
All ¼ lots in block 26	12.00
All whole lots in block 27	40.00
All ½ lots in block 27	22.50
All ¼ lots in block 27	12.00
All whole lots in block 28	40.00
All ½ lots in block 28	22.50
All ¼ lots in block 28	12.00
All whole lots in block 29	35.00
All ½ lots in block 29	20.00
All ¼ lots in block 29	11.00
All whole lots in block 30	35.00
All ½ lots in block 30	20.00
All ¼ lots in block 30	11.00
All whole lots in block 31, 32, 33	30.00
All ½ lots in block 31, 32, 33	16.00
All ¼ lots in block 31, 32, 33	8.50
All whole lots in block 34, 35, 36	30.00
All ½ lots in block 34, 35, 36	16.00
All ¼ lots in block 34, 35, 36	8.50
All whole lots in block 37, 38, 39	30.00
All ½ lots in block 37, 38, 39	16.00
All ¼ lots in block 37, 38, 39	8.50
All whole lots in block 40, 41, 42	30.00
All ½ lots in block 40, 41, 42	16.00
All ¼ lots in block 40, 41, 42	8.50

#### COLORED BURYING GROUND

All whole lots in block 12	30.00
All ½ lots in block 12	15.00
All ¼ lots in block 12	7.50
All whole lots in block 14	30.00



All ½ lots in block 14	15.00
All ¼ lots in block 14	7.50

All lots in blocks 11 and 13 are reserved for Potter's Field. Ord. 424, Sec. 1.

Sec. 586. *Charges for Digging Graves.* – For all single graves sold there shall be collected by the city clerk the sum of three dollars and fifty cents, and if the same be for a person under the age of twelve years, the additional sum of three dollars shall be collected for digging the same. And if for a person over twelve years of age, that additional sum of four dollars shall be collected for digging the same. That is for grave and digging collect for person under 12 years old six dollars and fifty cents, grave and digging for person over 12 years old seven dollars and fifty cents. Ib., Sec. 2.

Sec. 587. *Same.* – The price for digging graves on lots owned by individuals shall be three dollars for persons under twelve years of age and four dollars for persons over twelve years of age. The same to be collected by city clerk before an order to dig the grave is given, and that no one but the sexton shall be allowed to dig graves in Oak cemetery. Ib., Sec. 3.

Sec. 588. *Cemetery Records – How Kept.* – It shall be the duty of the city clerk to keep the cemetery records in proper condition by making the following entries in said record, to-wit: He shall enter on said record all monies received from the sale of lots and graves, shall record all deeds to lots, shall keep a correct record of all interments and all entries aforesaid shall be made in the place or places in said record designated and pointed out by the cemetery committee the intent being that the cemetery committee shall be the sole judges of the places of entries in said record, and that the clerk shall follow out their instructions in the premises. Ord. 327, Sec., 1.

#### ELECTRIC LIGHTING

Sec. 837. *Extension of Time.* – Sections one (1) and three (3) of ordinance No. 464, passed and approved April 4, 1898, entitled "An ordinance granting a franchise to Samuel McLoud, his successors and assigns, for electric lighting, heating and power and other purposes," be amended so as to read as follows:

That the Fort Smith Light and Traction Company (the successors of Samuel McLoud by written assignment of transfer), its successors and assigns, be and is hereby granted permission and a franchise for the erection, maintenance and placing of poles wires and cables, laying of pipes, conduits and necessary connections and appliances in, along, upon and over all the streets, avenues, alleys, their present and future corporate limits, bridges and public places in the city of Fort

Smith, state of Arkansas, for the purpose of transmitting and furnishing electricity for light, heat and power, either one of them for public, commercial or domestic purposes and uses, together with the right at any time to enter upon and use said streets, avenues, , their present and future corporate limits, bridges and other public places for the purpose of making the necessary excavations, and the placing, moving, repairing and maintaining their poles, wires, pipes, conduits, cables, appliances and making the necessary connections with private property for a period of fifty years from the passage and approval of this ordinance.

Sec. 838. *Make Maximum Charges.* – Said Fort Smith Light and Traction Company, its successors and assigns, shall be permitted to make maximum charges for the use of electricity for light, heat and power as follows, to-wit:

0 to 10 kilowatts, fifteen cents per kilowatt.

10 to 20 kilowatts, twelve and one-half cents per kilowatt.

20 to 25 kilowatts, ten cents per kilowatt.

25 to 50 kilowatts, nine cents per kilowatt.

50 to 75 kilowatts, eight cents per kilowatt.

75 to 100 kilowatts, seven cents per kilowatt.

100 to 500 kilowatts, six cents per kilowatt.

Above 500 kilowatts, five cents per kilowatt.

That said Fort Smith Light and Traction Company, its successors and assigns, shall have the right to charge and bill against the consumer a minimum charge of one dollar each and every month. Ord. 696.

#### GAS

Sec. 839. *Gas Privileges.* – The Fort Smith Light and Traction Company, its successors and assigns, be and is hereby granted a franchises for a period of fifty years from and after the date of the passage and publication of this ordinance, with the full right, power and authority to construct, maintain, extend and operate a gas plant, machinery, mains, pipes, and other apparatus and appliances within the corporate limits of the said city of Fort Smith, as they now exist, or if the corporate limits of the said city are hereafter extended, then within the corporate limits as extended, for the purpose of generating and furnishing to the said city and its inhabitants artificial or manufactured gas for light, heat and power, and for such purpose to enter under, upon and use the streets, alleys, avenues, bridges and public places of the said city, and lay and maintain therein and thereon such mains, pipes, conduits, apparatus and appliances as may be necessary and proper, subject to the terms and conditions hereafter provided.

Sec. 840. *Pipes – Manner of Construction.* – No mains, pipes, conduits or other apparatus and appliances hereafter laid or constructed shall be so laid or constructed as to interfere with or injure any of the water pipes or sewer pipes in the streets, alleys, avenues or public places of the said city of Fort Smith, and that the same shall be placed and laid under the direction of the city council or city engineer.

Sec. 841. *Charges.* – The said Fort Smith Light and Traction Company, its successors and assigns, may charge a maximum rate of one dollar and thirty-five cents per thousand cubic feet gas for illuminating purposes and a maximum rate of one dollar per thousand cubic feet of gas for fuel purposes, to be measured by gas meter, and may make all needed rules and regulations for the collection of such charges and the operation of said system; said Fort Smith Light and Traction Company, its successors and assigns, shall have the right to charge and bill against the customer a minimum of fifty cents each and every month, and said company, its successors and assigns, shall have the right to discontinue the service if bills are not paid by the 10th of the month succeeding the month that the gas was furnished and supplied.

Sec. 852. *If Electricity be Used as Power, a Tax Must be Paid on Poles.* – If electric power shall hereafter be used by said Railway company, then the said company will be required to pay into the city treasury of Fort Smith, Arkansas, a tax or license not to exceed one dollar per pole annum for every pole placed inside the corporate limits of this city and the said limits now are or hereafter may be made or changed. Ib. Sec. 4.

#### WATERWORKS (MUNICIPAL) COMPANY (a)

Sec. 1069. *Right to Construct and Maintain a System of Water Works.* – The right is hereby granted to Charles W. Hill, of Parsons, state of Kansas, his associates and assigns, to construct, maintain and operate in the City of Fort Smith, state of Arkansas, for the purpose of supplying the city and its citizens with water, a system of waterworks, for the term of twenty years, unless sooner terminated by said city, by purchase or otherwise as herein provided; and for the purpose hereof, the said grantees are hereby authorized to put in place and maintain in any of the streets, lanes, alleys or public places of said city, waterpipes,

(a)The Municipal Waterworks Company is the successor of the grantees in this ordinance, which was No. 35 and dated March 3, 1884. Page 258. Ordinances, hydrants and all appurtenances, necessary to supply water to consumers. All excavations made for that purpose shall be speedily refilled. And the surface put in as good condition as before such

excavations were made, or as near as may be, and, provided, that said grantees indemnify the city from all liabilities for damage to persons or property, resulting from such excavations. Ib., Sec. 682.

Sec. 1070. *Water Supplied From Poteau River.* - The water supplied shall be from the Poteau river, the water to be made more pure and wholesome by settling in the reservoir hereinafter described. Ib.

Sec. 1071. *Works, How Constructed.* - The water works shall be constructed and fulfill the requirements and specifications hereinafter set forth, and in all other respect shall be properly constructed so as to render efficient service. Ib.

Sec 1072. *Two Sets of Independent Pumps, Capacity.* - There shall be located at the source of the water supply at least two sets of independent pumps, working singly or combined, and machinery with a capacity to discharge not less than one and one-half million gallons each in twenty-four hours, either into the reservoir or pipe distribution of the city. Ib.

Sec. 1073. *Reservoir, Capacity, Site, Height.* - There shall be a reservoir of not less than one and one-half millions gallons average capacity, and be situated upon the summit of the hill in a south direction from the city, the elevation of water in the said earth reservoir to be at all times not less than to afford, by its gravity, sufficient pressure to supply water for the domestic, manufacturing and other uses of said city, to an elevation of at least ten feet above the roof of the McKibben house as now erected. Ib.

Sec. 1088. *Water Rates.* – The annual water rates collected by said grantees, during the continuance of this franchise, shall not exceed the following list:

Bakeries	\$8.00 to 16.00
Barber shops-first chair	3.00
Barber shops-each additional chair	3.00
Bath Tubs-Private	2.00
Bath Tubs-Public	10.00
Banks-Full front	8.00
Banks-Half front	5.00
Building purposes-per 1000 brick	.05
Building purposes-per perch of stone	.05
Building purposes-per 100 yards of plaster	.30
Butcher stalls	8.00 to 16.00
Churches	Free
City offices and prisons included in hydrant rent.	
Drug stores-full front	10.00
Drug stores-half front	6.00



Dyeing and scouring	8.00 to 20.00
Foundries and machine shops	10.00 to 30.00
Fountains, not exceeding four hours per day, during season:	
One-eighth inch orifice	12.00
Three-sixteenth orifice	15.00
One-fourth inch orifice	25.00
Hotels and boarding houses	Special rate
Laundries	Special rate
Livery horses, including all of similar kind, and washing carriages	2.00
Each additional stall	1.00
Offices	4.00 to 6.00
Photograph galleries	10.00 to 15.00
Printing offices, no engine	5.00 to 10.00
Persons or families dependent upon public charity	Free
Residences, for each family, including for all household uses, each residence of four rooms or less	6.00
Each additional room	1.00
Cows or similar kind	2.00
Swine, each head	.50
Sleeping rooms	4.00
Soda fountains	6.00 to 10.00
Saloons	10.00 to 40.00
Schools	Free
School lawns, same as lawn sprinkling rates only.	
Sprinkling lawn, yards and gardens, three-sixteenth inch orifice, not exceeding three hours per day, per thousand square feet	\$2.00
Stores using street sprinklers, for washing buildings, sidewalks, streets; one-fourth inch orifice, front of twenty-five feet or less, extra from store use	3.50
Each foot over 25 feet	.12
Corner buildings- one-half addition to above rate.	
Each cart sprinkler, during the season	12.00 to 30.00
Stables- private, for one horse, including washing of carriage	3.00
Each additional horse	1.50
Steam engines, 12 hours per day, per horse power	2.50
Store front, 25 feet or less	7.00
Each additional 10 feet or less	2.00
Urinals, public, fixed jet, one-sixteenth inch orifice	5.00
Urinals, private, fixed jet, one-thirty-sixth inch orifice	2.00
Water closets-private	2.00
Water closets-public, per bowl	5.00
Work shops-ten persons or less	6.00

Water haulers- per barrel of 31 gallons .10

Sec. 1200. *License to be Inforced and Collected.* – The license hereinafter named shall be fixed, imposed and collect at the following rates and sums, and it shall be unlawful for any person or persons to exercise or pursue any of the following vocations or business in the city of Fort Smith, Arkansas, without having first obtained a license therefor from the proper city authorities, and having paid for the same in gold, silver or United States currency as hereinafter provided, as follows: For each ten pin alley or like device fifty dollars per annum, or fifteen dollars per quarter; provided, that one or more alley beds in the same room and under the same management shall be counted as one alley and require payment of one license only. Ords. 463 and 542.

Sec. 1201. *Traveling Show or Concert.* – For traveling show or concert (not in opera house) and not specified under any other section, twenty dollars per week or three dollars for each twentyfour hours. Ib.

Sec. 1202. *Circus, Etc.* - Circus, menageries, etc., for each parade along the public streets, avenues and highways of this city of any circus or menagerie, which gives an exhibition outside the corporate limits, two hundred dollars for each parade shall be collected. Ib.

Sec. 1203. *Same.* – For each circus or menagerie, charging one dollar for an admission fee, two hundred dollars for each twenty-four hours and twenty-five dollars for each side show accompanying the same. Ib.

Sec. 1204. *Same.* – For each circus or menagerie charging seventy-five cents for admission, one hundred and fifty dollars for each twenty-four hours and fifteen dollars for each side show accompanying the same. Ib.

Sec. 1205. *Same.* – For each circus or menagerie charging fifty cents for admission, one hundred and twenty-five dollars for each twenty-four hours and twelve dollars and fifty cents for each side show accompanying the same. Ib.

Sec. 1206. *Same.* – For each circus or menagerie, twenty-five cents for admission, twenty five - dollars for each twenty-four hours and five dollars for each side show accompanying the same.

Sec. 1207. *Dog and Pony Show.* – For each dog or pony show charging twenty-five cents for admission, ten dollars for each twenty-four hours. Ib.

Sec. 1208. *Curiosities.* – For exhibition of curiosities in room or tent, twenty five dollars per month, ten dollars per week, two dollars and fifty cents per day. Ib.

Sec. 1209. *Single Trick Animals.* – For exhibition of single trick animals on the street, in a room or tent, ten dollars

per week, two dollars per day. *Ib.*

Sec. 1210. *Exhibitions.* – For exhibitions of panoramic scenes or magic lanterns, ten dollars per week, two dollars per day. *Ib.*

Sec. 1211. *Horoscopic Views.* – For horoscopic view, night telescopes, phonographs, magnifying glasses, and the like, not herein otherwise mentioned or provided for, five dollars per month, one dollar and fifty cents per day. *Ib.*

Sec. 1212. *Lung Testers, Etc.* – For lung testers, muscle developers, lifting, pulling or striking machines, electric batteries, weighing machines or like devices, ten dollars per month, five dollars per week, and one dollar and fifty cents per day. *Ib.*

Sec. 1213. *Exhibition of Strength.* – For exhibition of strength or skill, five dollars for each exhibition. *Ib.*

Sec. 1214. *Anatomy, Museum of.* – Museum of Anatomy, twenty-five dollars per month, ten dollars per week, two dollars and fifty cents per day. *Ib.*

Sec. 1215. *Sparring Exhibition.* – For each sparring or wrestling exhibition, five dollars for each exhibition. *Ib.*

Sec. 1216. *Rope-walker or Balloon Ascension.* – For each rope-walker or balloon ascension, two dollars and fifty cents for each exhibition. *Ib.*

Sec. 1217. *Fortune Teller.* – For each fortune teller, palmist, clairvoyant or spiritual medium, resident or itinerant, twenty-five dollars per month, ten dollars per week. *Ib.*

Sec. 1218. *Fortune Teller With Birds.* – For each fortune teller with birds, ten dollars per month, three dollars per week. *Ib.*

Sec. 1219. *Phrenologist.* – For each phrenologist, ten dollars per month, five dollars per week, one dollar and fifty cents per day. *Ib.*

Sec. 1220. *Corn Doctors.* – Corn, doctors, chiropodist, ten dollars per month, five dollars per week, (itinerant or resident.)

Sec. 1221. *Cane Rack.* – Cane rack, ten dollars per month, five dollars per week. *Ib.*

Sec. 1222. *Doll Rack.* – Doll rack, ten dollars per month, five dollars per week. *Ib.*

Sec. 1223. *Plate Rack.* – Plate rack, ten dollars per month, five dollars per week. *Ib.*

Sec. 1224. *Knife Board.* – Knife board, ten dollars per month, five dollars per week. *Ib.*

Sec. 1225. *Pistol or Shooting Gallery.* – Pistol or shooting gallery, ten dollars per month, five dollars per week, two dollars and fifty cents per day. *Ib.*

Sec. 1226. *Flying Jenny.* – Flying jenny or merry-go-

round, twenty-five dollars per month, ten dollars per week, two dollars and fifty cents per day. *Ib.*

Sec. 1227. *Skating Rink.* – For skating rink or like device, ten dollars per month, or five dollars per week. *Ib.*

Sec. 1228. *Throwing Rings.* – For throwing rings (skill game), ten dollars per month, five dollars per week. *Ib.*

Sec. 1229. *Keeping an Intelligence Office.* – For each keeper of an intelligence office, fifteen dollars per annum, ten dollars for six months. *Ib.*

Sec. 1230. *Scavenger.* – For each scavenger, ten dollars per annum, six dollars for six months. *Ib.*

Sec. 1231. *Pick-out.* – For each pick-out, three dollars per month. *Ib.*

Sec. 1232. *Ball Table.* – For each ball table, ten dollars per month. *Ib.*

Sec. 1233. *Auctioneer.* – For each auctioneer, fifty dollars per annum, thirty dollars for six months, twenty dollars for three months. *Ib.*

Sec. 1234. *Auction Sale.* – For each and every person who shall go upon any of the public streets, alleys or highways, or public grounds of the city, for the purpose of crying auction sales or in any way advertising the sales of any article or thing, by Page 292. Ordinances crying aloud, or ringing a bell, or making any unusual noise, shall pay a license of five dollars per day in advance. *Ib.*

Sec. 1235. *Bill Poster.* – For each person, firm or corporation posting bills, advertisements or signs in the city, twenty-five dollars per annum or five dollars per month. *Ib.*

Sec. 1236. *Billiard Table.* – Billiard, pool table, etc. For each pool, pigeon hole, billiard or Jenny Lind table or tables of like device, five dollars per quarter (year beginning July 1st of each year), and same shall be paid for a part, as if taken for a whole quarter. *Ib.*

Sec. 1237 *Pawnbroker (a.)* – For each pawnbroker, one hundred and fifty dollars per annum, seventy-five dollars for six months. *Ib.*

Sec. 1238. *Real Estate Broker.* – For each person, company, or firm carrying on the business of renting or selling houses or real estate for a commission or other compensation, shall pay a license of ten dollars per annum in advance. *Ib.*

Sec. 1239. *Money Brokers.* – Money brokers or loan agents. For each person, firm or corporation who negotiates loans for themselves, or others, and carries on the business of money, script or bill broker, shall pay a license of twenty-five dollars per annum. *Ib.*

Sec. 1240. *Railroad Ticket Broker.* – Railroad ticket



broker or scalper, twelve dollars per annum. Four dollars per quarter. Ib.

Sec. 1241. *Hand Organ*. – For each hand organ, unless the grinder is blind or crippled, two dollars per week. Ib.

Sec. 1242. *Each Street Car*. – For each street railroad, car or coach of whatsoever kind, ten dollars per annum. Ib.

Sec. 1243. *Knife Grinder*. – For each knife or scissors grinder, two dollars and fifty cents per month, one dollar per week. Ib.

Sec. 1244. *Patent Monogram Cutter*. – For each seller of patent glue monogram cutter, five dollars per month, two dollars and fifty cents per week. Ib.

Sec. 1245. *Prize Packages*. – For selling prize packages, ten dollars per week, two dollars per day. Ib.

Sec. 1246. *Band*. – For parading the streets, by band or any kind of instrument (with or without wagon) for the advertisement kind of instrument (with or without wagon) for the advertisement of any business or sale of any article, two dollars per day. Ib.

(a) See section 1288 and 1237.

Sec. 1247 *Theatre*. – For each theatre, opera house, or places of like amusement, shall pay an annual license of one hundred and fifty dollars per annum, in advance, payable semi-annually as follows: Seventy-five dollars on the first day of January and July of each and every year and for each performance given in any theatre, opera house or place of like amusement, when the admission exceeds one dollar and fifty cents for any seat, a license fee of five dollars shall be charged and collected for the same. Ib.

Sec. 1248. *Selling Toys*. – For selling toys, images or figures, ten dollars per month, five dollars per week, one dollar per day. Ib.

Sec. 1249. *Selling Picture Frames*. – For selling picture frames, five dollars per month, one dollar per day. Ib.

Sec. 1250. *Balloons*. – For selling toy balloons, five dollars per week, one dollar per day. Ib.

Sec. 1251. *Patent Medicine*. – For venders of patent medicine, or other nostrums, from stand or wagon, twenty-five dollars per week, five dollars per day. Ib.

Sec. 1252. *Peddling Patent Medicine*. – For peddling patent or other medicine, selling for not more than fifty cents per package, five dollars per month; costing over fifty cents, ten dollars per month. Ib.

Sec. 1253. *Peddling Formulas*. – For peddling formulas or receipts or selling same in streets, five dollars per month, two dollars and fifty cents per week. Ib.

Sec. 1254. *Peddling Soap*. – For peddling soap or toilet

preparations, five dollars per month, two dollars and fifty cents per week. Ib.

Sec. 1255. *Peddling*. – For peddling any other articles, selling at fifty cents, ten dollars per month, three dollars per week, two dollars and fifty cents per week. Less than twenty-five cents, two dollars per week. Ib.

Sec. 1256. *Peddling Dry Goods*. – For peddling dry goods, notions, wearing apparel, household goods, or other article or articles not herein or otherwise specifically mentioned, five dollars per month, two dollars and fifty cents per week. Ib.

Sec. 1257. *Peddling Coal Oil, Etc.* – For peddling coal oil, gasoline, etc., twenty-five dollars per annum, two dollars and fifty cents per month. Ib.

Sec. 1258. *Peddler of Spectacles*. – For each peddler of spectacles, five dollars per month, two dollar and fifty cent per week. Ib.

Sec. 1259. *Dry Good or Notions Stand*. – For each stand on street or alley, where good, notions, etc., are sold, five dollars per month, two dollars and fifty cents per week. Ib.

Sec. 1260. *Same for Present or Future Delivery*. – For each and every person who sells, or offers for sale, any goods, wares or merchandise of any description whatever, for present or future delivery from any stand at public outcry, which stand shall not obstruct the streets, sidewalk or alley, twenty-five dollars per week, five dollars per day. Ib.

Sec. 1261. *Ordinaries*. – Each and every keeper of an ordinary, who sells or offers for sale, any wiener-wurst, hot tamales, prepared food of any kind, coffee, lemonade, soda water, mineral water, pop corn, confectionery, or fruits of any kind, from any booth or stand, or by going from place to place, soliciting sales for such articles, two dollars per month. Ib.

Sec. 1262. *Oysters*. – For peddling oysters or ice cream, three dollars per month. Ib.

Sec. 1263. *Hucksters*. – For each and every person who huckster and peddles live poultry, butter, eggs, meat, fruit or vegetables, unless raised by vender, five dollars per month. Ord. 463 and 616.

Sec. 1264. *Raffles*. – For raffling any article or articles of the value of fifty dollars or less, five dollars; of the value of fifty dollars and not over one hundred dollars, seven dollars and fifty cents; of the value of one hundred dollars or less than two hundred dollars, ten dollars; of the value of two hundred dollars and not over three hundred dollars, twelve dollars and fifty cents; for each additional one hundred dollars, three dollars. Ib.

Sec. 1265. *Hotel Drummers*. – For each drummer for a

hotel having twenty rooms or more twenty dollars per annum, ten dollars for six months, or five dollars for three months; and for each hotel or boarding house having less than twenty rooms, fifteen dollars per annum, seven dollars and fifty cents for six months, or three dollars and seventy-five cents for three months. Ib.

Sec. 1266. *Restaurant.* - For each restaurant, five dollars per annum, or three dollars for six months, two dollars for three months. Ib.

Sec. 1267. *Street Drummers.* - For each and every person commonly known as a street drummer or solicitor, fifty dollars per annum, twelve dollars and fifty cents for three months (a). Ib.

Sec. 1268. *Transient Doctors.* - For each transient or itinerant doctor, twenty-five dollars per week, and when connected with a show or exhibition the tax shall be in addition to the tax for such show or exhibition. Ib.

Sec. 1269. *Traveling Bands.* - For each traveling band, of either string, brass or any other kind of instruments, who perform upon the streets and thoroughfares of the city, five dollars per week, one dollar per day. Ib.

Sec. 1270. *Saloons.* - For each saloon, tippling house or any dealer in liquors by the quantity or otherwise, shall pay a license of fifty dollars per month, payable in advance, and when such license is granted during the month it shall only be granted to the end of such month, and the same amount shall be paid, as is paid for a full month, this to say fifty dollars. Ord. 658.

Sec. 1271. *Street Sprinkling.* - For running or operating each sprinkling cart or wagon, five dollars per month. Ib.

Sec. 1272. *Boot Blacks.* (b.) - For each boot black, fifty cents per month. Ib.2

Sec. 1273. *Scavenger.* (c.) - For each scavenger, ten dollars per annum, six dollars for six months. Ib.

Sec. 1274. *Wagon Yards.* - For each and every wagon yard or stock yard, ten dollars per annum in advance, and all licenses taken out in or subsequent to January 1st shall expire on the 30th day of June following, and shall pay a license of seven dollars for said time. Ib.

Sec. 1275. *Hacks.* - For each hack, omnibus or other vehicle used for the transportation of persons of persons, for hire or other compensation, twenty dollars per annum, and all licenses taken out under this clause on or subsequent to the first day of January shall expire on the 30th day of June following, and shall pay the sum of twelve dollars and fifty cents for said time. Ib.

a) See section 1293.

b) See sections 499-505. (c) See section 1230.

Sec. 1281. *Troupes or Exhibition Companies.* - For each and every troupe, company or person who gives an exhibition or performance on the streets, in a house or tent, for the purpose of advertising any patent medicine, goods, wares or merchandise of any description (and who has not taken out a license to sell the same) where an admission fee is charged or a charge is made for seats, shall pay a license of five dollars for each twenty-four hours in advance. Ib. Sec. 1282. *Masque Ball.* - For each public mask ball, five dollars for each twenty-four hours. Ib. Sec. 1283. *Shows, Etc.* - For all other exhibitions, shows and amusement of whatever kind, nature, or description not mentioned in this ordinance, five dollars for each twenty-four hours. Ib.

Sec. 1284. *Jewelry Spindles.* - For each jewelry spindle, each number to draw a prize, ten dollars per month, two dollars and fifty cents per week. Ib.

Sec. 1288. *Pawn Brokers Shall Keep a Register.* - Fine.- Every person engaged in the pawn broker business in the city of Fort Smith shall keep a well bound book and in a legible hand-writing a particular minute and detailed description of each article pawned, also the name, color and residence of the pawner, which book shall be indexed and the pawnee (the said pawnbroker) shall give the pawner a receipt corresponding with the description in said book or register, and said pawn broker shall keep such book or register open at all times to the inspection of the police, and a failure to do or perform all or any of the things required in this section shall be deemed a misdemeanor and on conviction before the police court shall be fined in in any sum not less than five dollars nor more than twenty-five dollars. Ib., Sec 5.

#### MINORS - ON STREETS

Sec. 1303. *Unlawful for Minors Under Fifteen to Remain on Streets.* - It is hereby made unlawful for any person under the age of fifteen to remain in or upon any of the streets, alleys or public places in the city of Fort Smith, Arkansas, at night after the hour of 9 o'clock p.m., from March 1 to August 31, inclusive of each year; and from September 1 to the first day on February, inclusive each year, after the hour of 8 o'clock p.m. unless such person is accompanied by a parent, guardian or other person having legal custody of such minor person, or is in the performance of an errand or duty directed by such parent, guardian or other person having the care and custody of such minor person, or whose employment makes it necessary to be upon said street, alley or public places during the night time after said specified hours; provided, this exception shall not apply when the



person under such age shall be playing or unnecessarily loitering in or upon any such street, alley or public space whether alone or accompanied by a parent, guardian or any person or persons whomsoever. Any person violating the provisions of this section shall, on conviction, be fined in any sum not to exceed ten dollars for each offense, and stand committed until such fine and costs are paid. Ord. 544. Sec 1.

Sec. 1306. *Unlawful to Sell Cigarettes to.* – Any person who shall within the corporate limits of the city of Fort Smith sell to, purchase for or give to, or participate in the selling or giving to or purchasing for any minor, any cigarette or cigarettes or cigarette paper or cigars, unless the person so doing is the parent or guardian of such minor, shall be guilty of a misdemeanor, and upon conviction therefor in the police court, shall be fined in the sum of twenty-five dollars for the first offense, and for the second or any succeeding offense not less than fifty dollars. Jackson's Dig., Sec 278.

#### MONUMENT, CONFEDERATE

Sec. 1307. *Permission Granted to Erect in Court House Yard.* – Permission is hereby granted to the Varina Jefferson Davis Chapter of the Daughters of the Confederacy to erect a monument in memory of the confederate dead now buried in the National cemetery at Fort Smith, Arkansas, at or near the center of the plat of ground in the north corner of the block upon which is situated the county court house for the Fort Smith district of Sebastian county, and for the construction of concrete walks to and around said monument in conformity with the plans and specifications attached to and made a part of an agreement by and between said Varina Jefferson Davis Chapter of the Daughters of the Confederacy, and the Monumental and Cut Stone Company of Fort Smith, Arkansas, dated the 10th of February, 1903; and permission is also granted to the said Varina Jefferson Davis Chapter of the Daughters of the Confederacy to perpetually maintain said monument and use and keep in repair said walks for all time. Ord. 607, Sec. 1.

Sec. 1308. *Permission Void if Monument Destroyed.* – In the event said monument should be destroyed and not restored, or should be removed for any purpose or reason whatsoever, then the permission and privileges granted by this ordinance should cease and be void. Ib., Sec. 2.

1 William Fosgate Kirby, born on November 16, 1867 in Miller County, Arkansas, near Texarkana. William attended common schools. He studied law at Cumberland School of Law at Cumberland University, graduating in 1885, he was admitted to the bar the same year and began practice in Texarkana. A member of the state House of Representatives in 1893 and again in 1897, Kirby served in the state senate

from 1899 to 1901. In 1904 William F Kirby wrote Kirby's Digest of the Statutes of Arkansas; in 1907, he moved to Little Rock, AR. He was the state's attorney general from 1907 to 1909, elected associate justice of the Supreme Court, serving from 1910 to 1916.

He resigned upon his election to the Senate to serve out the term of James O. Clark, who had died in office. As a senator, Kirby chaired the Committee of Expenditures in the Department of Agriculture, and served on the Committee on Patents. An unsuccessful candidate for re-nomination in 1920 and again in 1932, he resumed his law practice upon leaving the Senate. He again became an associate justice of the state supreme court, serving from 1926 until his death; he died in Little Rock on July 26, 1934, buried in Texarkana.

#### Digest of the Laws of the City of Fort Smith, Arkansas, 1906

#### BOOT-BLACKS

Sec. 500. *Application in Writing.* – Any one desiring to follow the occupation of a boot-black shall present a written application to said city clerk in which shall be stated the name, age and residence of the applicant, with the location or place where he desires and proposes to carry on said business of boot-black and such application must be accompanied with written permission from the person who occupies or owns the property adjoining the location named by the applicant, stating that such applicant may there carry on the business of a boot-black. Upon such application the clerk shall issue to such applicant a permit which may be in the following form:

Permission is hereby granted to \_\_\_\_\_ to follow the occupation of a boot-black at \_\_\_\_\_ Lot, No. \_\_\_\_\_, on \_\_\_\_\_ street. This permit shall continue for one year from the date hereof unless sooner revoked.

Given under my hand and seal of this , the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

(Seal) \_\_\_\_\_, City Clerk.

Ib., Sec. 164

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*Who Knew is a regular feature of the Journal. It is selected and written by Mary Jeanne Black, Inquiry Coordinator of the Fort Smith Historical Society.*

# Book Review

**Steve Inskeep, *Jacksonland: President Andrew Jackson, Cherokee Chief John Ross and A Great American Land Grab*. New York: Penguin Press, 2015. Pp. 421. Maps. Bibliography. \$29.95 Hardcover.**

During the early nineteenth century in America, land was a valuable commodity sought by all as the nation migrated westward. Steve Inskeep, a cohost of National Public Radio's (NPR) *Morning Edition* and an Edward R. Murrow Awardee has written an illuminating work detailing the battle over millions of acres of lands held by the Cherokee Nation in modern day Alabama, Tennessee, and Mississippi, Inskeep's *Jacksonland* and the government of the United States that would prevail victorious in this struggle.

Inskeep masterfully forgoes telling this land struggle from a large scale perspective but, instead from the viewpoint of the two men at the heart of it, Andrew Jackson and John Ross of the Cherokee. The author reveals the breadth of their lives in exacting detail through their actions of public record and through the personal letters that both men wrote during their lifetimes. These letters detail events that took place and provide a glimpse into each man's thought process that led to their actions as well as insight into key people who influenced them including John Coffee, friend and business partner to Jackson, Henry Clay, Jackson's political rival, Major Ridge, friend to John Ross and fellow Cherokee, and Marquis de Lafayette, Frenchman and American Revolutionary War hero, on a celebrated tour of the United States, 1825-1826.

Inskeep describes Andrew Jackson as a driven, calculated, and unforgiving man, bent on political aspirations and the accumulation of wealth. Jackson utilized his military position and battlefield victories to support his ambitions. His actions during his military campaigns show him as a decisive military commander bent on conquest of the native peoples in the southern United States who he considered an obstacle to his aspirations. Jackson's personal letters depict these aspirations as he routinely communicated back and forth with John Coffee about potential opportunities after taking lands from the native peoples through forceful confrontations.

One of these major confrontations, which culminated

with the Battle at Horseshoe Bend, is depicted by Inskeep which shows Jackson and his men as a group bent on crushing the Creek Indian nation that was in rebellion against the United States. At the conclusion of the battle, an encampment of Creek Indians was completely destroyed and burned including the deaths of hundreds women and children. No remorse or quarter was shown to these peoples and this basically ended the Creek nation in the southern United States.

John Ross on the other hand emerges from these pages as an honest and trustworthy man, who was a successful leader of the Cherokee people. His true brilliance was in his ability to utilize political negotiations to keep the United States from acquiring the millions of acres of Cherokee lands for a long period of time. Even for all of his masterful strategies, his fate and his people's fate as land owners in the Southwest ended when Andrew Jackson was elected President of the United States in 1828. Jackson pushed forward with his Indian Removal Act that culminated with the infamous Trail of Tears and handed the Cherokee lands over to the state of Georgia. In his 1837 farewell message as president, Jackson wrote of his native American policy, "the states which had so long been retarded in their improvement by the Indian tribes residing in the midst of them are at length relieved from the evil, now nothing can impede your march to the highest point of national prosperity."

Inskeep has provided readers with a fast-paced, intriguing, and well researched view of an important struggle in American history that not only involved two nations but two men who were fighting for millions of acres of land in the southern United States. Inskeep walked the same ground as the two men including touring the Battle at Horseshoe Bend and traversing many of the paths that Ross and the other Cherokee undertook in the Trail of Tears. This work is a fine addition to the scholarship on this era including a detailed viewpoint of John Ross and will no doubt push scholars to further conversions and analysis.

*Reviewed by Steve Bowman. Mr. Bowman holds a master's degree in Healthcare Administration and is pursuing an academic career in history.*



# 1916 Newspapers

## ***SOUTHWEST TIMES RECORD***

January-June 1916

**By Crystal Jenkins**

Abstracted from microfilm  
at the Fort Smith Public Library

Editor's note: Most spellings, punctuation,  
and grammar appear as printed  
in the *Southwest Times Record*

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**January 9, 1916**

### **Watering the Desert**

The English are putting down 1500 miles of water pipe in the desert east of Suez as part of their plan to defend the canal. But no one is astonished. The war has changed the habit of our minds. We now accept as commonplace the most extraordinary ideas with no man ever thought of in a thousand years of peace.

\*\*\*

**January 22, 1916**

### **Thousand and Year Old Mines Of Egypt Are Opened By Germans**

Germany's campaign in Egypt is meeting with unexpected obstacles, it was announced here, due to the lack of coal to operate the railroad which the Germans have constructed southward through Syria to the edge of the desert approaching the Suez Canal. The construction of the railroad has been largely facilitated by French rails and material for a similar line which was partly constructed by the absence of coal prevents the actual opening of the road to transportation. This lack of coal has led the Germans to

reopen the old Turkish mines at Syria, used by the Romans, but abandoned by them a 1,000 years ago. The capacity of these mines is limited to 500,000 tons annually. A large force of Turkish laborers is engaged in developing the mines which are now the chief reliance in getting the railroad to Egypt for operation.

\*\*\*

**February 19, 1916**

### **Opens Ozark Forest Land**

President Wilson today withdrew 443,000 acres of land from Ozark national forest in Arkansas for settlement of homesteaders. Many desirable tracts already have been settled but that still available will be thrown open on April 20.

\*\*\*

**February 27, 1916**

### **Form Bottling Company with \$50,000 Stock**

A \$50,000 bottling company has been organized in Fort Smith to be known as the Coca Cola Bottling Company that will operate its main plant here and six subsidiary plants in Arkansas and Oklahoma. The corporation is composed of leading Fort Smithians and has purchased the bottling department of J. W. and Robert Meek. In the future the bottling establishment will be operated entirely independent of the Meek company. A charter has been applied for the new company whose directors are Robert Meek, J. W. Meek, Ed Ballman, B. D. Crane and W. A. Daniels. At the meeting to be held next Saturday morning Robert Meek will be elected president, J. W. Meek vice president and Mr. Daniels secretary-treasurer.

Forty thousand dollars of the stock has been paid up. The company will have branch plants at Fayetteville, Rogers, Siloam Springs, Harrison, Paris, Ark. and Poteau, Okla. It will deal exclusively in soda waters, Coca Cola and distilled waters.

The project will require additional equipment to that already procured from the Meek bottling department and this equipment will be obtained at an early date. The company proposes to thoroughly develop the field it will operate in. Its promoters believe the increased demand for soft drinks makes such a corporation necessary.

\*\*\*

March 5, 1916

#### Charge Violation of Quarantine Law

Saturday evening complaint was filed with the city authorities by neighbors that persons at a South Sixth street boarding house are violating the quarantine which was recently placed on that house. It was asserted that persons from the house have made frequent trips in the business section of the city. During the month of February there were reported by the health department two new cases of small pox, and for one of them the house named was placed under quarantine. The only quarantine was said to be the placing of a small pox card and notification to the inmates that they must not leave the premises, no officer being placed on guard.

There has been no small pox in this city since last fall when one man was kept for 21 days at the detention camp. It was stated Saturday by city officials that case cost the city about \$100. No guard was employed.

\*\*\*

March 8, 1916

An insurance company that could guarantee a fellow to live till the close of the war would do a lot of business.

\*\*\*

March 12, 1916

#### Van Buren Family Knew Bandit Victims

The news of the recent Columbus, N.M., raid by Villa and his bandits was received badly by Mr. and Mrs. John White, former residents of Columbus. They were closely acquainted with all but one of the citizens who were killed or wounded in the massacre. J.S. Dean, the young grocer, who was killed was a former partner of Mr. White according to Mr. White and bought his interest in the

business when they moved from New Mexico. Mr. and Mrs. White sold their home to C.C. Miller the druggist, who was shot down by the bandits when attempted to flee. Mr. White said the topography of the country surrounding Columbus is such that the bandits could make raids from several points and he fears this will be done.

\*\*\*

April 4, 1916

#### First Ford Truck

The first Ford truck seen in Fort Smith reached the city Monday from the manufacturer in Detroit. The truck was purchased by Paul W. Sheridan, local Ford dealer, for his individual use. The machine arrived with sixteen Ford automobiles.

\*\*\*

April 11, 1916

#### Seyfer Receives Metal

Robert P. Seyfer received from the United States Government yesterday two service metals covering his service in Cuba during the Spanish-American war. These metals are made of heavy bronze, with a neat ribbon, bar and pin. He served with the First Illinois volunteer infantry.

\*\*\*

April 12, 1916

Maybe it would be better for the wireless telephone with which the world is threatened, to be held in the background a few years, until folks learn how to use the present kind.

\*\*\*

April 20, 1916

#### Got a War-Censored Letter

Attorney W. H. Dunblazier received a letter Wednesday which bore visible evidences that there is a war in Europe. The letter was of a business nature and from a man in Haarlem, Holland. One side of the envelope had been slit



from end to end and resealed with a label two inches square, on which was printed in large black letters, "Opened by Censor." It bore ocular evidences of what English censors are doing to the mails even between neutral countries.

\*\*\*

## May 2, 1916

### Lets Contract For Lees Creek Bridge

County Judge C. A. Starbird on Monday let the contract for the construction of the wagon bridge over Lees Creek to the Vincennes Bridge Company of Vincennes, Ind. The contract price of the work is \$5,785, and the bridge must be completed by October 1, 1916. Four bidders competed for the contract prices varying from \$7,000 to the contract price. The Hope Bridge company of Hope, Ark., Illinois Bridge Company of Chicago, and Blodgett Construction company of Kansas City. The Lees Creek Bridge was washed out in the floods of the late winter.

\*\*\*

## May 9, 1916

Henry Ford says his candidacy should not be taken as a joke-and still the jokes are partly responsible for it.

\*\*\*

## May 23, 1916

### Woolworth Company Does Large Business

"We are more than pleased with business prospects in Fort Smith," said H.E. Price, manager of the F. W. Woolworth company, whose store closed its second day of business in Fort Smith Monday night. "All day Saturday and Monday we had all the business we could take care of, and the prospects are very bright." With fifty employees in the store, everyone was kept busy Saturday and Monday waiting on the throngs of the people who visited the new establishment. Although no actual count of the visitors to the store was kept, it was estimated that not less than fifteen thousand people passed in and out of the new place Saturday. Monday the crowds were almost as large.

\*\*\*

## May 24, 1916

### War Prisoner Complains

Bitter complaint of the treatment accorded him by the Germans who hold him prisoner is made by S. Scheinberg in a letter to his brother. J. Scheinberg, with offices in the First National Bank building. Scheinberg, a Russian, is held captive at Heidelberg by the Germans who captured him in the eastern theatre of war last June. He writes that he is given barely enough food to avert starvation.

\*\*\*

## June 10, 1916

### New Potatoes Sell at \$1.36 Bushel

New Irish potatoes on the Fort Smith market sold as high as \$1.36 a bushel Friday, the prevailing price ruling about \$1.30. Quite a number of potato buyers were in the city and will remain until the entire 1916 crop is harvested. Several cars were shipped out of Fort Smith last night. The quality of the potatoes is declared to be fair of the early yield. Rains of this week have been much benefit to the crop.

\*\*\*

## June 28, 1916

### Water Mains Arrives

Two cars of the pipe for the new water line to South Fort Smith were on Tuesday set out on the "steel yards," the tracks across from the Fort Smith Compress company plant on the south side of the city. The other four cars of the consignment will be set out at South Fort Smith. Laying of the line will await completion of the ditch to the Fort Smith Spelter Company's plant at South Fort Smith. Tuesday the diggers were within a mile of the smelter plant, having crossed the Suburban tracks beyond the fairgrounds Monday afternoon. As soon as the ditch is practically completed it is expected a force of men will be put to work laying the line, as the Spelter Company is very anxious to get water service at the earliest possible moment.



*Crystal Pope Jenkins teaches and lives in Mountainburg.*

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NOTES: # —Some sort of graphic, other than a portrait, is used.  
 \* —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.  
 (pc) —Postcard.

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- **Arkansas Freedmen of the Frontier**—The African-American experience in northwest Arkansas is chronicled here. It has a lot of great links and information.

- **Arkansas Historical Association**—The mission of the Arkansas Historical Association is to promote the preservation, writing, publishing, teaching, and understanding of Arkansas history through the publication of the Arkansas Historical Quarterly as well as other activities.

- **Arkansas History Commission and State Archives**—The Arkansas History Commission is one of the oldest existing state agencies in the Natural State and Arkansas' official state archives maintained by the commission.

- **Black Men Who Rode for Parker**—A site dedicated to the African-American deputy marshals who enforced the law in the federal court district of western Arkansas and Oklahoma. Judge Isaac Parker presided over the district in the late nineteenth century.

- **Center for Local History and Memory**—The Center for Local History and Memory at the University of Arkansas-Fort Smith grew out of student-faculty efforts in 1997 to collect oral history interviews to document the first seventy years of the college.

- **Arkansas Civil War Sites**—The Arkansas Civil War Sesquicentennial Commission website with information on Arkansas' participation in the 150th anniversary of our country's struggle with itself.

- **The Encyclopedia of Arkansas History and Culture**—The Encyclopedia of Arkansas project is proud to present these initial entries.

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- **Fort Smith Museum of History**—The Fort Smith Museum of History acquires, preserves, exhibits, and interprets objects of historical significance relevant to the founding and growth of Fort Smith and the region.

- **Fort Smith Air Museum**—Located at the Fort Smith Regional Airport, the museum is a treasure trove of

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- **Historic Fort Smith**—A page containing some general information about Fort Smith history, heritage tourism in the city, and links to other sites.

- **Oak Cemetery**—A recognized National Historic Landmark with more than 152 years of history is home to the burial sites of outlaws hanged by order of Judge Isaac C. Parker, marshals, deputy marshals, an Arkansas governor, fifteen mayors of Fort Smith, and the founder of Fort Smith, John Rogers.

- **The Old State House Museum of Arkansas History**—Set in the oldest surviving state capitol west of the Mississippi; it houses a multimedia museum of Arkansas history with a special emphasis on women's history, political history, and special programming for children.

- **Richard C. Butler Center for Arkansas Studies**—The Center for Arkansas Studies proudly presents what we hope will one day become the premier online resource for historical information related to Arkansas.

- **South Sebastian County Historical Society**—The South Sebastian County Historical Society, located in Greenwood, Arkansas, is an excellent resource on the history and landmarks of the area.

- **Wikipedia Entry for Fort Smith**—The online, user-created encyclopedia has a descriptive entry about the largest city in western Arkansas.

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- **Fort Smith Library Genealogy Department**—One of the greatest resources of local genealogical information to be found in the city. The Fort Smith Public Library is also a frequent gathering place of local historians and history buffs.

- **Crawford County, Arkansas, Cemeteries**—A rich genealogical resource for Van Buren and Crawford County.

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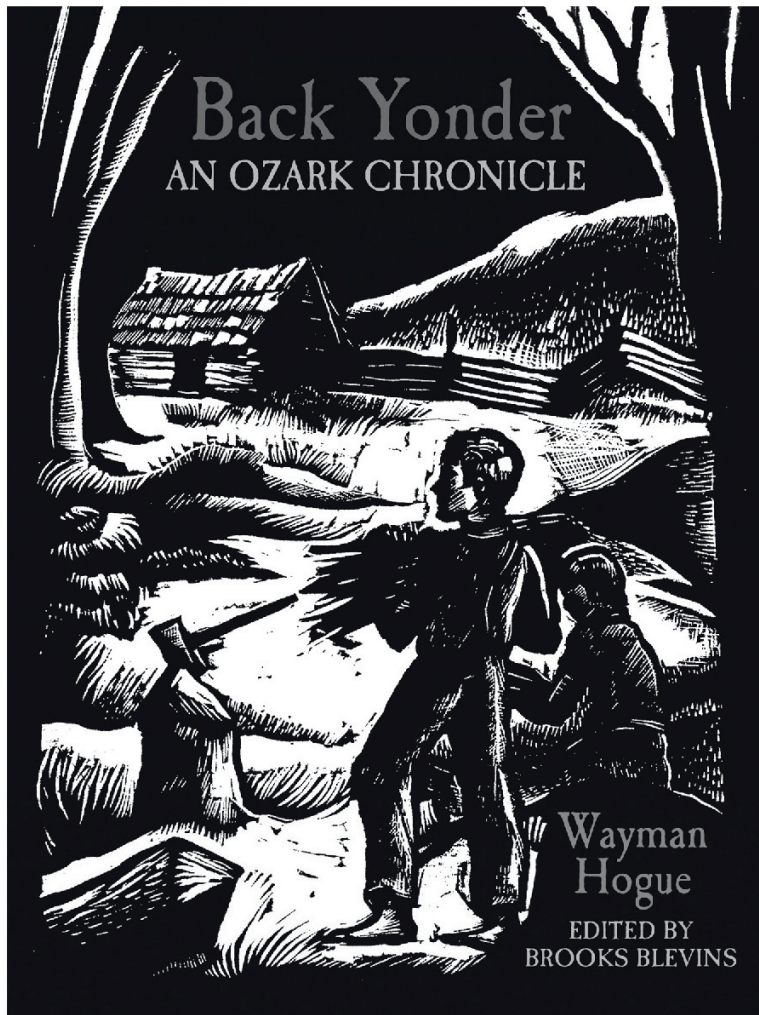
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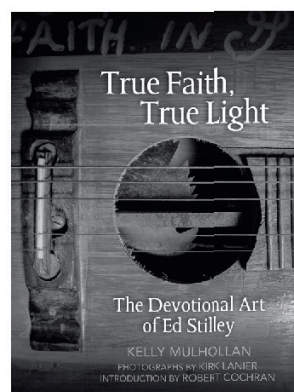
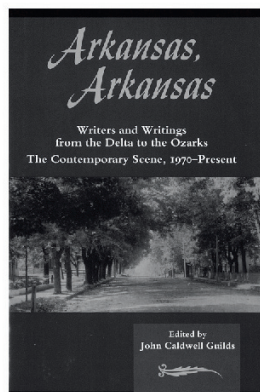
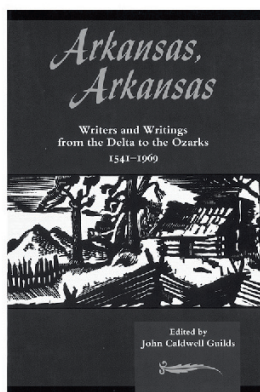
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