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## **ARKANSAS MILITIA**

### **POST CIVIL WAR**

#### **Volume I**

#### **1866 - 1875**



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The Arkansas Military Journal is an unofficial publication of the Arkansas Militia Foundation. The purpose of the journal is to aid in the preservation of Arkansas' military history. Comments and materials for publication are invited. Correspondence should be addressed to: The Adjutant General, CS-HS, P.O. Box 2301, Camp Joseph T. Robinson, North Little Rock, Arkansas 72118-2200.

# **EDITOR'S NOTE**

This volume of the Arkansas Military Journal is the fourth in a series of historical works originally commissioned by Major General Charles H. Wilson, the Adjutant General of Arkansas, 1967-1970.

In May of 1969 the Intelligence Officer, Major James Henry Duncan, was assigned the project of preparing a history of the Arkansas Military Department. Files were screened at the History Commission and various libraries as well as records in the Office of the Adjutant General. Notes were prepared and organized covering a period from 1819 to the Civil War. A study of old newspaper articles was conducted to complete the Civil War period of the history. Notes covering a period from the close of the Civil War to 1970 were obtained, organized and prepared. At that time the publication of 3,000 copies would cost about \$6,000. This was based on an estimated 300 pages with additional pages costing approximately \$15 per page. The State Military Department did not have the funds appropriated or available for the publication of the document. Funds from some other source would have to be secured to complete the project (extracted from a summary of significant activities and accomplishments of the Arkansas National Guard, January 1967 - December 1970). To the best of our knowledge the history was never published.

The publications staff of the Arkansas Military Journal has endeavored to reproduce the text from the best existing copies that have been handed down to us. No attempts were made to change any of the subject matter content.

The task of preserving our history is a challenge to all who respect and value the moments of honor, sacrifice and dedication that have made Arkansas the Great State it is today. The Arkansas National Guard has a rich and colorful history and has made significant contributions to our state and nation. It is our intent for these journals to serve as a written memorial to commemorate the military achievements of our forebearers.

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Isaac Murphy, of Madison county, was elected Governor in 1864 and this was considered an eminently proper selection. He was the delegate from the mountain district, on the Missouri border, who had stood firm in the convention that passed the ordinance of secession in 1861, and refused to vote for that measure.

The Adjutant General was a gentleman from Buffalo, New York, a relentless partisan and deemed himself a missionary of manners and refinement. Adjutant General Bishop was a literary turn, and had published "A History of Loyal Heroes of Northwest Arkansas", which contained a free sketch of the sacrifices and services of the faithful members from Madison County. He, it was doubtless to say, who procured the passage of an act which bears an resemblance to his mincing style of writing and 'bloody conclusion,' and which prescribed an unusual decoration to be worn by his militiamen, as follows:

"All State Militia, provided for in this act, shall wear as a mark of distinction and for the purpose of being recognized at a distance, a band of red cloth, three inches in width, to be worn on their hats, or in the most conspicuous manner. And every person found wearing said mark of distinction, who does not belong to said militia, or to the Federal Army, shall, be sentenced of military authority, suffer death.

The General wore the 'mark of distinction' conspicuously in the lapel of his coat, in the form of a scarlet ribbon. He was tall and 'willowy', had a down curving length of nose, narrow forehead and short chin almost hidden by an enormous mustache. He wore the hair of a diminutive head in long tresses, which waved gracefully to his undulating movements with which he picked his way, when walking the thoroughfares with elastic step. He had no cause during his term, so peaceful was the time for calling out his men; but in person he remained near his illustrious chief in the hour of his greatness, and drew salary, or pay and allowances, with military promptitude.

### **GENERAL ALBERT W. BISHOP**

After the Civil War the state of Arkansas had a military imposed government. Some historians referred to General J. J. Reynolds as the Adjutant General, however, he was the commander of the Arkansas Department. His functions were the same as the Adjutant General and served just as General Hindman did earlier in the confederacy.

After the Civil War, the first Adjutant General appointed was General Albert Bishop. He was appointed by Governor Murphy. Governor Murphy and General Bishop were lenient to former confederates, however, they were constantly plagued by the problem of a state that had recently lost a war.

The bitterness of those sympathetic to both sides was prevalent not only because of the difference of opinion before and during the war but the killing, burning and depredations committed by both sides during the conflict. In addition after the war lawlessness and bushwhacking was common in many areas of the state.

A copy of the bi-annual report of General Bishop is not available in the office of the Adjutant General. It evidently was widely distributed, however, at the time it was published.

The constitution of 1864 had the following provisions:

**MILITIA - SECTION I.** The Militia of the state shall be divided into convention divisions, brigades, regiments and companies, and officers of corresponding titles and rank elected to command them, conforming, as nearly as practicable, to the United States; and all officers shall



be elected by those subject to military duty in their several districts, except in hereinafter provided.

**SECTION II.** The governor shall appoint the Adjutant General and other members of his staff, and major generals, brigadier generals and commanders of regiments, shall respectively appoint their own staff; and all commissioned officers, may continue in office during good behavior, and staff officers during the same time, subject to the removal by the superior officers from whom they respectively derive their commission.

An act to establish the militia on a firm footing was passed in 1864. It gave a new name to the militia: "Arkansas Rangers".

**SECTION I.** Be it enacted by the General Assembly of the State of Arkansas, that the Governor of this State be required to make known to the President of the United States the helpless condition of the people of this State, and of the cruelty of marauding bands of guerrillas, bushwhackers and murderers, and request of him to allow all the Arkansas troops now in the United States service to remain in this State for active service and defense, and that it be made (their) especial business to hunt out the marauding bands of thieves and robbers now infecting the State.

**SECTION 2.** Be it further enacted, that the Governor request of the President of the United States authority to raise such number of troops as may seem to him best, and in such manner and kind as the circumstances may require, to be termed **Arkansas Rangers**, with the understanding that said troops, when so raised, are to remain in the State, and so far as compatible with the public defense, are to serve in the district, or portion of the State in which they may be raised; the officers thereof to be selected from the most loyal and patriotic citizens of Arkansas, and to be commissioned by the Governor; and that they be mustered into the service of the United States for the term of three years unless sooner discharged, and that they be fed and clothed, armed and equipped, by the government of the United States, as other troops of said service of like description. Provided, however, that said troops shall be subject to the orders of the general commanding the department of Arkansas, and may, by his order, be carried out of the State for a period of thirty days, when, in his judgment, their services are necessary to repel the threatened invasion of the State.

**SECTION 3.** Be it further enacted, that it shall be the especial duty of said troops, when organized in manner aforesaid, to hunt out and exterminate all marauding and lawless bands, and assist, so far as consistent with the public defense, in the enforcement of the civil laws of the State, and the restoration of peace and quiet.

**SECTION 4.** Be it further enacted, that whenever the Governor may be satisfied that the authorities of the United States are willing to receive such number of troops as he may be able to raise upon the conditions set forth in the foregoing section of this act, he shall issue his proclamation calling for volunteer enlistment's of troops in such number and kind as he may have agreed to furnish, and appoint true and patriotic men of Arkansas to command each regiment embraced in this call.

**SECTION 5.** Be it further enacted, that none but loyal and trustworthy men shall serve in a said organization, and this act to take effect and be enforced from and after its message.

**APPROVED,** May 23d, 1864.

When act number 24 was passed on 1 June 1864 it provided for the payment of the Military Staff of the Governor of the State of Arkansas. It provided that the staff receive the same pay and

allowances as officers of the same grade in the US Army. It had also a provision for paying the Adjutant General.

As the Murphy administration drew to a close, a new era was about to descend. General Bishop secured the position of Register in Bankruptcy. The next four years would mark the most controversial period of the militia in all its history.

### **KEYS DANFORTH**

Shortly after Powell Clayton became governor, martial law was again enforced. Clayton's militia started on 4 November 1868 - the day after the election. He placed Sevier and nine other counties under Martial Law. He sent Brigadier General R. F. Catterson and 500 militia to Center Point. On November 12th the militia converged on Center Point from 3 different directions. They captured 60 prisoners and allegedly raided a Ku Klux Klan den. After a few days in the country the militia marched back to Little Rock, and paraded through the streets.

Act #60 was an act to declare valid and conclusive certain proclamations of the governor of the state of Arkansas, and acts done in pursuance thereof, or of his orders in the declaration of Martial Law. Provided legality for martial law between 3 November 68 and 1 April 69.

Joint Resolution #1 endorsing for in martial law was a house joint resolution which stated:

1. Resolved by the members of the House of Representatives, State of Arkansas, the Senate concurring, that establishment and maintenance of peace, the security of property and life, are the first and most important.
2. That when civil authority and processes fail of the attainment of these ends, and the magistracy becomes powerless, the military authority and power should be invoked.
3. Being fully persuaded of the preconcerted existence of wide-spread lawlessness and systematic assassination of friends of the government, State and National, in certain counties, for months past, and the desperadoes, without a single exception, still at large and defying. The officers of the law, we do therefore most earnestly approve and endorse the recent proclamation of Governor Powell Clayton declaring martial law in said counties.
4. Believing we are right, and calling on Almighty God, and all good men, to witness the rectitude of our motives for ourselves individually, and on behalf of our several Constitutions for the maintenance of the State government and the effective enforcement of the laws, we pledge our lives, our fortunes and out sacred honor.

APPROVED, December 10, 1868.

Under Governor Powell Clayton in 1868, a bill passed the legislature to organize the state militia and put it on an active footing.

Immediately after adjournment of the Legislature in July, members of the body hurried home to push the organization of the militia under the new law, and within three months that work was thoroughly done. On the sixteenth day of October, Clayton set aside registration in eleven counties, ten of which had given majorities against ratification of the Constitution. That one stroke eliminated a Democratic majority of 2,822. Two days later he added Randolph County to his list. This course was endorsed by the commander of the Federal forces in the State, and the secretary of the Union Republican Congressional Committee assured the Governor that United States troops would be at his command if he established martial law. General J. M. Schofield won the elemental passions of men by sedulously disseminating charges of outrages,

intimidation's and murders against Union people by the Ku Klux Klan. The Union Leaguer's and Freedmen's Bureau agents supplied the rumors on which these stories were based. The Democrats pronounced most of such changes as campaign lies for Northern consumption, and disclaimed responsibility in cases where such acts had been committed. But the seizure of the steamer "Hesper" bearing military stores to Clayton's militia and the bitter denunciations of his policies in Democratic circles convinced the Governor that his government was in danger.

Soon Clayton perfected his plans. The State was districted and large sections placed under martial law. Militia forces, composed largely of Negroes excited by the incendiary harangues of extreme Radicals, marched and counter marched through section of the State, spreading error among the civilian population. At the same time the Governor set detective agents throughout the State to secure evidence against the Ku Klux Klan. Opposition to martial law soon reached alarming proportions and provoked severe criticism in the ranks of even the Republican Party.

When the Legislature reassembled November 17, 1868, its leaders declared that the recent election was an endorsement of radical policies and proceeded to complete their program. The Governor now congratulated the legislators on having escaped the perils, tragedies and assassinations which had recently surrounded them, and complimented them on the results of the great contest in which they had made constitutional liberty and justice secured against disorder, repudiation and misrule. Declaring that the deep-laid conspiracy had been attempted through a program of assassinations, robberies, threats and intimidation's, he submitted a "dark catalogue of crime" to prove his contention. This was submitted to justify his declaration of martial law. He concluded his message with the recommendation of measures considered essential to the completion of political reconstruction.

In response to the Governor's message and in dutiful accord with his spirit the lawmakers investigated rumors of outrageous conduct of the militia while in service, and then legalized the martial law proclamation and all acts done under its authority. Republican protest against the policy was silenced when the State printer was threatened with removal for opposing the measures of the administration. Money was appropriated to defray the expenses incurred by the armed forces while acting under the Governor's call, and the conservation property seized of militia supplies that the quartermaster announced that during the last fourteen days of January, 1869, all seized property would be restored at Little Rock on proof of ownership, but as most of the claimants resided more than fifty miles from the Capital City this gesture of return of property only aggravated the situation. Finally a law was passed in 1871 to employ a commissioner to adjust such claims. S. W. Mallory was appointed commissioner and administered the law by distribution \$120,406.29 among the clients of himself, half a dozen lawyers, Joe Demby, J. J. Gibbons and Keys Danforth. The cost of martial law and the militia campaign reached a total of \$330,676.43. To dignify further the militia service a law was passed to legalize the votes cast by soldiers in the field.

Bonds were issued to support the militia, to the amount of \$400,000. The governor also issued State Funding Bonds for another \$300,000. Many of the counties issued bonds to get the counties started in government again. Their treasurers had been completely depleted during the war.

The appropriation bill of April 12, 1869 contained the following: To Merchant's National Bank, money loaned to buy arms (for Clayton's Militia) \$12,000; to Herman, Booker & Co., for



arms sold State \$6,000; Organizing Clayton's State Guard and Militia \$10,000; to pay for Public Printing "a sufficient amount".

**Mrs. Margaret Ross, writing in the *Chronicles of Arkansas*, gives the following account of the Powell Clayton militia:**

With the inauguration of Governor Powell Clayton on July 2, 1868, carpetbag rule in Arkansas began in earnest. One of Clayton's first acts was the organization of a militia to "maintain order" and enforce his authority.

On paper, Clayton's explanation in his use of the militia sounded reasonable, but in practice, its terrors superseded all others previously known in Arkansas. Murder, arson, plunder, and other outrages were common, and were not restricted to one faction or the other.

For a while it looked as if Clayton's militia would be ineffectual for the want of arms. During the administration of President Andrew Johnson, a special Act of Congress was necessary for a state to procure arms from the United States government. Such a bill was introduced for Arkansas, but the Governor doubted that it would pass before Congress adjourned. He sent Dr. J. M. Lewis to Illinois and other states that they had fought on the union side during the Civil War, with instructions to try to borrow arms. Dr. Lewis was not successful. When the bill became defeated in Congress, James L. Hodges and George R. Weeks agreed to advance the money to buy arms, provided Clayton would be personally responsible for reimbursement in case the legislature failed to appropriate funds for that purpose.

Hodges bought the arms and other equipment, and got most of it as far as Memphis, but a new directive from Washington restricted private sales of this kind, which complicated final delivery. On October 12, Clayton chartered the steamboat *Hesper* to bring the arms to Little Rock. The *Hesper* was commanded by Captain Sam Houston, not to be confused with the Sam Houston of Texas fame.

On its way to Little Rock, the *Hesper* was boarded by a group of masked men who threw the arms and ammunition into the river. These men remain unidentified to this day, although Clayton claimed to know who they were.

This incident is usually referred to as "the Hesper Affair." Hodges and Houston told their sides of the story in reports to the Governor, published in 1868 as part of the report of the State Auditor.

#### **Report of James L. Hodges, Agent for the Purchase of Arms for the State Guards:**

Little Rock, Ark., Nov. 14 1868. His Excellency, Powell Clayton, Governor of Arkansas: "Dear Sir: I have the honor to report that in accordance with appointment as Agent of the State, to purchase arms and munitions, I preceded to St. Louis, Missouri, where I had reason to believe arms could be purchased upon terms advantageous to the State; but not finding such to be the case, proceeded to New York, where I found arms for sale, but only in hands of speculators. Thinking I might be able to procure arms of the U.S. Government, upon more advantageous terms, I went to Washington, D. C. and there learned that, instead of selling arms, the Government was about to withdraw all from the market. I at once returned to New York, and closed a bargain with Herman, Boker & Co., Sept. 22nd, for arms, ammunitions, etc., as follows: 4,000 Persian rifle muskets at \$2.50 ea. \$10,000.00; 167 cases, 75 cents ea. \$125.25; 160 M Cartridges \$15.00 ea. \$2,400.00; 64 cases, \$1.00 ea. \$64.00 for a total of \$15,109.25 (Interest, collection and stamps made a grand total of \$15,282.59).

The muskets were new, never having been used, and is the best foreign gun, except the Enfield rifle, and the Government paid for the same \$11 each in gold during the late war. The arms were to be delivered to me at the U.S. Arsenal, Detroit, Michigan; The cartridges could not be obtained, for reasons given (the new War Department order, stopping all delivers and suspending all private sales.)

I immediately directed them not to be shipped until further orders. On account of subsequent events, I ordered them not be shipped at all. Their cost is deducted as per bill herewith rendered.

I then proceeded to purchase in St. Louis 158,000 musket caps, \$140.80; and seven (7) kegs buck-shot at \$278.20.

On October 2d, I shipped the muskets, and such munitions as I could get, on the *Bell Memphis* to Little Rock, Arkansas, having insured the goods -- cost \$240.00.

It was the understanding with the Agent, when the goods were put on board, that I was to receive through bill lading, but when I obtained it, which was but a few moments before leaving St. Louis, they would only give bill lading to Memphis, Tenn.

Having spoken with Captain John B. Davis, Superintendent of White River Mail Line, on my way North, upon the matter, when I obtained the idea that he would ship the freight on his line. I did not then deem the matter material.

On the 5th October, I arrived at Memphis, Tenn., where I found the newspapers had announced their arrival. A little excitement over the matter seemed to exist.

I soon learned that the agents of both White and Arkansas River lines would not take the freight. So I had the arms put in store, with Messrs. Corner & Richardsons, paying charges to that date, which amounted to \$855.45. I then proceeded to Little Rock, Arkansas, arriving on 12th day of October, and turned over the guns to the charge of the Executive.

Later, they were shipped to Little Rock, on board the steamer *Hesper*, Captain Houston, commanding. For reasons set forth, in proposition of Messrs.. Hodges & Weeks, said parties have paid the bills pertaining to said shipment amounting to \$1,077.84; the vouchers for which are herewith submitted.

The accouterments are yet in store in St. Louis, upon which \$237.10 have been paid. Application has been made to most of (the) steamboats running to Memphis, or to DeVall's Bluff or up Arkansas River to ship the goods, but up to this time no boat has been found that will take them and give through bill lading.

I herewith submit all bills pertaining to the about transactions with and abstract of the same, and would suggest that the money having been advanced by Hodges & Weeks, through me, and that in United States currency, the necessity of reimbursing them in similar funds. I have the honor to be. your most obedient servant, James L. Hodges."

#### **Report of Capt. Sam Houston. An account of the Capture of the *Hesper* and the Destruction of the Arms.**

Memphis, Tenn., Oct. 17, 1868. Powell Clayton, Governor of Arkansas: "Dear Sir: I left here with the arms on the 14th at 5 PM (there was big excitement in the city when loading,) and when about 20 to 25 miles below this place, I discovered the steam tug "Netty Jones" coming down on us at the rate of 25 miles per hour, and as she neared us, I discovered she had three suspicious flags.

I rounded the *Hesper* towards the Arkansas shore, to a safe place from any land attack thinking to prevent the tug from running us down if her mission was hostile. We had just touched the bank when the tug rounded to it also, and came toward us.

No person appearing in sight on the tug until she touched us, when a watchman's whistle was sounded by the commander of sixty or seventy masked and well armed men, who sprung from their place of concealment on to the *Hesper* and commenced firing from revolving rifles indiscriminately through the boat.

They were well organized and commanded, and I had, all told, only fifteen men. Knowing that any defense with my small force would subject the crew to slaughter, they surrendered. My brother and myself retreated up the bank, the masked Ku Klux Klan firing at us, striking my brother twice. (Clayton and his followers invariably blamed incidents of this kind on the Ku Klux Klan, even when there was no evidence to support it.)

They then went on board and took the *Hesper* in tow and demanded the arms and Houston, but on finding I was not on board, they threw all the arms and ammunition in the river, and turned the *Hesper* adrift. She landed a short distance below, where I got on board and came here, although they left word for me not to return to Memphis under penalty of death.

There was also a large land force along the river. There was no possible chance to save the property; for, had I sufficient force to contend with them, they intended to ram the *Hesper* and cut her down.

The tug is a very strong and powerful tug, and was built by the US government for war purposes, can run twenty miles per hour, and can sink any transport on the Mississippi river. You can't board her, as she is built bulkheaded in.

It seems very strange that such a formidable organization could mature and ripen here right under the nose of the authorities and nothing be known of it until they had accomplished their hellish design.

The whole thing was organized and put in force at Memphis. Artillery, I think, is the only thing that could protect any transport with the arms on board. The tug is faster than any boat that could go up the Arkansas River; and much stronger, so she could run any boat and sink her if she was not disabled.

The parties were splendidly drilled and armed, and all masked and disfigured so that they could not be recognized. Before leaving, I told the parties here I was afraid of an unarmed boat, but no one had any suspicion or thought of such a thing.

So I reluctantly left as above stated, with no chance to get through. The tug and parties that did the job, are here in Memphis and the neighborhood, and I think can all be had if properly managed, as there are some of them that can be recognized, if caught. Hoping they may all be brought to justice, I am, very respectfully, your obedient servant,

**SAM HOUSTON**

P.S. They know of every word in every dispatch you sent, and know everything and move you make.

S. H.

In the *Gulley Collection* in the Arkansas History Commission are found several letters pertaining to the use of the militia during the Governor Clayton administration.

On Nov. 21, 1868 D. P. Upham, Brig General Commanding the North-East District reported that the KKK were operating in Batesville and that the Civil Authorities were afraid to attempt to arrest them. He ask for Martial Law to declared in this report to the Governor.

In another letter from D. P. Upham dated Dec 3, 1868 to Governor Clayton he said that he had complete control of Fulton County after he broke up the KKK headquarters. General Upham said he had 38 men with him and was joined by Col Dale with 25 men. He reported nothing received from Maj Tisdale who previously had reported to Gen. Upham that he was drafting state guards.

D. P. Upham reported that about 200 armed citizens had started to raid Augusta, however, the citizens talked them into laying their arms down. He reported he had about 150 troops and only half of these were armed. He reported that the citizens would have about 600 troops by the end of the week. He only asked for weapons, and reported that the people were satisfied with the militia in the town. Date of letter: Dec 21, 1868.

Date of letter Dec 21, 1868 from John S. Gibbons of Conway County reported unrest in that county.

A letter from D. P. Upham on stationary Headquarters District of North-East Arkansas, Augusta, Arkansas, December 22, 1868 to Powell Clayton told of the arrest of Bob Shaver for his leading of the KKK in Jackson county. He asked Martial Law be declared in Jackson County and reported he would soon have Woodruff County under control.

A letter of Powell Clayton's from Major Will A. E. Tisdale from Headquarters 2nd Sub District, North-East, Arkansas, Gainsville, February 6, 1869 reported that he entered Jonesboro and found no trouble. However, the next day a band of about 40 men attacked some of his militia. He then went to Green County where one town was completely void of young men. He took one only old man prisoner and then the young began to give up. He signed the letter Will A. E. Tisdale, Major and Assistant Adjutant General.

Circular # 1 Headquarters 2d Sub District of North-East Arkansas dated January 11, 1869 at Jonesboro stated that having been assigned Craighead and Green Counties, that all citizens should turn in their arms or agree to use them to assist the militia and it was signed Will A. E. Tisdale, Major and Assistant Adjutant General.

Major Tisdale was given the two counties of Craighead and Green County to patrol during the period of Martial Law during the Powell Clayton Administration. He later was promoted to Brigadier General. The certificate of appointment is in record.

Many of the militia were accused of depredations against the people. An example of this was reported in the Memphis paper of January 19, 1869 reporting that the colored militia raping six white ladies in Crittenden County. It also reported General Upham as taking the Cavalry (150) and ransacking Mississippi County. The infantry was left in Crittenden County.

Captain George Parker of the British Navy was visiting the state of Arkansas. He was reported as being killed by the militia. The *Gulley Collection* of papers in the Arkansas History Commission contain several letters in which the British government asks for an explanation of the incident.

The British in many instances had been sympathetic to the Confederacy. Probably this had something to do with the death of Captain Parker. The death was never satisfactorily explained to the British Government.



A bill was introduced and passed to abolish the office of Adjutant General, however , it continued as Private Secretary to the Governor and acting Adjutant General.

When Governor Clayton went to Washington, Hadley became governor to fill the remainder of the term. He had hardly taken office when it became apparent that Major General Upham also had gubernatorial aspirations. Hadley's party loyalty was questioned. Upham did not believe in conciliating the white. He was in favor of ignoring the rebel white entirely, and exterminating them.

## **POPE COUNTY WAR**

The "Pope County War" was about this time disturbing Governor Hadley's administration. Its details would cover many pages. Pope County is divided from Yell County on the south by the Arkansas River. It extends northward into the mountains. At the foot of these lies Dover, a pretty village, formerly, and the county seat. Hickox, the county clerk, issued, on his own motion, an "order" or warrant, for the arrest of one young Poynter, whose father had long kept a tavern at Dover. Brown, a deputy sheriff, in executing it, was shot and killed. Hickox caused the sheriff, Dodson, to arrest young N. J. Hale and his father, John Tucker, and Perry West as the murderers. Dodson, Williams and Cloninger, militia officers, with the pretense of taking their prisoners under guard for examination before Judge W. N. May, at Dardanelle, across the river, allegedly murdered young Hale and Tucker, in the night about six miles from Dover. Old man Hale and West escaped in the darkness. The party was armed with rifles recently sent to William's company, by the Governor. The Governor hearing of the killing, said he would have removed Dodson, but was powerless under a recent decision of the Supreme Court. He went in person to Pope County. On the 13th of July he issued to Williams an order to disband his company. He issued a second order to the same effect, as follows: Little Rock, July 26, 1872, Maj.. T. M. Gibson, Commanding State Guard, Sir: "It has been reported to me that a portion of the arms sent Capt. Williams' company, has been placed in the hands of men charged with the assassination of Hale and Tucker. If true, you will cause the arms to be taken away, of Williams' entire company to be disarmed, and the storing of the arms, if this will restore quiet, etc., O. A. Hadley, Commander-in-Chief. Edward Saxton, Capt. & A. A. G.

Gibson (who was one of Catterson's raiders) either could not or would not restore quiet. Then, having sent Gen. Bishop, the Governor sent Upham, with authority to call out the militia and to take general command. He finally sent Lieutenant Grove, with a detachment dressed in regular US uniforms. He wrote to Maj Gibson, at that date: "I am satisfied, from what I have seen myself, that Cloninger has acted in gross violation of law. I hope no means will be spared to bring him to justice." No steps were taken to arrest Cloninger, who had robbed all, indiscriminantly.

On the 4th of September, Gov. Hadley received the following letter from Dodson, after the events related in his letter as follows: (S) Dear Sir: "On 1st September, 1872, in company with W. H. Hickox, the county clerk, and my deputy, John H. Williams, I started out of the town of Dover, Pope county. At a distance of about one hundred yards from the court square we passed twenty or thirty armed with revolvers. At a point further on we were fired upon from a house occupied by one Meecham as a wood-shop, and Capt. W. H. Hickox was shot through the head and killed. From the point where Hickox was killed, for a distance of a quarter of a mile, deputy sheriff Williams and myself were fired upon by persons secreted in houses, fence-corners,

and alleys, and to our rear by the persons of whom mention has already been made. Much excitement prevails throughout the country, and nearly all the male inhabitants thereof are under arms and refuse to recognize the forms of law."

The Governor replied to his letter the same day, stating that Major General Upham had been instructed to assist him in the enforcement of the civil and criminal law, and directing him to place himself in communication with Upham. Both letters were for publication, and appeared the next day in the *Republican*. There also appeared in the *Republican*, the military order of Sept. 6th, entitled, "SPECIAL ORDER NO 128", in four paragraphs, assigning Maj Gen. Upham to the command of all the State Guards and entitled militia, and ordering him to proceed to Pope county. Signed by O. A. Hadley, as Commander-in-Chief, and by Edward Saxton, Capt. and Assistant Adjutant General (A. A. G.). Dodson returned to the county with Upham and resumed command of his old gang of marauders, but was ordered by Upham not to enter Dover. Sept. 10, Capt. Williams was killed while collecting militia for Dodson.

Upham, himself, did not seem to approve of Dodson's methods. The mountain militia "appeared to hesitate." About the 10th of November as Dodson was boarding the train to leave the county, at the terminus of the Fort Smith and Little Rock railroad, he was shot to death by a party of citizens in pursuit of him.

Cloninger moved to Hot Springs. There he was killed in the machinery of a saw-mill he had bought and was operating. Credit was given Governor Hadley for his attempts at pacification.

In Conway County a dog shot by a Negro belonging to another Negro started a small war. The militia became involved and the state soon was a battleground.

Lone was the name of the Negro accused. He had been the slave of Anderson Gordon, an ex-confederate Colonel. Lone was accused by a Negro from the plantation area of shooting his dog. He was arrested and tried of a crime.

Many of the Negroes came to town to witness the trial. Some came prepared for war, as they brought their guns. Some were unable to get their guns when they went home because they were reported to have consumed considerable whiskey.

It was rumored that the Negroes were going to "mob" Lewisburg, and pickets were placed on the roads leading into town. One group of pickets were placed on the roads and were fired upon. Thomas Burchfield was mortally wounded.

News of this excitement was reported to Little Rock. The Governor and Mr. A. A. Garland went by steamer to Lewisburg. He also ordered a force of militia from Little Rock and Springfield. Springfield was about 30 miles away from Lewisburg and was the county seat.

The troops from Little Rock were stopped. However, the troops from Springfield proceeded to Lewisburg. The Governor decided the situation was normal and ordered the militia to disband.

In Fulton county, a club was organized. It was called a Democratic club, however, the sheriff, Mr. E. W. Spears, considered it a KKK organization. He called out the militia and sent squads of them scouting through the area. Simpson Mason went on one of these scouting parties on September 19, 1868. While near the home of ex-confederate Colonel Tracy, they were ambushed and Mason was killed.

The sheriff assembled thirty men and went to the house of Capt. N. H. Tracy. They later arrested Mr. Uriah B. Bush. They were believed leaders of the KKK.

Captain William Monks, a noted "bushwhacker" of Missouri and sixty of the men with him were sworn in as militia men by the sheriff. Colonel Tracy was warned that Captain Monks was now a militia man and was operating in his area. Monks expected to capture Colonel Tracy. The account of this was published in the *North Arkansas Times* October 10, 1868 as follows: "Monks and his men then commenced scouting the country, destroying forage, riding over yards, feeding and camping around houses. They took upper and sole-leather, tobacco, horseshoes and nails, without paying for them, from Harlen's store; and made a guardhouse of Harlen's dwelling, and compelled his wife to cook for them and the prisoners. On Saturday, Monks called on all the men who were in favor of killing the prisoners to fall into line. About seventy responded; but ten or twelve refused to fall in. At this the sheriff protested, and said, 'They are my men, and I do not want them hurt.' Monks replied that 'He would do as he d--d pleased,' and ordered Capt. Bryant and U. B. Bush to bring forward the men who committed the murder by Monday at 2 o'clock in the afternoon, or the prisoners would be killed. A scout brought in Archer and Hunter, who had been arrested at their homes, but left there -- Hunter, on account of sickness and Archer, because of his blindness. The sheriff then went away, leaving the prisoners in the hands of the mob, and never went back to see what had become of them, saying he was afraid they would kill him also. Saturday, at 2 o'clock PM they broke up camp at Harlen's and moved up to Col. Tracy's place. They took possession of the house and drove his family into the kitchen, ordering his wife and mother-in-law, Mrs. Pickrue, to go to cooking, or they "would burn the last d--d thing on the place." They chained U. B. Bush with a log-chain upon one of the beds, and pitched into Tracy's papers and books, and made a general smash of them; tore up his buggy and threw it into a mill-pond; took all the mill-irons, augers and tools they could find, and threw them away; fed away and destroyed about 4,000 bundles of oats; about 200 bushels of corn, and cut and destroyed corn yet in the field; took and destroyed some thirty bee-hives; killed all the chickens and smashed up things generally, to the damage of Tracy, of between seven hundred and a thousand dollars. They took out Capt. Bryant; hung him up by the neck, and told him they would kill him if he did not say that said certain parties killed Mason. But if it would implicate certain other parties he should be released. At last, to save his life, he told them any and everything they asked him -- so he told Bush, when they again turned him into the guard-house. Said he to Bush: 'I have been nearly killed by these men, and to save my life I have told an awful tale. I had to tell them that you did assist in killing Mason, and the only chance for you, is to do as I have done -- lie out of it the best you can, and get out of this place.' Bryant was sent out with an escort, and they reported that he 'made his escape!' They arrested one B. T. Deshazo, a very harmless citizen, and tied a rope around his neck, surrounded him with pistols cocked, and told him if he did not acknowledge that Colonel Tracy, Capt. Tracy, T. W. Baker, U. B. Bush, and Capt. Bryant did the murder they would kill him; but if he would tell, they would turn him loose. He protested to the last that he knew nothing about it. They abused him very badly. They then caught up Deshazo's little brother and would write out just the evidence they wanted, and ask him if it was not so? The little fellow would say what they wanted him to say, and they would come in and tell a prisoner that a certain one had sworn a statement implicating him, and he had as well acknowledge, etc. Sometimes, some of the guards would get an opportunity, and tell the prisoners that nobody had so sworn, and not to acknowledge anything."

"Things went on this way, and they had prolonged Bush's life until dark Monday night, when Pink Turner, the Deputy Sheriff, arrived with a writ of habeas corpus for the prisoners (issued by Hon. Elisha Baxter, Judge of the Third Judicial Circuit), which Monks and his men, at

first, voted unanimously to disobey, saying they intended to kill ten men for memory of Mason, and had three who already were fat enough. Some time after they refused to obey the writ, a squad of them found some newspaper in the house and made caps of them, and started up the road, in the direction of Salem, saying they were KKK. Directly after they left, Monks told Deputy Sheriff that he would obey the writ, and the prisoners were at his command. The Deputy Sheriff then took U. B. Bush and J. H. Tracy, and started for Salem, saying that Tracy should not be hurt, but saying nothing about Bush. When they had proceeded about two miles, they were met in the road by the men with paper caps, who made no halt, but rode directly up to them and made efforts to seize the bridles of the prisoners' horses. The Deputy Sheriff caught J. H. Tracy's horse, and whispered to Tracy to run with him. They ran, leaving Bush in the hands of the men. After they had fled a short distance, Tracy heard Bush pleading for his life, and directly they heard firing. Bush's body, pierced with three balls, was found at daylight next morning near the spot where he was taken away from the Deputy Sheriff. William Richardson, when the prisoners were thus taken away from the Sheriff, galloped back to Col. Tracy's where the main gang was and told them what had taken place when all of them mounted and started up the road. In the excitement, T. W. Baker, Deshazo and the rest of the prisoners escaped. The gang returned to Tracy's and hunted around in the orchard and lots for Baker, thinking he was too sick to sit up, and had been accordingly carried out by the other prisoners."

"On learning that an armed body of men was advancing upon them, Monks and his band left in haste for Missouri, taking to the woods after they had proceeded a short distance. The Deputy Sheriff arrived in Salem before day with J. H. Tracy as a prisoner, who immediately stood his trial and was acquitted, together with all the rest, who have stood their trials, to wit: N. W. Baker, E. C. Hunter and James M. Archer. The others implicated are already for trial when called on. The prosecuting attorney said to a gentleman in Salem after the prisoners had been acquitted, that he was satisfied it was nothing but a "union-league trick, to get vengeance upon certain parties."

A bill was introduced in the legislature by John M. Clayton to abolish the office of Adjutant General. Keys Danforth had been holding the position. He was now assumed, Private Secretary to the Governor with the additional duty of Adjutant General.

General Danforth had married the beautiful daughter of the acting Governor Hadley.

A new daily paper was talked of, it was to be published to advance the ambitions of Major General Upham who had gubernatorial aspirations. General Upham questioned the party loyalty of Hadley.

The militia became involved with holding the election of 1872 in Pope county. The election of 1872 was a bitter contest between Mr. Brooks and Mr. Baxter. This period became known as the Pope County War.

The following are statements of two individuals who participated in the war. They tell of the conditions that existed in Pope County: "I first went to Pope County, on the 6th of September, 1872. I went there as First Lieutenant of the State Guards. The Guards had been ordered to Pope County by the Governor. I was in charge of the company. I was commissioned as such by Governor Hadley. When we arrived at the end of the railroad (Perry Station) we found about two hundred and fifty militia. Capt. Stuart, Circuit Superintendent of Schools, seemed to be in charge of the militia. The greater portion of said militia looked to be pretty hard cases. Next morning we went into Russellville. The citizens, what were left of them, seemed very glad to see us, as they thought my detachment to be 'regular soldiers.' They said that if we



were regular soldiers we would take no part on either side, but would preserve peace. My detachment was uniformed in regular US uniforms. We kept up the impression for three or four weeks that we were regular soldiers. On Sunday evening I was ordered by Gen. Upham to take three men, together with Mr. J. B. Erwin, of Russellville, and go to Dover, the county-seat (eleven miles north, at the foot of the mountains.) On arriving in sight of Dover, I saw quite a number of armed men drawn up in the street, embattled farmers, and on arriving in town found there between seventy and eighty men. I asked them why they were armed? They told me that Dodson (sheriff of the county, by appointment of the Governor) had threatened to kill some of them, and burn the town. I asked them if they had any idea that he would kill any of them, or burn their town down? They said they did; and he had already partially carried out one threat by killing Hale and Tucker. I stayed with them until about ten o'clock at night. Their statements were, that as long as Dodson and his men were in arms, they purposed to do the same, for that reason they had applied to the Governor for protection and he had refused it; and the only hope they had of saving their lives and property was by defending it themselves. If General Upham would disband Dodson's militia, they were ready and willing to lay down their arms. All they wanted was peace in the county; and if any of them were charged with any crime, they were willing to surrender themselves to Gen. Upham. On the next Sunday my detachment was moved up to Dover, also Dodson, with his militia (under cover of the supposed regulars) up to within five miles of Dover, where they remained about two weeks. Then they were also moved into Dover. His force was about two hundred and fifty men. The people all along had expressed fears that if Dodson came into the town of Dover he would burn the town. There was more trouble in the town on account of this militia than there had been before. They broke into several stores and smokehouses, robbed beehives, henroosts, etc. They were camped in the town about one month. Before they were disbanded registration was concluded. He claimed to be there to protect the registrar. The registrar's name was John Martin. I offered to protect him; in fact he needed no protection. Gen. Upham also offered to protect him.

Dodson and Frank Hickox (the clerk by gubernatorial appointment) were present with the registrar during the whole of the registration. I should have stated that during the registration at Russellville when the registration commenced one company of Dodson's militia went down there for the purpose of protecting the registrar. I was present in Russellville during the latter part of the first day's registration, and the citizens expressed a good deal of dissatisfaction at the way it was being conducted. A good many of them who had also before been registered, were refused; the registrar assigning no reasons whatever for so refusing.

I was present during the whole of the registration at Dover. I noticed that when citizens came in to register, on making application to the registrar he would ask them if they had listed their property. If they said no, he would tell them 'to step inside, that Mr. Frank Hickox would attend to them.' The registrar would ask then Mr. Dodson, 'if they were all right?' Meaning by that, as I understood it, would they vote all right? If Dodson said no, when the man returned from 'inside' to register, the registrar would tell him that he could not register him. When I speak of Dodson, I mean E. W. Dodson, who was then the sheriff of Pope County. A great many others were refused registration by him, the registrar, saying it was sufficient for them to know that he would not register them."

Dodson's militia were at Dover during the whole time of the registration, and nearly in full force all the time -- about two hundred and fifty men. Dodson was present in the room with the registrar all the time. He had more to say and do about the registration than Martin himself. I

don't know that there was a single man of the militia but was registered. I do not know how many were registered, but almost every man voted that was registered. Dodson's militia, with their arms, were in and about the Courthouse where the registration took place all the time of the registration. They had one room of the Courthouse as a guardhouse. There were some of them present in the clerk's office where the registration was held all the time during the registration and during the sitting of the board of revisers. The citizens that desired to register had to pass through the militia to get to the registrar. The registration continued in Dover ten days; in Russellville six days. That was the only registration they had in the county, and the only places. The County Judge, it was claimed, had divided the county into two districts, the northern and southern districts. There was no record ever made of the order on the records of the county. He told me it was divided for registration purposes only, and that the intention was to have the voting done at the various precincts in the county. But there was no election held at any other places than Dover and Russellville.

A day or two before the election, reports came into Russellville that the militia were again collecting, and that they were going to come to the polls armed. Once, the day before the election, Dodson came into Russellville and swore that he would have enough armed men in there next day to run the election as he d--d pleased. He also said that he was sheriff of the county and that he proposed to conduct that election. There were armed men about the county. On the morning of the election, Dodson's men came into Russellville, in companies, in military order, fully armed.

Dodson's militia were around the polls all day. I should think there were some one hundred and thirty or forty. There they were crowded around the polls all the time, and any person coming up to vote had to pass through them. I myself was about the polls all day. My forces were in the town, but none of them were permitted to go near the polls armed. We were there for the purpose of protecting the citizens in their right to vote.

During the counting of the votes, the day after the election, I noticed Captain Herriott, one of the judges of the election, who took the ballots out of the ballot-box and put them into a hatbox, and unfolded that ballot and passed the same to Mr. Walker, another of the judges, who then read it off, and passed it back to Captain Herriott. Herriott would then drop the ballot into a basket which sat upon the floor, between his feet. Sometimes, instead of dropping the ticket into the basket he would drop it back into the hat-box (to be counted a second time.) This hat-box had the bottom torn in such a way that by pressing upon it a little a person could thrust his hand through. During the counting, Captain Herriott would pick out the Baxter tickets, which could be easily told from the Brooks tickets, by being on a different paper, and keeping pressure on the bottom tickets, when that should fall through into the basket. The bottom of the hat-box was so torn that he could press the parts of the bottom apart, and pass his hand through, which he did occasionally, and when he did so, he took tickets out of the basket. They counted two nights and one day."

Joseph Spears, sworn statement: "About the 1st of October, 1872, as a member of the State Guards, I went to Pope County. On election day, Dodson's militia came to Russellville armed -- from one hundred and fifty to two hundred of them. (Then stated how Lieutenant Grove, his commanding officer, induced them to place their arms in a room he provided for them.) While I was standing around the polls, I saw a great many of Dodson's men vote. I was at both polls during the day. Lieutenant Fowler of the Guard, on going to supper, told me to go and see where the ballot-box was. He told me he wanted me to find the box and keep my eyes on

it, and see that it was not disturbed. I went to the house indicated. I pushed the door of a back room open, and as I stepped in saw an officer of the election, Captain Herriott, with his hands in the ballot-box. I know it was Herriott, for I saw him after he was killed. The man that led me into the room, was a one-eyed man, but I did not know his name. I know it was the ballot-box, for I had seen the box during the day when the officers of the election were putting ballots into it."

**BROOKS - BAXTER WAR  
SPECIAL ORDER NO. 144**

Major General D. P. Upham is hereby ordered to furnish a sufficient force of state troops to duly protect and preserve the Capitol building of this State. General Upham will confer and act in conjunction with the Hon. James M. Johnson, Secretary of State and custodian of public buildings. By order of the Commander-in-Chief KEYS DANFORTH, Adjutant General. The above special order was issued to protect the public records. General Danforth felt that the hostility that the election had brought forth made the State Capitol building unsafe.

These gentlemen were in Washington as contestants for seats on Congress, to which probably all were truly elected. The next two dispatches were from citizens who were moved by public spirit alone, and who knew Brooks personally:

HELENA, ARK, APRIL 16, 1874

HON JOSEPH BROOKS, Governor of Arkansas:

We congratulate you on the final triumph of your right to the office of Governor, and perseverance in vindication of the right of the people.

M. T. Sanders, L. H. Mangum (signed)

TEXARKANA, APRIL 16, 1874

GOVERNOR JOSEPH BROOKS:

Many citizens in town today. They say, "Amen! Brooks is the man we elected." W. H. Cayce.

Then in Saturday's Republican, the 18th, were published the following dispatches from two U.S. senators:

WASHINGTON, APRIL 16, 1874

GOVERNOR JOSEPH BROOKS:

The President's action is in full accord with your views. We rely on your maintaining your vantage ground, which you must hold at any cost. Our position here is that the courts must determine the question, and no collusion will be allowed to interfere.

(signed) Powell Clayton, S. W. Dorsey.

Everything here perfectly satisfactory, and the authorities understand the situation. Maintain your position, as we will take care of affairs here. S. W. Dorsey.

From Helena there were dispatches same date from M. T. Sanders again, and Austin Barrow, Sheriff of Phillips County "What action do you wish me to take?"

From Pine Bluff, of same date, following encouraging congratulatory message, offering assistance:

GOVERNOR JOSEPH BROOKS:

Dispatches say you are Governor, at last. Stand by your rights -- the people will sustain you. Considerable excitement, but abating.

A. A. C. Rogers, W. P. Grace, W. D. Johnson.

From Hot Springs came over the wires the salute of a hundred guns to "Old Joe".

HOT SPRINGS, APRIL 17, 1874

GENERAL R. F. CATTERSON:

The people here are much pleased with the change. They fired one hundred guns last night in honor of "Old Joe." (signed) W. P. Walsh

The columns of the *Gazette* teemed likewise with messages of encouragement to Governor Baxter:

HELENA, APRIL 16, 1874

TO J. N. SMITHEE:

Almost everyone here is for Baxter. The excitement is very high. People are crazy for news. Keep us posted.

EDITORS "INDEPENDENT" HELENA, APRIL 17, 1874

TO E. D. BOYD:

Nearly every man for Baxter. (signed) C. A. Otey

PINE BLUFF, APRIL 16 1874

TO GOVERNOR ELISHA BAXTER:

We are coming, Father Elisha, with a few hundred more. (signed) Ira McBarton

HOPE, APRIL 16, 1874

TO MAJOR GENERAL R. C. NEWTON:

Will be with you at the earliest possible moment. All for Baxter.  
(signed) Dan W. Jones.

The name of M. T. Sanders, Dan W. Jones as well as many others will be remembered for later events in Arkansas History. Sanders became Adjutant General and Jones became Governor.

The following circular was issued to the public:

*Gazette* of April 18, 1874:

'To the People of the State of Arkansas'

The recent occurrence here, in the attempt to displace Baxter and install Brooks as Governor of this State, is a matter of such serious moment as to require, in our opinion, a few words from us. From the disposition heretofore made of the contest between Brooks and Baxter



for the office of Governor by the court of last resort, we had supposed that question settled, unless the next legislature should undertake to act upon it, and Baxter was regarded, under that decision, as the legal Governor of the State. Acting as such Governor, in a time of peace, the country was quiet, but a movement wholly in violation of law, and of a revolutionary character, Governor Baxter was ejected from, and Mr. Brooks was forcibly put into possession of, such office, and is now attempting to exercise the functions and duties of the same. Governor Baxter is determined to put himself in possession of such office and to hold the same, and has so proclaimed to you. In this we fully endorse Governor Baxter, and we call upon you, whose interests are our interests, to come to the aid of Governor Baxter in this movement. Our all is involved in this, and if Governor Baxter is kept out of office in this manner, then there is an end of peace and prosperity in this State, and in their stead we are to have murder, bloodshed and ruin; and, to stand by Governor Baxter in this effort, and we urge you to come to the capitol and aid in the maintenance of Governor Baxter in power and authority.

S. R. Cockrill; Francis A. Terry; John E. Readon; Samuel W. Williams; John C. Peay; H. H. Rottaken; P. Van Patten; Thos. W. Newton; Thos. H. Walker; A. H. Rutherford; Solomon. F. Clark; U. M. Rose; F. W. Compton; John M. Moore; A. H. Garlan; Geo. A. Gallagher; S. C. Faulkner; T. J. Churchill; Richard H. Johnson; John D. Adams; T. P. Dockery; Geo. S. Morrison; Jos. W. Martin; John Kirkwood; Gordon N. Peay; R. C. Newton; John Green; Wm. E. Woodruff, Jr.; Chas. A. Carroll; J. V. Zimmerman; Z. P. H. Farr; Newman Erb; Thos. Fletcher; Geo. L. Basham; A. D. Jones; J. L. Witherspoon; Dick Gantt; E. H. English; J. W. Martin; F. M. Parsons; John Fletcher; James M. Pomeroy; J. W. Reyburn; Wm. A. Crawford; J. N. Smithee.

The Baxter pickets were withdrawn from Markham Street, beyond Louisiana Street, and intercommunication between Markham east of Louisiana street during the following day was obstructed. No one could pass without permission. The State-house party had sentinels all around the State House, and held Markham Street west. Companies of U.S. infantry were placed one at the corner of Fourth and Main Streets (U. S. Court House), another at the corner of Third and Center, with instructions "to interfere with no one, but to prevent conflicts" between opposing citizens. The State House "garrison" had a large quantity of supplies carried into their lines in the afternoon, and continued actively barricading their ground. The Baxter men had possession of the telegraph office. Maj Gen. R. C. Newton commanded one division, Maj Gen. T. J. Churchill another division of the Baxter Forces; Col B. F. Danley was Adjutant General of the latter. The headquarters of the Baxter army was the Anthony House, from the balcony of which the United States army flag floated gracefully. Government bunting floated from all corners of the State House. Maj Frank Strong, ex-Federal officer, acted as Gov. Baxter's Adjutant General and Deputy Secretary of State. There was no truth in a statement that U.S. soldiers had been ordered into the State House; they had only been extended on State Street nearer the State House. Baxter's men, under orders, took forcible possession of the arms and munitions belonging to dealers in firearms. One of two firms had large stores of them within Baxter's lines, and refused to sell upon requisition without the money paid. These men made complaint to Brooks, and thereby lost the full price of their wares ultimately.

Sentinels were regularly posted and walked their rounds all night. All night their challenges might be heard. No shots had yet been exchanged on the 18th, although both sides had been heavily reinforced by volunteers from throughout the state. Telegrams of encouragement poured into Baxter headquarters, but were no longer delivered to Brooks if

received at the telegraph office. Brooks had a wire and instrument of his own. Resolutions of county and city meetings were sent to encourage their several champions.

The people generally were war aroused. The excitement of the situation was intense in localities accessible to the capitol and rapidly extended to those more remote. Each one of the opposing parties was daily increased in numbers. The upper rooms of the entire building were filled with armed men. In front of the west wing there was a cannon placed -- of the 12 pound pieces of artillery brought out of the State House Armory, which Baxter had improvised -- and in position in rear of the building was another piece of artillery, each manned by a sufficient force. A force of riflemen manned the walls of the State House Yard. Sentinels, with bayonets, stood guard over the Governor's and Secretary of State's offices. It became a belief with many of the colored leaders, for reading Clayton's and Dorsey's indorsements of Brooks that the "old Brindle" was in the lead at last, and would be recognized by Congress. They now eagerly filled the ranks of the State House party. Both parties applied to the U.S. officer in charge of delivery to them of the 1,500 stands of arms in the US Arsenal belonging to the State. That officer referred them to General Emory, his senior officer in command, who was absent in New Orleans, and now had not been heard from. Copies of an "Opinion" of the Attorney General, Yonley, were distributed throughout the State House showing Brooks clearly entitled to recognition as de facto Governor.

Friday's *Republican* published the following telegrams under the display head "congratulatory"  
WASHINGTON, APRIL 15, 1874

TO GOVERNOR JOSEPH BROOKS:

Accept congratulations upon the final triumph of the popular will. Republican government has vindicated itself in your regard in the overthrow of usurpation.  
(signed) Wm. J. Hynes, Thomas M. Gunter, L. C. Gause & M. I. Bell.

Each one of the opposing parties was daily increased in numbers by the people who flocked to the capitol from all directions. The State House stood upon the elevated south bank of the Arkansas River. The front of the building faces Markham Street, which runs parallel with the river. The old Anthony House was in the second block east of the State House. Recruits for Brooks came up from the south to the Union Depot and those coming from the north and west landed there after crossing the bridge. Many Negroes were recruited in the counties south, along the line of the Cairo & Fulton Railroad. Tankersly, from Clark, headed a detachment of Negroes. Coblentz and Fill brought down a squad of Negroes from Lewisburg. Mangum and Sanders were accompanied by a few whites from Lee and Phillips counties on the Mississippi River, and crossed the bridge. Baxter's forces were mainly recruited, at first, by small companies of whites, who got off at the ferry, or came round to the east of the town. Brooks had the assistance of State Auditor Wheeler and Treasurer Page, who had gone over to him, and issued certificates of indebtedness for meeting expenditures. By the 19th of April, the numbers which had entered the camps of the opposing parties swelled to the proportions of armies.

A little after daylight, Saturday morning, the 18th, "Gen." Ira McL. Barton and Col. H. King White camped up the river, on the steamboat "Mary Boyd" from Pine Bluff, with three hundred Negroes as reinforcements for Baxter. They were accompanied by Mayor Holcombe of Pine Bluff, Maj. C. G. Newman of the Pine Bluff, and other leading citizens. With brass band and flying colors, they marched from the landing to the headquarters of Gov. Baxter, who greeted them from the balcony of the hotel. Soon after Col. Dan Jones marched in from the

south with a good following from Howard and Hempstead counties, and about 10 o'clock AM, another detachment of citizens of Saline county, under Crawford, arrived to array themselves under the standard of Baxter.

General Newton's staff consisted of Brig. Gen. J. M. Pomeroy, Chief Of Staff; Col. Beall Hempstead, A. A. Gen. Maj. Albert Belding, Ass't A. A. Gen.; Col. H. H. Rottaken, Insp. Gen.; Col. A. Syberg, Chief Of Artillery; Lieut. Col. S. B. Reardon, A. D. C.; Lieut. Col. W. N. Portis, A. D. C. ; Col. John Ainslee, Q. M. Gen.; Maj. T. S. Alden, Ass't Q. M. Gen.; Lieut. Col. George A. Davis, A. Com. Gen.; Rosco G. Jennings, Surg. Gen. with rank of Colonel.

The arrival of Barton and King White, with their colored battalion, their tumultuous reception and the effect produced on the Negroes, created much excitement in the city. That night Col. Rose, commanding the US regulars, placed guards at the corner of Markham and Main streets, the corner immediately west of Anthony House. The same evening, Mayor Kramer received a dispatch from the Attorney General denying the Mayor's request that United States soldiers be detailed to act in aid of the city police. The Attorney General stated that the President had instructed the officer commanding the United States detachment at Little Rock to prevent blood shed. Brook's operators tapped the telegraph wires in front of the State House.

The next morning Gov. Brooks issued another proclamation "To the People of Arkansas" ---- "I desire to avoid bloodshed and a destruction of private property, but while this is so, I cannot sit idly by and see the private property of citizens (arms) taken without compensation by an armed mob, and peaceful citizens halted and maltreated within sight of the capitol! In the interest of peace and good order I request and command all persons who may be deluded into rallying to the standard of the pretender to lay down their arms and return to their homes within twenty-four hours.

If this injunction be disregarded, I shall be compelled to take such measures as will, in my opinion, result in suppressing disorder and in restoring the peace and quiet of the State. I do not want to be placed under the necessity of proclaiming martial law, believing as I do that life and property can be better protected under the civil -- but if my request is disregarded, those disobeying must not complain of what is in store for them, or of the punishment that may be meted out.

In testimony whereof, I have hereto set my hand and caused the great seal of the State of Arkansas to be affixed at the City of Little Rock, this 18th day of April, 1874."  
JOSEPH BROOKS,

Governor of Arkansas  
By the Governor,  
EDWARD CURRY,  
Secretary of State, in interim.

The "call upon the militia of the State," supposed to be referred to by Gov. Brooks, was the "Order No. 1", of April 17th, of Gen. T. P. Dockery, as Military Governor of the City, calling on "all male citizens, between the ages of 18 and 45, to report of duty at his headquarters," at southeast corner of Markham and Scott streets. (old Ashley mansion) It was by the orders of Gen. Dockery that the gun stores of Linzel and of Wm. Dabbs and J. F. Trumpler were placed under guard and some of their guns taken.

Governor Baxter, on the 19th, telegraphed to the President, complaining of the interference of the US military. "The people are coming to my aid, and are ready to restore me at once. In making this organization I am obstructed by the interference of the US in displacing my guards from the telegraph office, and now it is apprehended that there will be further interference. Such interference breaks me down, and prevents any effort on my part to restore the State Government and to protect the people and their rights. I beg you to modify any order to the extent of such interference, and leave me free to act as the legitimate Governor of the State. In the interests of peace, and these people who are flocking here to my support by the hundreds, I beg of you to remove the U.S. troops back to the arsenal and permit me to restore the legitimate government, which I will do promptly, if the U.S. troops will not interfere.

"I have been thwarted and delayed thus long, and in fact ejected from my office because of the fact that I had heretofore disbanded the militia of the State."

On the 20th, as a large reinforcement for Baxter of white citizens from Pope, Johnson, and adjoining counties, under command of Hale, Russell, Ben Young and Harry Poynter, veterans of the Pope County War, were leaving the train of the Fort Smith & Little Rock Railroad, on the north side of the river, the engine suddenly started and threw Capt. John B. McConnell, Clerk of Johnson county, on the rails, between the car wheels. Two wheels passed over his body lengthwise, killing him instantly.

The same day, about 5 o'clock PM, the commander of the US soldiers moved the detachment on post at the *Gazette* office to the foot of Louisiana Street, only a block east of the Sate House. He ordered also two pieces of artillery from the arsenal and placed them in position at the corner of Louisiana and Second Streets. This movement caused considerable excitement which was increased by a statement that the Brooks forces were preparing to attack the Baxter camp. A company of Baxter men was quickly formed across Markham street east of Main. Col. King White, mounted on his cream-colored horse, moved out his large force of colored men, to Second street, and formed them on the east side of Main. Generals Newton, Churchill, Barton, Portic and Ben Danley, also mounted, with their respective staffs, were promptly placing other companies in position.

Observing this demonstration, Rose (Col), the Federal commander, ordered six men to get horses at Davis' livery stable, on Scott Street, and go to the arsenal for more artillery.

The steamer *Hallie* arrived at the wharf from Pine Bluff, with 500 more Negroes (for Baxter), in charge of Ferd. Havis, and a company of white men under John H. Thomas. The same day ex-Auditor W. R. Miller, Judge J. W. Butler, Senator McChesney and Maj. Carroll Woods, with a company of whites, arrived from Batesville.

Telegraph offers of men were still pouring in to both sides. Poindexter Dunn offered Brooks 500 men from Forrest City, Copeland, from Marion, offered Baxter reinforcements, and Thornburg, from Walnut Ridge, offered men. Gen. Wilshire telegraphed from Washington, the 19th, to Baxter: "The lawyers, in and out of Congress, believe you right. Be prompt. Don't fail." and Col. Meyer telegraphed to King White, from Pine Bluff: "Can you use a company of Yehudians (Jews)?"

Colonel Sleeper came down with a reinforcement from Conway County for Baxter. A company of Negroes from Campbell township, under Capt. Sol. Miller, went into Brooks' camp about dark. During the day the Baxter pickets arrested Sheriff E. A. Nickels, of Hot Springs County, and Benton Turner formerly of Conway County, now Sheriff of Faulkner.

On the 20th, the US House of Representatives reported to have appointed a special committee to visit Arkansas and inquire into affairs there.

Several detachments of citizens arrived on the morning trains as reinforcements for Baxter; a large one from Searcy, White County. At 7 PM a truce was agreed upon by all parties until 9 AM the next day. The Federal commander then withdrew his guard which had been stationed at the intersection of Markham and Louisiana Streets, a block east of the State House, and nearly opposite the City Hall. The two pieces of artillery were in position at the U.S. Court Room, then being on the corner of Main and Fourth streets. Another U.S. Company was quartered in the City Hall, where they slept. The Brooks men occupied the State House and Benjamin block, opposite. Baxter occupied room No. 10 in the Anthony House, which was surrounded by a strong guard. Many of his men occupied the Waite block, opposite, and Adams block, east of the Anthony House. Others occupied the Odd Fellows' block, east of the Waite block; some were at the Conway House, on Scott Street, and others at the Ditter block and in the Cleburne Engine House -- all within a circle of a two block radius.

It was reported that an additional force of U.S. regulars was expected on the train from St. Louis, at noon. Nearly all business houses were closed in the district occupied by the 'combatants'. A military order was issued by Gov. Baxter for the "Corps commanders of the Arkansas State Guard" to report their numbers forthwith to Gen. Newton, and assigning Col. Ed. W. Thompson to duty as Chief of Staff. "Gen." Pomeroy was arrested by Oliver, of the Brooks camp, and released during the day. Moses Reed, brother-in-law of Brooks, was arrested by the Baxter men and discharged during the day. About 5 PM, Col. King White turned out his brigade of Negro braves at a parade. Mounted on his clay-brick horse, and headed by a band of music, they marched from the Ditter block, corner of Markham and Rock Streets, west on Markham to Scott, south on Scott to Ninth, thence to Rick, and again on Markham to the Anthony House. Col. Rose, in command of the Federal troops, appeared mounted on a white horse in the center of Main street. In all the upper stories of the building were armed men and citizens of the Baxter side. When halted, fronting the Anthony House, Col. White's "Brigade" gave "three cheers for Baxter."

Governor Baxter came out on the balcony and made them the following address: "Soldiers -- I am, in point of fact, too unwell to address an audience. My health, for a number of weeks, has been such as to almost disqualify me for business. But there is an emergency -- there is an insurrection -- the government has been seized -- the archives are in the hands of insurgents. I have called you here for the purpose of asserting not the rights of Elisha Baxter, but the rights of the sovereign citizens of the State of Arkansas. The seizure of the archives was affected without my ever having been served with process of Court. I am making preparations. I intend to assert my right as far as respects the government functions of the Executive to govern the State of Arkansas."

"I have, however, to say, that it is a well known fact in military service, that officers and commanders cannot give, in advance, to the troops or to the country, a detailed account of their proposed operations. They are necessarily military secrets that are matters which must necessarily be kept quiet; and you will not expect of me on an occasion as public as this to detail my plans of operations."

"Soldiers! I would address you at greater length, but -- and I say without any resort to this as a subterfuge, in order to shirk the labor of speech -- I am physically unable to address you longer. Thank You!"

The Governor started to go in, when he was requested by a general officer to resume his position for a moment. Then Col. White, addressing him from the Street said: "Gov. Baxter: -- I did not come here, of course to make a speech. I am here to assist in reinstating what I consider to be the legally constituted authorities of the State of Arkansas. I have brought with me here a number of colored men. It is been said, Sir, that these colored men will prove treacherous to you. I now ask these colored men, in your presence, and in the presence of this assemblage whether we shall stand firm to Elisha Baxter?"

"I am here, Gov. Baxter, for the purpose, if necessary, of surrendering my life to reinstate the lawful authority of the Government of this State. Furnish us simply with the means -- Give us the authority -- pronounce the order -- and I will guarantee to you, Sir, that in twenty-five minutes from the time of the order is written, Joseph Brooks will either be in hell or archives. I have a force here of men who will fight, Sir; summoned from the fields -- taken from their plows, every one of them. They are anxious to go home, but I say to you now, as I have said to you before, let it take us one day or one year, the colored people commanded by myself and Col. Havis, and the other and subordinate officers of this command will stand by you until you are the recognized Governor of the State of Arkansas."

"This is all I have to say, Sir, I know that you, in your good judgment, and the officers commanding us, in good and proper time will give us the order. All we ask is that the time and those orders will soon come."

Governor Baxter replied: "Col. White -- I wish to say in response to your remarks that for one, I have never for one instant doubted the patriotism and loyalty of these colored men who stand before me. I will know that attempts have been made to change their sentiments and attitude; but in the midst of it all they stand as firm as the Rock of Gibraltar. And allow me to say to you now, that in consequence of the condition of my health, I must be permitted to exhort you, in conclusion -- be patient, conduct yourselves orderly, and have no fears for the consequences."

It seems to have completely bewildered Col. Rose, the Federal commander, who had heard and witnessed it all from his position on his white horse in the center of the street, twenty steps from the band. At the conclusion of Gov. Baxter's remarks the band struck up. Col. White rode toward the band, on the right of his line, and gave the order "right face", intending only to counter march the command back down Markham Street to quarters in the Ditter block. But, as he was about to give the order to march, Col. Rose rode abruptly through the band, as it was playing, his horse striking against some of the musicians. He excitedly asked Col. White if he intended to march his men further up the street, to which question Col White answered: "I had not so intended, sir; but I wish to warn you, that I'll not permit you to ride, over the men of my command, if you are an officer of the U.S." Col. Rose replied, warmly, that his men must keep their places, and he "must keep his place." Col. White retorted: "You are an officer of the US Army and ought to be a gentleman. I am a gentlemen, and, whether you are or not, I'll not permit you to ride over my men, nor over me, Sir!"

Editor's Note:

The Brooks - Baxter War will be continued in the next issue.