

## Talking Points and Highlights for Teachers on Self-Guided Tours

### First Jail

- This building was originally the enlisted barracks and this room was the kitchen/dining room.
- This was turned into a jail in 1872 and continued use until 1888.
- There were two rooms like this, neither had heating or air conditioning
- Each room held 50 -75 prisoners.
- The first thing prisoners would notice was the tremendous odor.
- The men could not take a real bath and all shared the same water from tin basins to clean up.
- The buckets in the fireplace were used as the bathroom. Notice, there is no privacy.
- The bedding was stuffed with straw and laid on the ground, leading to mold and mildew problems.
- It was so hot in the summer that the guards poured water on the floors though it did not help much.
- The small room with the iron bars was called the lawyers box though its true purpose was to keep a locked door between prisoners and the outside when transporting criminals in and out.
- A woman named Anna Dawes came to visit and wrote a letter to congress about the jail.
- Because of the Dawes letter, a new jail was built.

### FAQ

- **Did people die here?** *Yes, some died of sickness and others died of wound received from deputies.*
- **Did anyone ever successfully escape?** *There was one escape that we know of from a newspaper source. He escaped through the chimney. Two other who almost got away were shot and killed. Frank Burris was scheduled to be executed but he did not want to die by the noose. He attempted to escape knowing he was going to be shot. His family was waiting to claim his body. (Suicide by jail guard)*
- **What did they eat?** *Usually a stew type dish.*
- **What did they use for toilet paper?** *Answer not known*
- **Where were the women prisoner held?** *In the old military guardhouse.*

### Discussion

Anna Dawes described the first jail as a “veritable hell on earth” what changes needed to be made to make the 1<sup>st</sup> jail better for the prisoners (keep the late 1880s technology in mind no air conditioning)?

## Second jail

- The second jail was completed 1888.
- This jail could separate the different levels of criminals.
- Top floor was for those who sold whiskey in Indian Territory, committed forgery, cut timber of federal or Indian land illegally and other minor crimes.
- The middle floor was for those who committed assault or robbery.
- The bottom floor was for murderers and rapists.
- Each cell was intended to hold two prisoners however; they put up to four in each cell at times.
- The small door 3”X 5” is for fresh air and the larger door is for toilet bucket.
- During the day prisoners walked outside of their cells with a metal fence/wall that kept prisoners and guards separated.
- At night, a prisoner would close his own door and a guard would push the handle to lock all the doors. Then he would use a key to lock each door more securely.
- In the corner is a urinal. The part is the back of the jail is a sink. Notice the each has a sewage drain.
- This jail was in use until 1917.
- For a short time, it was a barracks for a machine gun crew going to WWI.
- In the 1920, the cells were torn out and the building became Fort Smith’s first boy’s club.
- The parks service used original blue prints to build a portion of the jail.

## FAQ

- **Did anyone ever escape?** *Yes, many who escaped used the toilet bucket door. The most famous fail escape attempt was Cherokee Bill. He had a gun smuggled into him and killed Guard Laurence Keating. Which lead to a 3 hour stand-off before he surrendered. Cherokee Bill was executed on March 17, 1896.*
- **Where did they get water?** *There was a well outside that was attached to a hand pump in the jail.*

## Discussion

The guards were put in a difficult position of protecting Cherokee Bill after he killed Guard Larry Keating. What do you think the guards were thinking and how would handle the situation?

## Courtroom

- In 1872, the court was moved into the enlisted barracks of Fort Smith.
- The court's jurisdiction in Western Arkansas and Indian Territory was to maintain law and order.
- The court's first judge was William Story. He was 28 at the time and ill prepared to carry out the duties of a federal judge. He chose to resign his position due to charges of corruption.
- Judge Parker appointed in 1875.
- He dealt with crimes from selling whiskey in Indian Territory to murder.
- Women and Indians did not have the right to vote so they could not serve on juries.
- Judge Parker – The progressive judge.
  - Busiest federal jurisdiction.
  - View on death penalty.

Parker was in favor of abolishing capital punishment. Parker stated that, "It's not the severity of punishment but rather the certainty of punishment that deters crime."
  - Why he should not be called the Hanging Judge.
    - Less than 1% of his 13,000 cases ended in an execution.
    - He was against the death penalty.
    - He never watched an execution.
  - Work in the community.
    - On school board and encouraged building more schools.
    - On a committee that founded St. Johns hospital now Sparks Regional Medical Center.
- Judge Parker sat on the bench for 21 years until he died in 1896.

## Discussion Question

Who is the most important person in the courtroom and why?

## FAQ

- **Is the furniture original?** *The courtroom furniture is replicas of the originals.*
- **Why are the doors so wide?** *Since this was a barracks building originally, many men would have lived in here. They needed to be able to get out quickly if the fort was under attack or the building caught fire. Another reason it women wore hoopskirts.*
- **What are the brown containers/pots?** *They are called spittoons. People spit chewing tobacco in them*
- **How many people did Parker sentence?** *He sentenced 160 people. 79 were executed. Many did not hang because Supreme Court overturned the decisions of this court.*
- **Were any women hung?** *Four women were sentenced but they were not executed.*
- **Whose picture is above the fireplace in the courtroom?** *President Chester Arthur*

- **Why are there only 38 stars on the flag?** That is the number states US in 1889. The courtroom was moved to 6<sup>th</sup> and Rogers (new courthouse) in 1890.
- **What are the cutouts on the columns?** After court moved, to its new location, the room was sub-divided and that marks where the wall was located.
- **Why is there a belt on the wall?** The belt was discovered under the plaster in the old living quarters. The belt was put, NPS, in the courtroom to honor the soldiers who lived in the building before the federal court moved to Fort Smith.

**1 - Judge Parker's desk**

**2 - Judge's chair**

**3 - Bookcases**

**4 - Water cooler**

**5 - Witness Chair**

**6 - Clerk's desk and chair**

**7 - Revolving bookcase**

**8 - Evidence Table**

**9 - Chandelier**

**10 - Clock (on wall)**

**11 - Jury chairs**

**12 - Defense Table**

**13 - Prosecution Table**

**14 - Chairs for U.S. Marshal, Bailiff, and others**

**15 - Portrait of President Chester Arthur**

**16 - American Flag (on wall)**

