

Fort Smith

Fort Smith
National Historic Site
Arkansas

National Park Service
U.S. Department of the Interior



The first Fort Smith, shown here in an 1820 painting by landscape artist Samuel Seymour, was named for Gen. Thomas A. Smith, commander of all Federal forces west of the

Mississippi River when the post was established in 1817. Not until 1822, however, was the fort considered "in a good state of defense."



As a depot servicing military posts and exploring expeditions, the second Fort Smith (shown here in an 1853 lithograph by Heinrich B. Möllhausen) was under constant demand

for wagons, mules, horses, uniforms, weapons, ammunition, tents, tools, and other items required by a frontier army.



Some of the men who rode for Parker—U.S. deputy marshals at Fort Smith. "Without these men," Parker said, "I could not hold court a single day." Theirs was a perilous job, and Parker

knew it. Sadly he noted, "in my court jurisdiction alone 65 Deputy Marshals were murdered in the discharge of their duty." By 1896 the total number killed exceeded 100.

Cover: From the painting "The Trail of Tears" by Robert Lindneux. Courtesy Woolaroc Museum, Bartlesville, Oklahoma.

Little Gibraltar on the Arkansas

Fort Smith National Historic Site embraces the remains of two frontier forts and the Federal Court for the Western District of Arkansas. Commemorating a significant phase of America's westward expansion, it stands today a reminder of 80 turbulent years in the history of Federal Indian policy.

The first Fort Smith was a small log and stone stockade situated on a rocky bluff overlooking the junction of the Poteau and Arkansas Rivers. It was established by Maj. William Bradford and a company of the U.S. Rifle Regiment in December 1817 to maintain peace between local Osage Indians, emigrating Cherokees (many of whom had been pressured and pushed westward from their ancestral lands in the southeastern United States), and non-Indian settlers moving west. The 1822 Treaty of Fort Smith, negotiated by Col. Mathew Arbuckle, then the fort's commanding officer, and Indian Commissioner James Miller, reconciled most of the difficulties between the Osage and the Cherokee and continued to guarantee the tribes that no non-Indians would settle on their lands.

In 1824, in anticipation of the establishment of the western boundary of the Arkansas Territory, the army abandoned Fort Smith and founded Fort Gibson 129 kilometers (80 miles) up the Arkansas River. But the U.S. Government's long-standing policy of Indian removal, encouraging or forcing eastern Indians to move west, gained momentum after Andrew Jackson became President in 1829, bringing increasing numbers of Chickasaws, Choctaws, Creeks, Seminoles, and Cherokees to the region. Jackson's Secretary of War Lewis Cass called the movement "The Great Experiment," but to the Indians, who not only lost their homes but suffered death and disinheritance, it was thereafter known as "The Trail of Tears."

Alarmed by the seemingly endless migration of Indians and drawn by the prospects of major economic benefits, Arkansas settlers prevailed on Congress for protection and in 1838 the army began building a new Fort Smith near the ruins of the first. Irregular

Congressional appropriations, however, halted construction in 1845. The original plans called for a large masonry fort to serve as a base for possible military operations against Indian uprisings, but when the Indian threat failed to materialize, the War Department modified the plans and turned Fort Smith into a supply depot.

Judge Parker's Court



Judge Isaac C. Parker and his restored courtroom. During his years as judge of the Federal Court for the Western District of Arkansas, Parker was a tireless, incorruptible defender of justice and a strong supporter of Indian rights. He had no illusions that he could obstruct the advance of white civilization, nor did he want to, but he was determined that whatever fate lay in store for the Indians, they would not be set upon by ruffians operating outside the law. "People have said that I am a cruel, heartless, and bloodthirsty man," he once told a reporter, "but . . . I have ever had the single aim of justice in view. . . . Do equal and exact justice has been my motto."

Fort Smith was garrisoned during the Mexican War by Arkansas Volunteers and during the Civil War by first Confederate and then Union troops. In September 1865 the fort hosted a Grand Council of Indians at which U.S. Government representatives laid down the new rules that formed the basis for the Indian treaties of 1866, taking away almost one-half of all lands that had been owned by the Indian tribes prior to the Civil War.

By 1871 the Indian frontier had moved so far beyond the Arkansas State boundary

that Fort Smith could no longer serve efficiently as a supply depot. The army moved out. A year later the Federal Court for the Western District of Arkansas moved in.

The court had criminal jurisdiction over the Indian Territory as well as western Arkansas, and it was from the Indian Territory that most of its cases came. In the early 1870s no system of law as we know it today existed for whites in the Indian Territory. Indians were subject to their own tribal courts, but these had no jurisdiction over whites. As a result, many of the most desperate criminals in the United States sought and found sanctuary there from arrest and extradition. The court, supported by U.S. deputy marshals, was the only buffer between this lawless element and the Territory's peaceful citizens.

The man who presided over this court from 1875-1896 was Judge Isaac C. Parker, who possessed a sound legal background, total honesty and dedication to the job, and a sense of fair play toward the Indians. With the help of both dedicated lawmen and citizens, Parker began to bring order to the Indian Territory. Gradually, however, as the non-Indian population increased and the Indian judicial system was abolished by Congress, new courts were established in the Indian Territory to handle the additional workload of civil and criminal cases. Each new court whittled away portions of Judge Parker's jurisdiction until, in September 1896, Congress removed his court's territorial authority completely. Ten weeks later the ailing judge died of Bright's disease. Parker's doctor said his death was hastened by 21 years of overwork. He was buried in Fort Smith National Cemetery. An era had ended.

Trail of Tears National Historic Trail In 1987, Congress established this unit of the National Trails System, commemorating the Cherokee removal from the southeast and their forced journey across nine States. A comprehensive management plan is being prepared to help identify interpretation, resource protection, and public use concepts.

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Historic building or structure site

Existing building or structure

Authorized park area

There are a number of private property holdings within the authorized park area and these should be respected. If in doubt, check with a park ranger.



First Fort Smith ruins.



Gallows.



Flagpole.



Barracks-Courthouse-Jail complex.

Touring Fort Smith

Fort Smith National Historic Site is located at the corner of Rogers Avenue and Third Street in downtown Fort Smith. It can be reached from Garrison Avenue. The parking lot is at Third Street and Garland Avenue. The visitor center is in the Barracks-Courthouse-Jail building and is open daily, except December 25 and New Year's Day. Group tours are available if advance arrangements are made with the Superintendent, whose address is Box 1406, Fort Smith, AR 72902; call 479-783-3961; www.nps.gov/fosm on the Internet. The principal features of the park are discussed below.

Second Fort Smith

This fort was established when Arkansas settlers feared trouble after President Andrew Jackson's "Indian Removal" brought thousands of Indians into the region. It consisted of two officers' quarters, a barracks, and commissary and quartermaster storehouses, all enclosed by a stone wall. The wall has long since disappeared, along with most of the buildings, but the enlisted men's barracks and the stone commissary storehouse are still standing.

First Fort Smith

The small stockaded fort established here in 1817 was only 40 meters (132 feet) on each side, with blockhouses at alternate corners, "together with a hospital for the sick, a Storehouse for the public, a Provision house . . ." and "a hut" for the commanding officer. It was a lonely and isolated station. The garrison, always too small for its peace-keeping task, never numbered more than 130 men. After the army abandoned the fort in 1824, it continued to be used intermittently by transient troops. It was never maintained, however, and soon lay in ruins. Its exact location remained unknown until 1963, when archeologists uncovered the foundations you see here today.

Commissary Storehouse

The army began constructing this building in 1838 as one of the five bastions of the second Fort Smith. But when the War Department made the fort a supply depot, the structure was converted to a commissary

storehouse. Completed in 1846, it was later modified for use as a barracks. After the military abandoned the fort in 1871, the building was used as a residence for court officials and also served as Judge Parker's chambers. It was eventually purchased by the city of Fort Smith and became the Old Fort Museum. The city donated it to the National Park Service in 1961. It is open daily from 9 a.m. to 5 p.m.

Barracks-Courthouse-Jail

The first barracks on this site was completed in 1846 and burned 3 years later. It was rebuilt and remained in use until the army left Fort Smith in 1871. In 1872 the Federal Court for the Western District of Arkansas moved into the building, using one room as a courtroom and other rooms as offices for the clerk, U.S. Marshal, and U.S. Commissioner. The basement became a primitive jail. In this building, Judge Parker presided over court cases from 1875 to 1889. (In 1890 the court moved 3 blocks down the street to a new courthouse.) Public clamor over conditions in the jail, which those confined there called "Hell on the Border," led in 1887 to the construction of a new jail with more modern cell arrangements. This building continued to serve as a Federal prison until 1917. The courthouse, which originally was a 1½-story structure with full porches on two sides, was changed to its present appearance in 1890.

Gallows

This reproduction of the 1886 gallows is a reminder of the chaotic social conditions that existed in the Indian Territory during Judge Parker's time. From 1875-1896 Judge Parker heard more than 13,000 cases, of which over 12,000 were criminal in nature. Of these, 344 involved the capital offenses of rape and murder, for which United States law demanded the death penalty upon conviction, and 160 were sentenced to hang. Only 79 were hanged, but these were cited as "proof" of Parker's severity by his critics. Few critics, however, took notice of the tremendous case load of the court or of the savage nature of the crimes committed. The original gallows was designed to hang as

many as six condemned criminals at a time. It stood by the wall surrounding the fort about 137 meters (150 yards) south of the courtroom. An enlarged gallows, capable of hanging up to 12 men at a time, was constructed in 1886 on this site. It stood until 1897 when, with the passing of the court's jurisdiction over the Indian Territory, it was taken down and burned.

Initial Point Marker (Reconstruction)

A small stone monument was set here in 1858 to commemorate the 1825 establishment of the boundary between Arkansas Territory and the lands of the Choctaw Nation. For some 65 years after the boundary was established, only Indians were allowed to settle west of this line. The original stone marker is on display in the visitor center.

Second Fort Smith Flagpole

Standing 100 feet high and flying a 36-foot by 20-foot garrison flag, the second Fort Smith flagpole dominated the skyline. This historically accurate reconstruction flies a 37-star flag, of the type that would have flown over the fort from 1867-71.

For Your Safety

Fort Smith National Historic Site is located in a downtown area, and there is much traffic on the streets around the park. Please be careful when walking or crossing these streets.

When going to the Belle Point area, please use the pedestrian walkway and watch for trains when crossing the railroad tracks. Both the Poteau and Arkansas Rivers are unsafe for swimming or water sports. Also, due to the nearness of the rivers, poisonous snakes have been seen in the tall grass surrounding the historic site. Caution your family accordingly.

Dogs, cats, and other pets are permitted within the site, but they must be on leashes or otherwise physically restrained. Restoration or archeological work may be in progress. Please use extreme caution in these areas, especially with children.