

The first Fort Smith, seen 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."  
FORT SMITH NHS

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.  
LIBRARY OF CONGRESS

Some of the men who rode for Parker—U.S. deputy marshals at Fort Smith during their 1908 reunion. "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.  
WESTERN HISTORY COLLECTION, UNIVERSITY OF OKLAHOMA LIBRARY

Cover: From the painting "The Trail of Tears" by Robert O. Lindneux, depicting the forced migration of the Cherokee from their ancestral home in 1838–39.  
WOOLAROC MUSEUM, BARTLESVILLE, OKLA.

## Little Gibraltar on the Arkansas

Fort Smith National Historic Site includes 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 as 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 established Fort Gibson 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, halt-

ed 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.

Fort Smith was garrisoned during the U.S.-Mexican War by Arkansas Volunteers and during the Civil War by first Confederate and



COURTROOM: FORT SMITH NHS; PARKER: LIBRARY OF CONGRESS

Judge Isaac C. Parker (inset above), about 1875, 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 non-Indian civilizations, 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."

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 that took away almost one-half of all lands 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 existed for non-Indians in the Indian Territory. Indians were subject to their own tribal courts, but these had no jurisdiction over anyone else. 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.

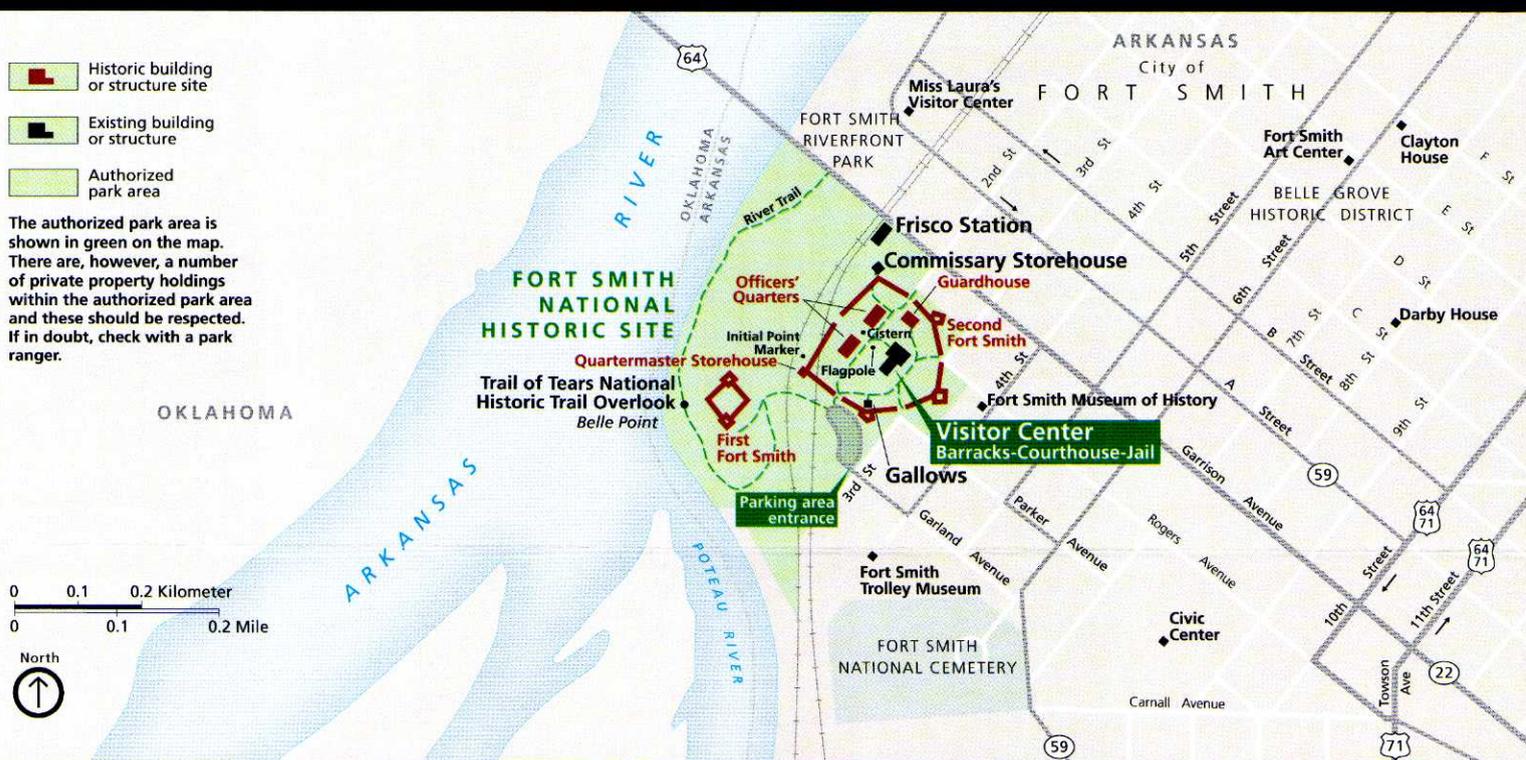
**Trail of Tears National Historic Trail** In 1987 Congress established this unit of the National Trails System, commemorating the removal of five Eastern tribes and their forced journey to Oklahoma. A river overlook and interior exhibits interpret the impact of the removal on the Cherokee, Choctaw, Chickasaw, Muscogee (Creek), and Seminole.

# Touring Fort Smith

-  Historic building or structure site
-  Existing building or structure
-  Authorized park area

The authorized park area is shown in green on the map. There are, however, a number of private property holdings within the authorized park area and these should be respected. If in doubt, check with a park ranger.

0 0.1 0.2 Kilometer  
0 0.1 0.2 Mile



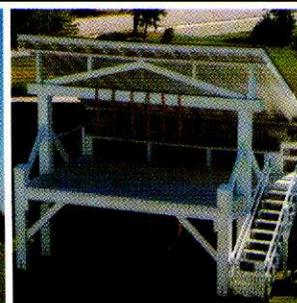
First Fort Smith ruin



Flagpole



Barracks-Courthouse-Jail



Gallows  
ALL PHOTOS FORT SMITH NHS

Fort Smith National Historic Site is located in downtown Fort Smith. It can be reached from Garrison or Rogers avenues by turning south on 4th Street (see map). The visitor center is in the Barracks-Courthouse-Jail complex. It is open daily, except December 25 and January 1. Group tours are available by reservation. The principal features of the fort are identified on the map and discussed below.

### First Fort Smith

The small stockaded fort established here in 1817 was only 132 feet on each side, with blockhouses at alternate corners, "together with a hospital for the sick, a Store house for the public, a Provision house . . ." and "a hut" for the commanding officer. It was a lonely and isolated station. The garrison 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.

### Second Fort Smith

The fort was established for political and economic reasons shortly after Arkansas became a state. Major buildings included two officer's quarters, a barracks, a commissary, and a quartermaster storehouse, all enclosed by a stone wall. The wall was removed in 1897. An outline of stones placed at ground level marks its original location. Locations of other second fort buildings are designated by wayside panels and marked floor plans.

### Commissary Storehouse

The second fort commissary is the oldest building in the city of Fort Smith. Originally constructed in 1838 as a bastion, it was soon converted into a supply warehouse. Food supplies were stored here and later transported to troops stationed farther west. Transcontinental railroad survey parties, '49ers headed for California's goldfields, and soldiers fighting in the U.S.-Mexican War drew rations from this building. It was later modified for use as a barracks and hospital, then converted into a residence for court officials and Judge Parker's chambers. During much of the 20th century it housed a city museum.

### Barracks-Courthouse-Jail

The first barracks on this site was completed in 1846 and burned three 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 three 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 jail 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 more than 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 150 yards south of the courtroom. The third and largest of the federal court's gallows was constructed on this site in 1886. 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- 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.

Restoration or archeological work may be in progress. Please use extreme caution in these areas, especially with children.

Dogs, cats, and other pets are permitted within the site, but they must be on leashes or otherwise physically restrained.

### For More Information

Fort Smith National Historic Site  
Box 1406  
Fort Smith, AR 72902  
479-783-3961  
[www.nps.gov/fosm](http://www.nps.gov/fosm)

Fort Smith National Historic Site is one of more than 380 parks in the National Park System. The National Park Service cares for these special places saved by the American people so that all may experience our heritage. To learn more about national parks and National Park Service programs in America's communities visit [www.nps.gov](http://www.nps.gov).

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