The Great Western Land Pirate

THE GREAT WESTERN LAND PIRATE

**John A. Murrell in
Legend and History**

James Lal Penick, Jr.

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Dedicated to the memory of
William Coker (1943-1975)
who wanted to write
a book about Murrell.

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James Lal Penick, Jr.
Loyola University of Chicago
April 1981

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The Legend of John A. Murrell

What are [Jesse] James and his half dozen vulgar rascals compared with this stately old time criminal, with his sermons, his meditated insurrections and city captures, and his majestic following of ten hundred men, sworn to do his evil will!—Mark Twain, Life on the Mississippi (New York: New American Library, Signet Classic, 1961), pp. 178–79.

John A. Murrell lived in Tennessee when Andrew Jackson was president. According to legend, he was an able man who had been raised to be a rascal by his unscrupulous mother. Flogged and imprisoned as a youth, he swore eternal vengeance against the society that had punished him. He became a highwayman and merciless killer, a horse thief, counterfeiter, and slave stealer. He often disguised himself as a clergyman and preached to congregations while confederates stole their horses. He scattered counterfeit money like confetti.

But he grew discontented with piecemeal larceny; his wrath was directed against the entire social order, and such methods caused scarcely a tremor in its foundation. He conceived the idea of welding together men like himself in a single organization. He began traveling far and wide, preaching the advantages of solidarity. Soon his recruits, scattered from Maryland to Louisiana, numbered in the hundreds. As his ambition expanded, a dream began to take shape in his mind: to secretly infiltrate the slave population and to preach insurrection; then, at the appropriate time when his organization was strong in every slaveholding state, he would spring the trap. The slaves would rise, the countryside would burn, and vast armies of avenging blacks under white leadership would march into the cities and

towns, while strong outlaw bands, using the uprising as a diversion, would plunder banks and rich merchants. Then, when troops marched from the North to suppress the insurrection, he and his bands would fade prudently away leaving the blacks to fend for themselves.

It was a bold scheme, but Murrell was reputed a bold man—one of the steely eyed individualists who in literature, balladry, and legend occupy positions on both sides of the law, either as heroes or as villains. Circumstances determine which role they choose to play, but all have in common a marked unwillingness to lie back and be tread upon. "Murrell was no common man," wrote a nineteenth-century author.

Possessed of an indomitable energy, great quickness of perception, an unshaken nerve, a power to influence and control all with whom he came in contact, it is probable that under different circumstances, and unexposed to those temptations which early led him astray, he might have been an honor and a blessing to his country in the council or in the field.¹

O. S. Fowler, the popular Cincinnati phrenologist who examined Murrell in the penitentiary, found that his skull conformation showed a high development of every capacity except sense of justice, of which he was in short supply. His natural ability was such that in other circumstances he might have been "a superior scholar, scientific man, a lawyer, or a statesman."²

His plans were nearly mature when disaster struck. A young man named Virgil A. Stewart insinuated himself into Murrell's confidence. His life story, the mysteries of his clan, the names of his closest lieutenants, and his scheme to destroy Southern society were exposed. Stewart proved to be an undercover agent. Murrell was cast into prison, his clan

1. Samuel A. Hammett, "Uses and Abuses of Lynch Law," *American Whig Review* 13 (March 1851):217.

2. *National Police Gazette*, eds., *The Life and Adventures of John A. Murrell, the Great Western Land Pirate* (New York: H. Long & Brother, 1847), p. 4.

was broken and scattered, and Stewart was hailed as a savior of his countrymen.

This account of Murrell's career and significance is mostly hokum. He was a counterfeiter, horse thief, and slave stealer, but he did not consolidate the criminals of the South in an early variant of Cosa Nostra called the Mystic Clan of the Confederacy or plot the overthrow of the social order. The legend of John A. Murrell derived from a single source: *A History of the Detection, Conviction, Life and Designs of John A. Murel, the Great Western Land Pirate, Together with His System of Villany, and Plan of Exciting a Negro Rebellion, and a Catalogue of the Names of Four Hundred and Forty Five of His Mystic Clan Fellows and Followers; and Their Efforts for the Destruction of Mr. Virgil A. Stewart, the Young Man Who Detected Him; to which is Added, a Biographical Sketch of Mr. V. A. Stewart*. Published seven months after Murrell's trial and imprisonment for slave stealing, the author of this considerable mouthful was very likely Stewart; the putative author, Augustus Q. Walton, Esq., was fictitious.

Stewart's little book could safely be left to the popular writers who have long mined it but for the tragic aftermath of its appearance. The state of Mississippi was for several reasons susceptible to his tale of an insurrection conspiracy. In July 1835, the west-central counties were overtaken by belief that the slaves were about to rise. White men were thought to be responsible, and a confession linked them to Murrell's clan. The entire region was seized by panic. Several dozen men died during that bloody summer or were beaten unmercifully and banished. Minor scares flared up at other points in the South. Town after town in the lower Mississippi Valley was purged of gamblers, who were widely believed to be "Murelites." Stewart became a popular hero; his book acquired a national audience; he was lavished with gifts.

As it happened, northern abolitionists chose this summer to launch a vigorous effort to distribute antislavery literature in the region and slaveholders responded wrathfully. Violent incidents occurred all over the South. The "Murel conspiracy" and abolitionism were merged, and of this por-

tentous union was born the legend of John A. Murrell. Like all legends it served a social purpose. It became the means for attacking abolitionism at its strongest point, its superior moral claims, for Murrell's career offered proof that abolition was a fraud on the Negro as well as on whites. The legendary Murrell used the one to plunder the other. He had been in the Tennessee penitentiary for a year. During that time, he was elevated to the status of prodigious murderer and criminal mastermind.

The Murrell legend took root in the Old Southwest, which was settled in the fifty years after the United States achieved its independence. The region stretched from the present states of Louisiana and Arkansas in the west to the Appalachian barrier in the east, and from the Ohio River to the Gulf of Mexico. Most of Murrell's story takes place in the 1820s and 1830s when the frontier had advanced to the western fringe, and the western districts of Tennessee and Mississippi as well as Arkansas Territory were opened to settlement. The era of the steamboat was well underway. Previously river traffic flowed only in the direction of the current. Travelers returned overland by the Natchez Trace, which ran five hundred miles from Natchez to Nashville where it intersected Boone's Old Wilderness Road. Now they could return by steamboat; by 1830 the old highway was falling into disrepair. Slavery was well established throughout the region; in parts of western Mississippi in the 1830s the black population vastly outnumbered the white population.

The region was no longer "lawless" in the strict sense. Generally, the administration and judicial machinery of county government preceded settlement. Gone were the wilderness bandits of Cave-in-Rock or notorious highwaymen like Samuel Mason and Wiley Harpe, who lurked along the Natchez Trace in its heyday. But there was an abundance of crime, especially along the arterial rivers: highway robbery, burglary, piracy, counterfeiting, horse and slave stealing, thievery of every kind, and murder. The centers of such activity were wild, inaccessible places. The towns all had districts that were filled with crime and vice: the Swamp of New Orleans, Natchez-under-the-Hill, the

Pinchgut of Memphis, the Kangaroos of Vicksburg. But sparsely settled sections like the "morass" of northeastern Arkansas were typical criminal strongholds.

The Old Southwest had no monopoly on crime in the nation. Horse stealing and counterfeiting were as common in Illinois as in Tennessee or Arkansas; both were national problems. Murder, robbery, and vice were found in all sections. Slave stealing, however, was unique to the South, for obvious reasons. With new lands opening in Mississippi and Arkansas, planters there and in northern Louisiana would pay well for prime fieldhands and would ask no embarrassing questions.

If crime was prevalent everywhere, so was violence. Major riots occurred in the 1830s in New York, Boston, Philadelphia, New Bedford, and Charleston, and minor ones at dozens of other places, for all kinds of reasons. The chances of falling victim to mob violence were nearly as great in Illinois or Iowa as in Arkansas or Mississippi. If there was a greater level of violence in the lower valley it was because of the regulator (or vigilante) tradition, although regulator bands were found to a lesser extent in the upper valley. The victims of lynching in the lower valley in the 1830s probably numbered in the hundreds. The word *lynch* was then used to denote any form of punishment, including banishment, flogging, tar and feathers, or death, administered by mobs or vigilance groups—although references to the Court of Judge Lynch meant the latter. Vigilance activity was designed as much to curb or to regularize spontaneous mob violence as to punish criminals.

Stolen horses and slaves and bogus money were best disposed of at a safe distance. A slave kidnapped in Kentucky could be rapidly carried down the Mississippi and up the Red River to be sold in central Louisiana, far from the locale of the hue and cry. Criminal bands were interstate in character, their favorite lairs on or near navigable rivers and state lines. They were well organized, their leaders often pursuing apparently respectable occupations. The country around such sites was the scene of increased vigilante activity; settlers perceiving a threat to their culture and well-being fought back, sometimes brutally. Belief in a far-flung

criminal network was strong; more cohesion between widely scattered gangs was assumed than existed in reality. Only an outlaw genius was lacking on whom responsibility could be fastened for the consolidation of the gangs in a single organization. In 1834, the part was given to John A. Murrell.

At this point, a few distinctions might be useful. Three different kinds of sources nourish the Murrell story—history, folklore, and legend—which may be confusing in this study if their usage is not defined. *History* and *folklore* are used conventionally, the one meaning a story preserved in written records, and the other tradition that in the beginning, was probably orally transmitted. *Legend*, however, may cause difficulty if the peculiarity of the Murrell legend is not kept in mind. The word is understood conventionally to mean ‘a romantic or popularized myth.’ A legend is normally constructed of materials drawn from both history and folklore but organized in a way meaningful to its home culture. The legendary Jesse James was more than an outlaw, he was a champion of his people. He robbed the hated railroads and continued the war on the despised “bluebellies.” His story is a variant of the legend of Robin Hood, who robbed the rich and gave to the poor. The complete portrait is a blend of history and folklore. They intermingle in the Murrell legend, also, but its relationship to other outlaw legends is a similarity with a difference. Despite occasional misgivings, historians have used Stewart’s pamphlet as a valid source; and although an authentic vein of tradition contradicts the legend, folklore, too, has been adulterated and distorted by Stewart’s effusions. Legend is normally a combination of history and folklore, but in the case of Murrell, history and folklore have been shaped or distorted by the legend.

In reality, history has had few innings; evidence was assumed to be too scanty to support much of an effort. As the author of the article on Murrell in the *Dictionary of American Biography* wrote, apart “from a few court records and dates from documentary sources there is little contemporary information about Murrell himself . . . except the narrative written by his captor, Virgil A. Stewart.” Serious scholarship is meager once the work of popular historians and novelists

who have perpetuated the legend is discounted. Quite possibly only one writer actually looked at "a few court records"; Park Marshall examined the minutes of the circuit court in Williamson County during the years of Murrell's adolescence. The result was a seven-page article published in 1920, more than half of which was devoted to Daniel Crenshaw, Murrell's supposed partner in crime.³

Undoubtedly Stewart's pamphlet has a meretricious appearance likely to arouse critical suspicions, but if scholars have been discouraged by the apparent poverty of other sources they were in the grip of an erroneous assumption. The historical record of the Murrell story is far from contemptible. This book is the result of an investigation of that record.

My research was undertaken in a skeptical spirit akin to that of Marshall many years ago, except that for Marshall skepticism about Murrell was a matter of cultural heritage. He was a former mayor of Franklin, Tennessee, steeped in the lore of Murrell's home county of Williamson. Skepticism is characteristic of one strain of the folklore about Murrell in middle and western Tennessee. Until a generation ago, this tradition, which stands out starkly from the spurious tradition generated by Stewart's pamphlet, was alive among farmers, storekeepers, local history buffs, and the ladies who watched over the genealogies of their regions. Today elements of it survive, but for the most part in diaries and other memorabilia of an earlier time. The Murrell preserved in this collective memory was no great shakes as a criminal, probably never a highwayman or a murderer (he was too cowardly), and in general not as bad as he was thought to be in the books written about him. Stewart is remembered as a quondam confederate of the outlaw who betrayed him and then wrote a book portraying him as a monster in order to make money. This flickering tradition is closer in spirit to the truth about Murrell and Stewart than

3. Dumas Malone, ed., *Dictionary of American Biography*, 10 vols. (New York: Charles Scribner's Sons, 1927-1936), 7:369-70; Park Marshall, "John A. Murrell and Daniel Crenshaw," *Tennessee Historical Magazine* 6 (April 1920):3-9.

anything to be found in the literature generated by the legend.

This book is about the legend and about what really happened, but only in a secondary sense is its purpose to set the record straight. While an honorable pursuit for the historian—were that the only motive—it is doubtful the return would be worth the effort. Marshall's conclusion sixty years ago was close to the mark. Murrell was a thief, and not a very successful one at that. If every such criminal were to be entombed in the *Dictionary of American Biography* that estimable work would expand beyond all reckoning. The interesting problem is not to cut Murrell down to size but to explain how and why he was ever inflated to such outrageous proportions in the first place. How was an indifferent thief transformed into a master criminal?

The Historical Murrell

It is beyond the power of historic research to separate the false from the true in all that has come down to us about John A. Murrell.—James Phelan, A History of Tennessee (Boston, Mass.: Houghton Mifflin, 1888), p. 347.

Lunenburg County furnished more than its share of early Tennessee settlers. Known as Southside Virginia, it once embraced most of southern Virginia west of the fall line. It was watered by Staunton River, which in North Carolina became Roanoke River before emptying into Albemarle Sound. The absence of rivers flowing east into Chesapeake Bay discouraged settlement by the large planters; Southside, more than any other section of Virginia, was a land of small self-sufficient farmers. At the same time, the region permitted easy access to the Tennessee settlements. The Old Warrior's Trace that came down the valley crossed the Blue Ridge at Staunton Gap and then passed through Lunenburg into North Carolina. The venturesome had but to follow this road to get to Tennessee.¹

The family of John A. Murrell very likely followed this road soon after his birth. He was born in Lunenburg County and was raised from infancy in middle Tennessee. His family probably emigrated because of its connection to the Andrews clan; Murrell's maternal grandfather was Mark Andrews, a patriarch of some importance to those who keep the run of that family's genealogy. A fair number of An-

1. Richard L. Morton, *Colonial Virginia*, 2 vols. (Chapel Hill: University of North Carolina Press, 1960), 2:562-64, 567-69; Thomas P. Abernethy, *Three Virginia Frontiers* (University: Louisiana State University Press, 1940), p. 53.

drews left Virginia for Tennessee in the first decade of the century; Mark arrived in Williamson County in 1801, at a time in life when most of his children were grown. Family ties must have been strong because his sons and sons-in-law appear on the scene during the next few years. A few like John Andrews, John A. Murrell's maternal uncle after whom he was named, had small land grants in recognition of their services in the American Revolution. They settled down near one another in the southern part of the county, around the headwaters of West Harpeth River.²

Among the numerous brood of Mark Andrews was a daughter named Zilpha, a lady who does not always appear in family genealogies; proud descendants of the Andrews have demonstrated an understandable reluctance to ac-

2. John A. Murrell's place of birth is given in Record Group 25, "Prison Records for the Main Prison at Nashville, Tennessee, 1831-1922" (hereafter referred to as RG 25), Record Book, 45: 103-4, in the Tennessee State Library and Archives (hereafter referred to as TSLA), Nashville. His age at that time (1834) was twenty-eight; thus, he was born in 1806, the year his family left Virginia. Memory of Murrell's birthplace was buried under repeated assertions in later years that he had been born in Williamson County, but many among Murrell's own generation fought a rear-guard action to defend their county against the charge of having spawned the miscreant. The story of Murrell's Williamson birth, charged one irate patriot, "was wrote for a reflection upon this neighborhood, and its populace." See *Columbia Herald and Mail* (Tenn.), 1 June 1877, 8 June 1877.

Apparently the first of the Andrews men to take up residence in southern Williamson County were Knacy and his father, Ephraim, in 1800, followed by Mark in 1801. Ephraim and Mark were probably brothers, had large families, and were soon followed by sons and husbands of daughters who purchased land in the same vicinity. Information about this numerous clan is scattered through early county records, but see Louise G. Lynch, "Tax Book I: Williamson County, Tennessee, 1800-1813," (Franklin, Tenn., privately published, 1971), pp. 1, 23, passim; Louise G. Lynch, "Wills and Inventories of Williamson County, Tennessee, 1800-1818," 2 vols. (Franklin, Tenn., privately published, 1969-1971), 1:8, 105. For John Andrews, see Williamson County (Tenn.) Circuit Court Minutes, 7:298; and Virginia M. Bowman, *Historic Williamson County: Old Homes and Sites* (Nashville: Blue & Gray Press, 1971), pp. 72-73.

knowledge a connection with John A. Murrell. Her husband was Jeffrey Murrell and together they raised four daughters and four sons, among them the legendary outlaw. Jeffrey and his brother Drury purchased 146 acres adjoining Mark's farm for five hundred dollars and moved from Lunenburg County in 1806. Jeffrey was already fifty-six years old, closer in age to his father-in-law than to his wife. In Williamson as in Lunenburg County, the Murrell and Andrews men were property owners, honest hardworking farmers for the most part. Some owned slaves; Mark had nine at his death, Jeffrey three. They were tight-knit, clan-nish, self-sufficient, and moderately prosperous, but for the Murrells, at least, the move to Tennessee began a slow process of moral decay.³

Certainly the record before that move was one of sturdy industriousness. The first of the line was apparently William Murrell, who in 1639 appeared in Virginia records as a Charles City County tobacco planter. His son Thomas lived on a comfortable farm in Goochland County in the early eighteenth century. Thomas had several sons, one of whom, another William, moved to Lunenburg and became the father of Jeffrey and Drury. At this point, the pattern of relentless respectability is broken. Drury never married, and the four sons of Jeffrey became lawbreakers; one

3. Williamson County, Wills, 3:211-12, has the will of Mark Andrews, listing members of his family, including Zilpha and Jeffrey. One history of the Andrews family excludes Zilpha and Jeffrey from a list of the children and their spouses found in this will. James Ray Andrews, Sr., "Genealogy of the Andrews-Maxey and Related Families of Henrico County in Colonial Virginia," (Typescript, Franklin, Tenn., Public Library, 1965).

Jeffrey and Drury purchased their land from John Donelson in April 1805. See Williamson County, Deeds, Book A-1, pp. 602-3. In February 1824, Jeffrey gave his age as 74; the disparity between his and Zilpha's age is reasonable since she was at the peak of her fertile child-bearing years. On this question, see also, Ronald Vern Jackson and G. R. Teeple, eds., *Tennessee: 1820 Census* (Bountiful, Utah: Accelerated Indexing Systems, 1974), and Byron Sistler, transcriber, *1830 Census: West Tennessee* (Evanston, Ill., 1971). The Murrell offspring, in order of birth, were William S., James H., John A., Louisa Stanfield, Judith C., Leanna L., Jeffrey G., and Mary E.

branch was barren and the other rotten. The fruits of a lifetime of labor were consumed by growing court costs and debts. The family farm was lost after Jeffrey's death, and the slide down the social scale, once begun, was inexorable. There is no good explanation for this sudden moral collapse. Tennessee records are silent on the subject. There is only the tradition that Zilpha was the evil influence who shaped the character of her sons, for which Stewart's pamphlet is the sole source, and that is not enough by half.⁴

The least is known about James H. Murrell, the second son. In 1823, he was indicted for perjury; the following year he was tried and acquitted of a counterfeiting charge. He was in and out of the Franklin jail until the middle of the decade when he dropped from sight, probably after a flogging by regulators. Since his three brothers can all be placed in western Tennessee in the early 1830s, James is likely the brother that John A. Murrell said was "living in Sumptersville [*sic*] S. Carolina" in 1834.⁵

4. For the Murrells in Charles City County, see files of Jill K. Garrett of Columbia, Tenn. For Murrells in Lunenburg County, see Landon C. Bell, *Cumberland Parish, Lunenburg County Virginia, 1746-1816; Vestry Book* (Richmond, Va.: The William Byrd Press, Inc., 1930); Landon C. Bell, *Lunenburg County Virginia Wills 1746-1825* (Berryville, Va.: Virginia Book Co., 1972); Landon C. Bell, *The Old Free State: A Contribution to the History of Lunenburg County and Southside Virginia*, 2 vols. (Richmond, Va.: The William Byrd Press, Inc., 1927); Landon C. Bell, *Sunlight on the Southside: Lists of Tithes, Lunenburg County, Virginia, 1748-1783* (Baltimore: Genealogical Publishing Co., Inc., 1974). William of Lunenburg had a third son whose descendants remained in Virginia. Both Jeffrey and Drury are listed with other revolutionary veterans on a memorial in the Franklin, Tenn., Courthouse. However, Jeffrey's only service was to supply a musket to the militia. Drury served in the same unit as John Andrews. Louise G. Lynch, *Our Valiant Men: Soldiers and Patriots of the Revolutionary War Who Lived in Williamson County, Tennessee* (Franklin, Tenn.: privately published, 1976), pp. 129-30.

5. Williamson County, Miscellaneous Records, 6 February 1824, grand jury presentment, a true bill against James H. Murrell, in Franklin, Tenn., Courthouse; Williamson County, Miscellaneous Records, bill of costs for James H. Murrell; Williamson County Circuit Court Minutes, 4:258, 511; 7:125; RG 25, 45:103. Present-day Sumter, S.C., was formerly called Sumterville.

The eldest son, William S. Murrell, was married and living in neighboring Dickson County before 1820. By tradition he was mean and cowardly. He was so often in Williamson County in the 1820s that his wife petitioned for divorce on the grounds that he "had absented himself for more than two years . . . maliciously and voluntarily." Of all the sons, William was the only one to be disinherited in his father's will. He was undeniably an affliction for Jeffrey. Court and bail costs resulting from William's larceny and bad debts slowly drained the family's slender resources. In 1824, William was indicted for forgery in Maury County. He also disappeared from the records of Williamson County in mid-decade, probably to avoid imprisonment. John A. Murrell claimed he was a Cincinnati druggist in 1834, but this was disingenuous. William was active in eastern Arkansas as a counterfeiter at that time.⁶

Jeffrey G. Murrell, the youngest son, led the most interesting life. Perhaps because of his tender years—in February 1828 he was still an "infant under age," that is, a legal minor—he does not appear in the criminal records of the county until the summer of 1828, nearly four years after the death of his father. He was, according to an outraged grand jury, a person "of lude habits and evil conversation." This jury presented a true bill against Jeffrey and Polly Staggs in August 1828. (The Staggs were alarmingly numerous neighbors of the Murrells of equally malodorous reputation.) They were charged with living together "as husband

6. Jackson and Teeple, eds., *1820 Census*. According to one story, during a brief period when he taught school, he severely whipped a young girl; the child's mother collected stones in her apron, confronted him, and laid down a barrage that drove him from his position in disorder. The school was forced to close. *History of Tennessee* (Nashville: Goodspeed Publishing Co., 1886), p. 995. For the divorce, see Dickson County (Tenn.), Circuit Court Minutes, September term, 1826, and March term, 1827, no pagination; Williamson County, Miscellaneous Records, petition, William S. Murrell to Judge Nathaniel Williams of the circuit court, 6 February 1821; Williamson County, Wills, 3:756-57; Maury County (Tenn.), Circuit Court Minutes, 1821-1831, pp. 360, 386; Maury County, Circuit Court, State Docket Book, 1810-1828, June and December terms, 1824; RG 25, 45:103.

and wife without being lawfully and cannonacilly [*sic*] married" and "openly notoriously lewdly and unlawfully committing acts of fornication and whoredom with each other." They also kept "a certain common ill governed and disorderly bawdy house" where "divers disorderly persons as well as whores" were to be found "drinking whoring and otherwise misbehaving themselves to the common nuisance of the people and against the peace and dignity of the State." A few days later, he and Polly readily admitted their guilt to the judge; each was fined one cent and the costs of prosecution. A year later, he married Mary Staggs, presumably a sister of his former partner in crime. In 1830, he was indicted for larceny but for some reason was never prosecuted. The case was dismissed in 1832. Soon afterward, he was running stolen horses between Kentucky and eastern Arkansas.⁷

John A. Murrell's first brush with the law occurred when he was sixteen. On 25 October 1822, according to the grand jury indictment, he and his brothers William and James "unlawfully, riotously, routously and tumultuously [*sic*]" entered the house of a certain Thomas Merritt, and "by threatening words and gestures" made a "riot" to the "great alarm" of the occupants. Ordered jailed, in April they were found guilty of "riot" in county court, fined fifty dollars each, and burdened with the costs of prosecution. For a name so stained with blood it is singular that this was the closest any Murrell came to being indicted for a crime of violence. Riot was a misdemeanor akin to disturbance of the peace.⁸

The reason for this attack is not known, but the issue was

7. Williamson County, Miscellaneous Records, grand jury presentment, a true bill, 12 August 1828; Williamson County State Docket Book, February 1829-March 1840, no pagination, in Franklin, Tenn., Courthouse; Williamson County, Circuit Court Minutes, 6:100, 165, 168; 7:227; Maury County, Marriage Bonds, 1829, no pagination.

8. Williamson County, Record of Lawsuits, 2:215-17; Williamson County, County Court of Pleas and Quarter Sessions, 7:9, 35, 86, 88-90. However, one of the counts in the indictment of Murrell in 1834, based entirely on his alleged confessions to Stewart, was probably murder.

between John and Merritt. Young Murrell was the first to resort to law; he filed a suit claiming damages against Merritt on 18 November. Only then did Merritt counter sue for damages and file criminal charges against the brothers for the home intrusion nearly a month earlier. Whatever the cause, Merritt felt threatened. He sought and got a peace bond against the three men, "fearful," as he said, that otherwise one of them would "kill him or do him some bodily injury or . . . injure his property or . . . cause some other person or persons to do the same."⁹

The brothers appealed the judgment of the county court, but in July John A. Murrell and Thomas Merritt each dropped his civil suit against the other. This was apparently the first stage of an out-of-court agreement, because at the August term of circuit court in Franklin the Murrells pleaded guilty, after which the fines imposed by the lower court were reduced from fifty dollars to fifty cents.¹⁰

Before the Merritt case came to trial, John had fallen into serious trouble; horse stealing was a felony. He was charged with stealing a black mare belonging to William J. Shumate, a neighbor with many friends and relations. In February 1823, Murrell was arraigned before a justice of the peace and was released on bond provided by Jeffrey and Drury. His brothers and three of his sisters, Louisa, Judith, and Leanna, also appeared in his behalf, and at least one of them, James, committed perjury, for which he was later indicted. He swore "upon the Holy evangelists . . . that the said John A. Murrell slept with him upon the night of the 20th of February . . . when in fact and in truth he did not sleep with him." At the August term of circuit court in

9. Williamson County, Trial Docket, No. 3, January 1821–October 1824, p. 161. Murrell hired out as a farm laborer. If he worked for Merritt, the issue could have been back wages, or some other form of indebtedness. This was the most common cause of litigation. Jill K. Garrett and Marise P. Lightfoot, "Chancery Court Records, 1810–1860" (typescript in TSLA); Williamson County, County Court of Pleas and Quarter Sessions, 7:100–101.

10. Williamson County, County Court of Pleas and Quarter Sessions, 7:125–26; Williamson County, Execution Docket, 4:61; Williamson County, Circuit Court Minutes, 4:219.

Franklin, John was indicted for horse stealing by a grand jury and was bound over for trial in February.¹¹

John failed to appear on his court day in August, and at first Jeffrey and Drury were held in default. The forfeiture of bond was dropped when he was arrested at home a few days later, and he was committed to the Franklin jail to await trial in February.¹²

Beginning 26 December and running through the winter, a notice in the Franklin *Independent Gazette*, signed by a deputy sheriff of Williamson County, offered a twenty-dollar reward "for the apprehension . . . of a monstrous rascal called JOHN A. MURRELL who escaped . . . on the night of the 21st of October." This advertisement contained one of two authentic descriptions of the outlaw. The Murrell of folklore and legend was usually described as dapper, handsome, and glib. Tradition seemed close to the mark: "Said Murrell is about 5 feet 10 inches high, fair complexion, free spoken, blue eyes, black hair, tolerably well made, very good countenance, quite a nice looking fellow." He was believed to be heading for Dickson County, where his brother William lived, "or the state of Alabama."¹³

During the February term of circuit court, Murrell was still at large. The horse-stealing case was continued until August, but Jeffrey and Drury again were faced with default on their security. Between them they had pledged one thousand dollars to guarantee the appearance of John. Both petitioned the court for mercy.

The def^t Jeffrey Murrell makes oath that he is the father of John A. Murrell, the person originally charged with the crime specified. . . . That, if his son were guilty he had no knowledge of it—That his feel-

11. Williamson County, Miscellaneous Records, Warrant, 22 February 1823; grand jury presentment of James H. Murrell, n.d.; witnesses bound over, 24 February 1823; bond in John A. Murrell case, 25 February 1823; grand jury presentment, 6 August 1823, in Franklin, Tenn., Courthouse; Williamson County, Circuit Court Minutes, 4:154, 180-81, 184.

12. Williamson County, Circuit Court Minutes, 4:180-82; Williamson County, County Court Minutes, 7:125.

13. *Independent Gazette* (Franklin, Tenn.), 26 December 1823.

ings as a parent alone prompted him to become security—That he had no doubt, when he entered security, but his son would appear as he was bound to do—That he promised this def^t most solemnly to do so—That shortly after the recognizance was forfeited [in August 1823] this deponent procured the said John & got him to his house, with a view to deliver him up to the officers of the law & would have done so, but said John was arrested by an officer on the same charge or some other of a criminal nature & was taken out of the custody of this deponent—This deponent knows not where said John is or can be found—This Deponent is now about seventy four years of age is very infirm & deaf & wholly unable to pursue said John—This deponent has used every means in his power to apprehend said John but cannot do it—He states, that by his industry he has acquired the little property he has—That his son John has always been an expence to him and has contributed but little towards aiding this deponent in raising his family—

Drury anxiously called attention to his own age and infirmity.¹⁴

Shortly thereafter a series of assaults on the Murrell household began. Sixteen men, many of them Shumate's friends and relatives, descended upon it and proceeded to "whip wound and Scourge with rods" a certain James Holms (probably James H. Murrell, who was under indictment for perjury). They returned on 1 April. Since John had been apprehended two weeks earlier, their purpose seems to have been to search for stolen property cached about the place. They broke "down the door of the house," searched the smokehouse and other outbuildings, and "unlawfully riotously and tumultuously" trampled "the garden peas of Jeffrey Murrill." On 30 June, the much abused Murrell door was broken down again and the house thoroughly searched, to the detriment of the "repose of the family."

14. Williamson County, Circuit Court Minutes, 4:252, 259-60; Williamson County, Miscellaneous Records, depositions of Jeffrey and Drury, 6 February 1824, in Franklin, Tenn., Courthouse.

They also made "an assault upon the body of Zilpha Murrell," Jeffrey's wife.¹⁵

John was caught and disarmed in Humphries County on 15 March (he was carrying a "pocket pistol" and an "old dirk"). A side effect of the arrest was a complicated legal battle with James Brown, a member of the posse who was the son-in-law of a prominent tavern keeper in the county. When taken, Murrell was riding a "bay stud horse." A "brown or black horse" of uncertain ownership, but presumed to be stolen, was also found, which the sheriff took into custody and later auctioned off when no owner appeared. For the bay, however, Murrell had a bill of sale. He had purchased it from Solomon Morfit for seventy-five dollars in cash and a note of hand for the balance, which he had signed using his uncle's name, "John Andrews." Brown returned the bay to Morfit and received back the note of hand and the seventy-five dollars, which he kept for his own use. He claimed that he used it to pay the expenses of the posse.¹⁶

Murrell attempted unsuccessfully to recover the money through an intermediary, then resorted to law. The case of Murrell versus Brown dragged on for five years, a period in which Murrell was in and out of jail. He won a judgment in the quarterly court, only to see it overturned by the circuit court. He won a second judgment in a new trial, but not for the full amount. It is unlikely that he ever succeeded in collecting all of the partial amount awarded by the jury.¹⁷

Murrell never went to trial for horse stealing in his home

15. Grand juries returned true bills in two of these home invasions. See Williamson County, Miscellaneous Records, County Court of Pleas and Quarter Sessions, two grand jury presentments, 10 July 1824; and Williamson County Circuit Court, grand jury presentment, 3 August 1824.

16. See deposition of James Brown, 14 July 1824, in Williamson County, County Court Minutes, 7:395; Williamson County, Miscellaneous Records, deposition of John A. Murrell, Williamson County Court, in Franklin, Tenn., Courthouse.

17. Williamson County, Record of Lawsuits, 3:152-55; Williamson County, County Court Minutes, 8:204, 236, 251; Williamson County, Circuit Court Minutes, 5:76, 215; 6:238; Williamson County, County Court Pleas and Quarter Sessions, Execution Docket, 4:61; Williamson County, County Court, Execution Docket, 2:49, in Franklin, Tenn., Courthouse.

county. On the grounds that "a fare and impartial trial . . . cannot be had in the county of Williamson," he won a change of venue to Rutherford County. For some reason not clear—the records of Rutherford County were destroyed in the Civil War—this trial was never held. The following year, the location of the trial was changed to Davidson County; not until 25 May 1826, more than three years after he was first arraigned, was he finally tried in Nashville. The judgment was bitter. He was ordered to "receive on his bare back at the public whipping post . . . thirty lashes; (to) sit in the pillory two hours on Monday, two hours on Tuesday and two hours on Wednesday next; (to) be branded on the left thumb with the letters HT; (to) be imprisoned twelve months . . . , and be rendered infamous, and pay the costs of prosecution." The sheriff was ordered to proceed with the whipping at once. After the time in the pillory had been served he was to be brought back to the courtroom to be branded.¹⁸

There is an alleged eyewitness account of the execution of the sentence:

At the direction of the Sheriff Murrell placed his hand on the railing around the Judge's bench. With a piece of rope Horton then bound Murrell's hand to the railing. A negro brought a tinner's stove and placed it beside the Sheriff. Horton took from the stove the branding iron, glanced at it, found it red hot, and put it on Murrell's thumb. "The skin fried like meat." Horton held the iron on Murrell's hand until the smoke rose two feet. Then the iron was removed. Murrell stood the ordeal without flinching. When his hand was released he

18. For Rutherford change of venue, see Williamson County, Circuit Court Minutes, 4:346, 349–50, 355–56. Williamson County, Miscellaneous Records, bill of costs, n.d., Williamson County Circuit Court, in Franklin, Tenn., Courthouse. The record reads as if the Davidson trial were for a different offense than the earlier Rutherford change. However, the victim and witnesses are the same in both cases. For Davidson change of venue, see Williamson County, Circuit Court Minutes, 5:29, 46, 133. For the Davidson trial, see Davidson County, Circuit Court, First Circuit, Minutes, E:462; Williamson County, Miscellaneous Records, Davidson judgment, n.d., Franklin, Tenn., Courthouse.

calmly tied a handkerchief around it and went back to the jail, south of the Square. Here he was to receive the lashes and go into the pillory. But the whipping was too much for his powers of endurance. Several times in compliance with Murrell's request, Sheriff Horton held his whip to give Murrell time to get his breath, and collect his nerve for the blood-fetching lashes to follow.¹⁹

This tale of an old man recalling a scene he claimed to have witnessed as a young boy has an authoritative ring. The sheriff in Nashville, for instance, was named Horton. Though often reprinted, it is nevertheless spurious, unless the sheriff grossly violated the court's instruction to first flog Murrell then return him to the courtroom to be branded after several days in the pillory. But there is good reason to believe Murrell was never branded. The trial record does not show that he was ever returned to the courtroom for branding, although it would normally be recorded. In Stewart's narrative, Murrell was reported to have said of this incident: "I got into difficulties about a mare that I had taken, and was imprisoned for near three years. I shifted it from court to court but I was at last found guilty, and whipped." The period of three years is accurate when the amount of time in jail awaiting trial is added to the sentence. When Murrell went to the penitentiary in 1834, his physical description was entered in the Convict Record. Scars and other identifying marks were noted, but no mention was made of a brand or scar that might have been evidence of its deliberate removal. Such a mark would have been the most likely of all to have been recorded. For some reason, that part of the sentence was probably never carried out.²⁰

19. Douglas Anderson, *The Historic Blue Grass Line* (Nashville: Nashville-Gallatin Interurban Railway, 1913), pp. 33-34. See *Nashville Banner* (Tenn.), 12 November 1833, for the pedigree of this tale.

20. Augustus Q. Walton, Esq. (pseudonym), *A History of the Detection, Conviction, Life and Designs of John A. Murel, The Great Western Land Pirate* (1835), p. 36. "... he has a scar on the middle joint of the finger next the little finger of the left hand & one on the middle finger of the Same hand a scar on the inside of the end of the finger

There is a firm tradition that the young Murrell had a criminal mentor, under whose mature tutelage he learned his trade. He was identified only as "Crenshaw" in Stewart's narrative. This early companion was probably Daniel Crenshaw, a rascal well known in Williamson County.²¹

Nothing connects Murrell and Crenshaw in the criminal records. They lived in different parts of the county. But there are connections of a sort between the Murrells and the Crenshaws. Both families originated in Lunenburg County and knew one another. The elder Daniel, father of Murrell's "companion," and Drury served together in the same unit during the American Revolution. Another Crenshaw in Lunenburg, probably a brother or cousin of the elder Daniel, had a daughter named Winifred Andrews Crenshaw. Winifred was Mark Andrews's wife and Zilpha's mother. The Crenshaws were a cut beneath the Murrells and Andrews in social station. The founder of the family in Lunenburg County was only an overseer when members of the Murrell family were comfortable landowners and slaveholders. The elder Daniel owned no land in Williamson County and had no regular occupation except as occasional operator of a backwoods still. Before his death in 1824, he appeared most frequently in county records as a debtor.²²

It was a different matter with the younger Daniel. The criminal records are filled with his activities; but in 1826 he harvested a bumper crop of indictments. In January, he

next the little finger of the right hand." RG 25, 45:103-4. The brand was usually on the "brawn" of the thumb, the pad of muscle on the palm.

21. Walton, *History of John A. Murrell*, p. 35.

22. Park Marshall, "John A. Murrell and Daniel Crenshaw," *Tennessee Historical Magazine* 6 (April 1920):3-4; Bell, *Sunlight on the Southside*, p. 115, passim; Bell, *Old Free State*, 2:390, 431; Bell, *Lunenburg Wills*, no pagination; Daniel Crenshaw, Pension Application R-2482, Virginia Service, Revolutionary War, in files of Jill K. Garrett, Columbia, Tenn.; Williamson County, Miscellaneous Records, Crenshaw v. Woolridge, on appeal, July 1821; petition addressed to Thomas Stuart, May 1820, in Franklin, Tenn., Courthouse; Williamson County, Record of Lawsuits, 1:501-3; 3:489; Williamson County, Circuit Court Minutes, 3:929, 1213, 1266, 1293; Williamson County, County Court Minutes, 2:306.

forged a note on the Bank of Tennessee; he stole a horse from Keziah Woolridge in February; in April, he ran off with a horse belonging to Robert Foster, one of the attorneys in the Franklin Court. Though indicted for each of these separately, he was tried for the last offense first, and in a manner identical to Murrell was sentenced to be whipped, branded, and imprisoned. He then asked that the state be barred from prosecuting him further on the grounds that the other offenses were committed prior to the offense for which he was found guilty and sentenced. This legal technicality was known ironically as "benefit of clergy." His lawyer was John Bell, later secretary of war under William Henry Harrison and a presidential candidate himself in 1860. The case won Bell a certain amount of celebrity. The superior court found the common law to be in favor of the defendant's appeal and the state was barred from carrying out sentence on the two earlier cases, though Crenshaw was whipped, branded, and imprisoned for a year for stealing Foster's horse. This had precious little to do with Murrell, but the offender in these cases was undoubtedly the Crenshaw of Stewart's narrative. Nothing in the criminal records linked them directly, but locale, their similarity as offenders, family associations, and local tradition suggest as much strongly.²³

During the years Murrell served his apprenticeship (whether or not under Crenshaw), the fortunes of the Murrell family declined steadily. Jeffrey died in 1824. Zilpha was left to cope with the mounting family problems. An illiterate frontier woman, she was vigorous and relatively young—probably not yet forty. Her reputation in the neighborhood was not good. Although never the object of criminal prosecution, she was the victim of regulator violence. In the course of the third home invasion, she was assaulted. If she was a deliberate target of the regulators, this might be taken

23. John H. Martin and George S. Yerger, *Reports of Cases Argued and Determined in the Supreme Court of Tennessee* (Nashville: Hunt, Tardiff & Co., Printers, 1832), 1:122-27; Marshall, "Murrell and Crenshaw," pp. 7-9. See also Williamson County, Circuit Court Minutes, 5:172-73, 182-84, 192-95, 204, 209, 298, 325, 353, 369; 6:9-10; 8:287.

as indirect confirmation of her role in the Murrell legend in which she is characterized as no better than her sons. But it is also possible the attack was a natural consequence of her attempt to dispute the passage of the regulators. It is clear that like all the Andrews she had a strong sense of family solidarity. As long as she lived, the Murrells were gathered around her, including most of her sons when they were out of prison. Under her leadership, the family provided support whenever a member fell into difficulty, just as Jeffrey had done, however reluctantly.²⁴

It was probably the costs arising from the troubles of the Murrell boys that ruined the family's fortunes. Jeffrey left three slaves (as well as a fourth that would have been his on the death of his mother-in-law) and a farm free of indebtedness. He had bought out Drury's interest in 1820. In his will, he left the entire estate to Zilpha, with the provision that on her death it would be divided equally among his children and the children of William S. Murrell, with the exception of William himself who was bequeathed one dollar. Provision was also made for the maintenance of Jeffrey's sister Judith who lived with the family. Much of this estate was lost within four years of his death and the family was forced to leave Williamson County.²⁵

In the summer of 1826, shortly after John had been imprisoned, Zilpha and her children Judith, Louisa, and Jeffrey borrowed money from John Thompson, a large landowner and justice of the peace, using the farm with its slaves, livestock, equipment, and household furnishings as security. Thompson had actually been in debt to Jeffrey at the time of his death. Two years later, the family was forced to

24. Williamson County, Wills, 3:756-57; Williamson County, Miscellaneous Records, grand jury presentment, 10 July 1824; Williamson County, County Court of Pleas and Quarter Sessions. For examples of Zilpha's support for her sons, see Maury County, Circuit Court, State Docket Book, 1810-1828, December 1824 term, No. 11; and Supreme Court of Tennessee Minutes, Western Division, 16 May 1834, p. 182.

25. Williamson County, Wills, 3:756-57. Sale of Drury's interest in the farm is recorded in Williamson County, Deeds, Book F, pp. 342-43.

place the farm in jeopardy to Thompson to repay a loan to a local merchant, "contracted by and for the use" of the family. They were given a year to repay, but when the time was up Thompson encountered difficulty collecting. Finally, he came to believe the Murrells were "combining & confederating etc." When he visited the farm on the knob later known as "Murrell Hill," he was met with stony resistance. At times, the occupants acted as if he had actually not advanced "the said sum of money; at other times they admit it but pretend they have paid."²⁶

The exasperated Thompson took the matter to court. Jeffrey G. Murrell was absolved of responsibility because of his age, but eventually the court ordered that after the expiration of forty days notice "so much of the mortgaged premises (the property of the said Zilpha, Judith C. and Louisa S. Murrell) as may be sufficient to pay said debt with interest" should be auctioned for cash. As the county clerk reported back to the court, on 14 June 1828 "I attended at the place of sale, and . . . the said mortgaged premises were duly sold under my directions, and were fairly struck off to John Thompson, he being the highest bidder . . . for the sum of fifty dollars, and thereupon . . . Thompson . . . directed that the sale of the balance of the property . . . be suspended which was accordingly done."²⁷

26. John Thompson took up 2,000 acres on the headwaters of West Harpeth River in 1812; see Louise G. Lynch, "Miscellaneous Records" (Typescript, TSLA, n.d.), p. 55. The agreement executed between Thompson and the Murrells was a trust deed. See Williamson County, Deeds, Book H, pp. 747-48. It lists 140 acres [*sic*], 2 slaves (one 4 years old), 1 gray mare, 1 yolk oxen, 1 cart, 3 cows, 4 yearlings, 13 sheep, 40 hogs, 4 beds and furniture, 2 tables, 3 trunks, 10 chairs, 1 loom, 3 cotton wheels, 1 flax wheel, 1 chest, 1 looking glass, 2 pots, 1 oxen [*sic*], 2 skittles, 1 kettle, 2 washing tubs, 2 pewter dishes and 6 plates, 1 earthen dish and 13 plates, 5 bowls, 2 pitchers, 1 cream pot, 1 set cups and saucers, 1 crib corn. See also Williamson County, Miscellaneous Records, Thompson complaint, filed 25 July 1827; statement of Zilpha, Judith C., Louisa S., and Jeffrey G. Murrell, 6 August 1827, in Franklin, Tenn., Courthouse.

27. Williamson County, Circuit Court Minutes, 5:167, 364; Williamson County, Deeds, Book K, pp. 567-68; Quotes in Williamson County, Circuit Court Minutes, 6:100, 156.

It is not clear how much of the Murrell property was lost in this exchange: some, though not all, of the land—two of the Murrell children not involved in the suit later sold their share of the farm to one and another of the Andrews men—and most of the farm equipment. Slaves and livestock may have been sold earlier. There is no doubt they were impoverished as a family.²⁸

John A. Murrell was released from jail in 1827. Not long afterward, he and all his family except Jeffrey G. Murrell left Williamson County never to return. They moved first to Wayne County in the southernmost part of middle Tennessee. The Census of 1830 listed sixteen Murrells living there in the households of John and Zilpha, ranging in age from under five to somewhere between ninety and one hundred years. In 1829, Murrell had married Elizabeth Mangham, the daughter of a Williamson County farmer; sometime between 1830 and 1834 they had two children. He was acquitted of a charge of "unlawful gaming" in the Mississippi River county of Tipton, north of Memphis, in 1831, by which time the family had migrated to neighboring Madison County and had located near the hamlet of Denmark.²⁹

28. For sale to Andrews men, see Williamson County, Deeds, Book K, p. 272; Book N, pp. 256-58.

29. According to tradition, as recorded by Park Marshall, Murrell returned at least once to his home county. "I will tell you how Murrell was really received here, when he ventured to slip back . . . for a visit—at least, I have often heard this. A vigilance committee had been organized here a year or two before, to put a stop to secret horse stealing, and pilfering. This committee heard that Murrell had come back and was here in hiding. They began a search for him and at last found him hiding in a barn. They caught him and gave him a severe whipping and ordered him to leave which he promptly did." Quoted in letter of John L. Jordan to editor of *Collier's Weekly* (Typescript, TSLA, 19 March 1937). For Wayne County, see Byron Sistler, transcriber, *1830 Census: West Tennessee* (Evanston, Ill., 1971). A marriage bond for Murrell and Elizabeth Mangham was in Maury County courthouse. It has disappeared. Since it had a rare example of Murrell's signature, it may have been stolen by a "collector." See Jill K. Garrett, *River Counties*, 1:87. Also, Garrett to Author, 21 July 1977. Murrell himself said that "his wife's maiden name was Mangham," and that "her connexion reside on the waters of South Harpeth Williamson Co.

The change of scene did not produce a change in fortune. John's stock and few household possessions went for the payment of his debts, perhaps the result of gambling, in early 1833. Now twenty-seven years old, he had acquired an outward appearance to match his rascality. The once "nice looking fellow" had become "much pitted with the small pox."³⁰

In 1834, he was convicted of slave stealing on dubious evidence and was imprisoned, but under circumstances which suggest that to a fair number of property owners in Madison County he had become a prime nuisance. The key to the feeling against him undoubtedly originated in an earlier conviction for harboring three slaves belonging to William H. Long in July 1833. This case caused considerable excitement, and the circuit court record reveals why. Although "harboring" was a misdemeanor, Murrell was sentenced to a term of servitude. The judge requested the jury to determine whether the defendant was "worth lands goods or chattels to the amount" of the fine to be imposed. The jury replied that he was "not worth lands goods or chattels to any amount whatever." Murrell was then ordered "to serve" Long for five years in lieu of paying a fine. He appealed this imaginative judgment to the state supreme

Tenn." RG 25, 45:103-4. For gaming charge, see Tipton County, Circuit Court Minutes, December term, 1831, p. 243; June term, 1832, p. 271. The names of John and Zilpha Murrell appear in the inventory of a Madison County estate in February 1832. Madison County, Wills, vol. 2, no pagination. Tradition holds, inaccurately I believe, that before settling down in Denmark, Murrell lived in a part of Madison County that later separated and became Chester County. This tradition is confused with a separate tradition that Murrell's wife settled in Henderson after his imprisonment in 1834. See Jordan to editor of *Collier's Weekly* (19 March 1937); also Marshall, "Murrell and Crenshaw," p. 5.

30. Madison County, Deeds, 1832-1834, pp. 325-26. "John A. Murrell . . . is five feet ten inches & a half in height & weight from one hundred & fifty eight to one hundred & seventy pounds dark hair blue eyes long nose & much pitted with the small pox tolerably fair complexion." He was twenty-eight years old in August 1834 when this description was entered in the Convict Record. RG 25, 45:103.

court and remained at large. It was while this appeal was pending that he was found guilty of the more serious crime of slave stealing and was sentenced to ten years at hard labor in the state penitentiary.³¹

When the gates of the new penitentiary in Nashville closed behind Murrell, he seemed doomed to the obscurity common to his kind once the brief local celebrity of his trial and conviction was forgotten. He was rescued from this fate. In March 1835, Stewart, the chief witness in Murrell's trial, published his pamphlet. This narrative purported to be Murrell's "confessions." In lurid detail, often in Murrell's own words, it told a story of murder, deep-dyed villainy, and shocking conspiracy. Since leaving Williamson County, it appeared, Murrell had accumulated over a thousand followers; his exposure had saved the South from the horror that had engulfed San Domingo earlier. He had schemed to incite a revolt in every slaveholding state to provide a diversion for his evil band to plunder. While the South burned, Murrell and his men would loot four ways from Sunday. This tale was received with derision in Tennessee where Murrell was known, but in Mississippi the hangings and floggings that followed its appearance made his name a household word. For visitors to Nashville, it became de rigueur to call at the prison to gape at its most famous inmate. His attempt to escape in October caused national alarm.³²

For Murrell, fame was the final irony to cap a feckless and ill-starred career. The remainder of his story was of a piece with the earlier years. After his escape attempt, his leg was chained to a heavy block; he chafed under the curious gaze

31. Madison County, Circuit Court Order Book, 1833, pp. 371-72; 1834, p. 457.

32. *Arkansas Gazette* (Little Rock), 2 June 1835, from *Truth Teller* (Jackson, Tenn.); Henry S. Foote, *Bench and Bar of the South and Southwest* (St. Louis: Soule, Thomas & Wentworth, 1876), p. 67; Diary of Bradley Kimbrough, 16 February 1837; Diary of Robert H. Cartnell, vol. 31, 5 February 1913, manuscript in TSLA; *The Bledsonian* (Pikeville, Tenn.), 27 October 1933; *Western Weekly Review* (Franklin, Tenn.), 2 October 1835; *United States Telegraph* (Washington, D.C.), 10 October 1835.

of a constant parade of visitors. Nothing went right for him. In April 1837, the chains were struck off and he was taken to Jackson, Tennessee, for a hearing on his appeal before the western division of the state supreme court; the conviction was upheld, and he returned to prison. His appeal in the harboring case was continued during nearly every year of his sentence, but the case was finally closed in 1845 because of his reported death. He had contracted tuberculosis, the scourge of prisoners. Broken in health, he was granted an early release in April 1844. At some point, he had turned to the solace of religion and become a model prisoner. The recommendation for commutation noted that his behavior had been "exemplary and unexceptional." He moved to Pikeville and worked as a blacksmith, the trade he learned in prison. On the first of November, he died. In Tennessee, the tradition took firm hold that on his "deathbed" he confessed that "he had been guilty of almost every crime charged against him except murder."³³

In 1839, William S. Murrell's sixteen-year-old son (also William) had joined his celebrated uncle as an inmate of the Nashville penitentiary. The women's wards very nearly played host to Elizabeth Murrell; she was convicted in Jackson of petit larceny and was sentenced to twelve months in the state penitentiary. Because Murrell had left her desti-

33. RG 25, 45:104; Supreme Court of Tennessee Minutes, Western Division, 1837, pp. 284-85, 320, 322; Record of appeals in Supreme Court of Tennessee Minutes, 1834, pp. 168, 182; 1835, pp. 239-40, 246; 1837, p. 323; 1838, pp. 346, 355; 1841, p. 44; 1842, p. 87; 1843, p. 153; 1844, p. 222; 1845, p. 321; Petitions for Pardon, Gov. James C. Jones, Box 3, Folder 5, in TSLA. See also, *Western Weekly Review* (2 October 1835); *The Bledsonian* (27 October 1933); *Gloster Record* (Mich.), 18 December 1903; *Memphis Daily Appeal* (Tenn.), 17 February 1895; Diary of Cartnell, 5 February 1913. The *Tennessee Democrat* (Columbia), 18 April 1844, reported that after his discharge, he "immediately 'made tracks' for Arkansas." For tradition that Murrell lived on to resume his nefarious trade, see *The Bledsonian* (27 October 1933), and *Arkansas Democrat* (9 October 1960). Obituaries in *Nashville Whig* (Tenn.), 21 November 1844; *Tennessee Democrat* (23 November 1844). For recollections of Murrell's last days, see *Memphis Daily Appeal* (17 February 1895); *Gloster Record* (18 December 1903); *The Bledsonian* (27 October 1933, 16 August 1945).

tute, the court was merciful and suspended the sentence. According to tradition, she moved to Henderson in a part of Madison that later became Chester County. The report was probably accurate. Murrell's daughter Arthusy married Robert B. Bland of Henderson. Through a strange twist of misinformation, Arthusy's death notices in 1891 described her as the former wife of John A. Murrell, a "quiet and most estimable woman." His son, John A. Murrell, Jr., became an itinerant Methodist preacher in Franklin County, Texas, "distinguished by the meekness and lowliness which belongs to the humblest Christians." The surviving Murrell brothers, never very visible, faded altogether. One was reported murdered in Columbus, Arkansas, in 1835 for cheating at cards.³⁴

34. RG 25, vol. 86, no pagination. The prisoner was William "Merrill," a "Labourer" from Stewart County, convicted of "stealing money." John A. Murrell often gave his name as "Merrill." "Merrill" was the right age to be the son of William S. Murrell. For the case of Elizabeth (Mangham) Murrell, see Madison County, Circuit Court Order Book, 1835, p. 550; 1836, pp. 522, 537; Madison County, Judgment Book, April term, 1836, No. 1150, in Jackson, Tenn., Courthouse. It has been supposed that Elizabeth was Murrell's sister; see *History of Tennessee*, p. 821, and Paul Wellman, *Spawn of Evil* (Garden City, N.Y.: Doubleday & Co., 1964), p. 217. However, Murrell had four sisters, none named Elizabeth. For Elizabeth in Henderson, see Diary of Cartnell, 23 February 1913. See obituaries in *Maury Democrat* (Columbia, Tenn.), 12 March 1891; and *Florence Times* (Ala.), 14 March 1891. The *Tennessee: 1850 Census* lists Arthusy, age seventeen, as married to Robert Bland. This would place her birth date in 1833; John A. Murrell's children were born between 1830 and 1834. Madison County, Deeds, Book 17, p. 568, describes "Arthusa [*sic*] Modilonie (?) Bland," wife of Robert Bland, as the only surviving heir of John A. Murrell. Virginia Flodean Goode of Sherwood, Ark., is the descendant of Murrell. She was the granddaughter of Virginia Ophelia Bland, herself the daughter of Murrell's daughter. Goode to Author, 30 November 1979. Evidence is conclusive that Mrs. Robert Bland was the daughter of Murrell. The obituaries were wrong unless Elizabeth also married a Bland. In 1891, she would have been in her nineties. But the Census of 1850 does not list an Elizabeth of the right age as married to a Bland. For John A. Murrell, Jr., see *Southern Standard* (Arkadelphia, Ark.), 27 April 1878. Jonathan Harrington Greene, *Gambling Exposed* (Philadelphia: T. B. Peterson & Bros., 1857), p. 152, has a tale of Murrell's brother.

The story of the Murrell family was one of a steady decline in fortune. The inventory of Zilpha's estate after her death in 1838 indicates the reduced circumstances were not repaired by time.³⁵ As for John A. Murrell, what is known of his assets can give little comfort to those who have believed he was a highly successful criminal before Stewart ruined him. When he was convicted in Nashville, the court recorded that "he hath not the worth of ten dollars in any worldly Substance . . . besides his wearing apparel, working tools, and arms for muster." In Madison County, his home was a log cabin—two small rooms connected by a dogtrot. There he lived on land either rented or squatted upon with his wife, his mother, at least two of his sisters and their offspring, one or more of his brothers, and his own two children. Somewhere between fifteen and twenty people occupied those cramped quarters.³⁶

His convict record noted that he had "generally followed farming" in Madison County. There were no doubt several exceptions to that qualifying "generally." Still, the statement is supported by an inventory of his property in January 1833, which listed livestock and furnishings common to farming. The forty hogs included on that list represented the high point of Murrell's material fortunes. This property

35. "A schedule of the property of Zilpha Murrell decd one skillet one kettle two chiars [*sic*] one chest one Bed & furniture, 3 weeding hoes, one bull tongue plow, two plows & one pair of gear one mare, one yoak of oxen Eight head of cattle, three Stacks of Fodder. . . ." Madison County, Wills, 1825-1835, p. 409. She owned no land.

36. Davidson County, Circuit Court, First Circuit, Minutes, F:20; Federal Writer's Project, *Tennessee: A Guide to the State* (New York: Viking Press, 1939), p. 461, reported, inaccurately, that the Murrell house was made of stone and was equipped with a large cellar for hiding runaway slaves. Building stone is unavailable in western Tennessee. This was a brick house belonging to Thomas Reid, one of the original settlers in the area. Murrell's cabin was located (probably on Reid's land) within a mile of the site of the Civil War battle of Bridle's Lane. Interviews by Author with Roy Collins and Fonville Neville, of Denmark, Tenn. In recent years, Collins owned the land on which the Reid house and the Murrell cabin stood. Neville claimed to have seen the Murrell cabin before it was razed.

was lost, and in July a Madison County jury declared that Murrell was “not worth lands goods or chattels to any amount whatever.” In his trial for slave stealing a year later, he was unable to afford counsel “by reason of his poverty”; the court appointed four lawyers to aid in preparing his defense. Later, in his appeals before the state supreme court, he was again represented by court-appointed counsel.

After his death in Pikeville, as the story goes, the corpse was dug up shortly after interment and the head removed; the mutilated body was found half-eaten by hogs. Enterprising gentlemen who have remained anonymous placed the head on display at county fairs and carnivals for “ten cents a peep.” If true, it may be that Murrell reached the peak of his earning power after his death.³⁷

The legendary Land Pirate, with the resources of years of pilfered wealth at his disposal, credited by tradition with having buried pots of gold all over the lower Mississippi Valley, the head of a powerful network of confederates spread over a dozen states, was in reality little more than an impecunious and not very successful thief from beginning to end. One would have to go far to find a less convincing master spirit.

37. RG 25, 45:103. A deed of trust dated 18 January 1833 lists “one bay horse one bay mare 2 beds bed steds and furniture 40 head stock Hogs 1 clock & Table together with all manner of household & Kitchen furniture.” Madison County, Deeds, 1832–1834, pp. 325–26; Madison County, Circuit Court Order Book, 1833, pp. 371–72; *Randolph Recorder* (Tenn.), 5 September 1834, from *Truth Teller*; Supreme Court of Tennessee Minutes, Western Division, 1837, pp. 284–85. The “head” story is in *The Bledsonian* (27 October 1933); see also, *Memphis Daily Appeal* (17 February 1895).

A Wholesale Rascal: Stewart's Murrell

James was a retail rascal; Murel, wholesale.—Mark Twain, *Life on the Mississippi* (New York: New American Library, Signet Classic, 1961), p. 178.

The western district of Tennessee is one of three discrete geographical sections of that state. It is watered by rivers that flow directly westward into the Mississippi. Extremely fertile, readily accessible to markets—by the mid-1830s steamboats were plying the Forked Deer River to land at Jackson, the seat of Madison County—it was a land full of promise. It was opened to settlement in 1818 when Isaac Shelby and Andrew Jackson negotiated a treaty in which the Chickasaw Nation ceded the land between the Tennessee and Mississippi rivers to the United States. In the 1820s, county governments were created and settlers moved in, but during Murrell's time it was still a frontier. The Land Pirate of legend roamed over much of the Old Southwest, from the Ohio to the Gulf, but it was here in the district he had made his home that he was finally run to ground.¹

The story of this dramatic capture is related in Stewart's pamphlet, in which a villain was cast down and a hero simultaneously raised up. The time has come to look more closely at this narrative. Stewart had claimed to have exposed one of the darkest conspiracies in history. "There is no country under the canopy of heaven," the narrative said, "which has, in any other age of the world, produced so formidable a banditti, so extensive in its operations and so scientific in its plans, as the North American Land Piracy, of which John A. Murel was the leader, and master spirit." This was the mea-

1. Marshall Wingfield, "Tipton County, Tennessee," *The West Tennessee Historical Society Papers* 3 (1949):6-26.

sure of the role the narrative put forward for Stewart. He had been sent to bag a thief and returned with a bandit king. He went looking for two stolen slaves and found a plot to destroy the social order. Murrell had managed to stay out of the clutches of the law for several years after his conviction in Davidson County; the narrative filled this gap in his biography.²

The narrative opens with the Long case, which first aroused feeling in the community against Murrell. He had not been suspected at first. Long believed the slaves had run away and "were harbored by some negro in the neighborhood." The truth was discovered when one of the three slaves returned for some clothing and was caught by an overseer who "extorted from this fellow" the location of the others. With a hastily gathered company, Long descended on the "lurking wood" that served as a hiding place. "The negroes told Mr. Long the time that Murel would come to feed them. Mr. Long instructed his slaves to ask Murel certain questions concerning his moving them, and then disposed his company around the thick wood so as to hear Murel's answers to the interrogations of the negroes. At the time the negroes had said, Murel appeared in the wood with a basket of provisions on his arm. Mr. Long, after hearing the questions answered by Murel, . . . gave the signal for them to seize him, and hold him fast, which they done. When Mr. Long and his company advanced forward, Murel, with much plausibility, informed Mr. Long that he had found his black boys, and had been feeding them there so as to detain them, until he could give him word where they were."³

In this incident, Murrell displayed the presence of mind and ready wit often attributed to him by tradition. That he was also impudent and defiant became clear during and after the trial. When the court ordered him to "become Mr. Long's slave for five years," he winked at Long and called

2. Augustus Q. Walton, Esq. 1, *A History of the Detection, Conviction, Life and Designs of John A. Murel, The Great Western Land Pirate* (1835), p. 3.

3. *Ibid.*, p. 8.

him "master Billy"; when Long and other property owners formed "Captain Slick's company," a regulator group, Murrell fortified his home and forestalled the lynching party. The historical Murrell may really have possessed these traits and may have behaved in some such fashion. Where the narrative describes details probably familiar to its original audience, there is at least a degree of implicit corroboration. But in the narrative, the Long case also serves to trigger the most salient characteristic of the legendary Murrell, his insatiable thirst for vengeance.⁴

The Long case was described as the beginning of the end for Murrell. "He was not in the habit of stealing in his immediate neighborhood before. He worked at a distance; but now his revengeful nature was excited against many persons . . . ; among this number he had enrolled the good old Parson John Henning and his son." The Hennings lived within two miles of Murrell and may have been among the company that arrested him. It is possible that both men appeared as witnesses in the trial. Stewart's Murrell said only that they "were officious in procuring counsel, and expressing their sentiments about him and his brother, and saying what the country ought to do with them, and all such stuff as this." Possibly they were numbered among Captain Slick's company. But Murrell's motive was never in question: "Their long prayers and methodist coats," he said, "will not save them from my sworn vengeance."⁵

On 18 January, the Hennings discovered they were missing two Negroes, and this time Murrell was suspected and was closely watched. It was at this point that Stewart arrived upon the scene. Unfortunately, he is the main source for the little we know of him. He was, he tells us, modestly, "remarked for his steady habits"; only "governed by high and honorable motives"; always "hated and dreaded by all villains"; invariably "esteemed, in every country where he has lived, by its best citizens." Confronted by adversity, he had only to recall that "he was directed and protected by a

4. Ibid., pp. 8, 14.

5. Ibid., pp. 8-9, 15, 28. John M. Keating, *History of the City of Memphis and Shelby County, Tennessee*, 2 vols. (Syracuse, N.Y.: D. Mason & Co., 1888), 1:160.

superior power, whose guardian protection . . . defeated his enemies in all their designs against him." Originally from Georgia, he had little formal education; he began as a printer's apprentice and "afterward entered into copartnership with a manufacturer of cotton gins." After moving to Tennessee, he continued to work as a gin wright. He claimed to be a slaveholder, but this is questionable. An acquaintance called him one of the most "insinuating" persons he had ever met; this at any rate is completely believable. He was young, in his early or middle twenties, and he had red hair. Although they were neighbors in Madison County for over a year, he claimed to be unknown to Murrell.⁶

Shortly before Murrell's trial for harboring slaves, Stewart moved to Yalobusha County in Mississippi's Choctaw Purchase, a region recently opened to settlement. There he set up a "little provision store" and perhaps a still on the banks of Yalobusha River. His was an adventurous and restless spirit, half-educated and insecure, ambitious and calculating, one eye always cocked for the beckoning of opportunity. Nine months later on a visit to his old haunts in Madison County, he learned that Murrell was suspected of stealing slaves. Displaying an admirable sense of civic responsibility, he dropped his private affairs and undertook the journey that led eventually to Murrell's apprehension. His motive for doing so remains a mystery, although the possibility exists, despite his denial, that he was offered a reward if the Negroes were found and if Murrell was convicted.⁷

After the Hennings had learned that Murrell was about to

6. Walton, *History of John A. Murel*, pp. 71, 77; H. R. Howard, comp., *The History of Virgil A. Stewart and His Adventure in Capturing and Exposing the Great "Western Land Pirate" and His Gang, in Connection with the Evidence; Also of the Trials, Confessions, and Execution of a Number of Murrell's Associates in the State of Mississippi during the Summer of 1835, and the Execution of Five Professional Gamblers by the Citizens of Vicksburg, on the 6th July, 1835* (New York: Harper, 1836), pp. 7-9, 170; *Jacksonian* (Jackson, Tenn.), 15 May 1927; Henry S. Foote, *Casket of Reminiscences* (Reprint ed. New York: Negro Universities Press, 1968), p. 251; and Diary of Robert H. Cartnell, 17 February 1913, vol. 31, manuscript in TSLA.

7. Howard, *History of Virgil A. Stewart*, pp. 8, 153, 170; Walton, *History of John A. Murel*, pp. 9, 66.

leave for Randolph, a town on the Mississippi River across from the eastern shore of Arkansas, Stewart agreed to follow the outlaw and perhaps to pick up the trail of the missing Negroes. Originally, he was to go in the company of Richard Henning, the Parson's son, but took up the task alone when young Henning fell ill at the last moment. Murrell suspected Henning would attempt to follow him, but of Stewart and his intentions he was ignorant as he passed the young man on the road at Estanaula toll gate. Their journey together began on 26 January and lasted nearly two weeks. All-unknowing, Murrell was about to become a person of historical consequence.⁸

What followed was later related in the narrative. That document was filled with verbatim conversations based on notes that Stewart claimed to have written in "stenography." These notes were transcribed on small pieces of paper and were deposited in Stewart's hat. Others were jotted down on his "boot legs, fingernails, saddle skirts, and portmanteau, with a needle, as he would be riding, and listening to Murel's horrid account of himself." The picture of Stewart surreptitiously scratching and scribbling is of a piece with their relationship; from the beginning Murrell was gulled by the cunning of his new acquaintance.⁹

At first, Stewart followed behind Murrell a short distance, "but it struck him, that he would venture a trick on him." Everything flowed from that decision. Pulling abreast of Murrell, Stewart began to pass the time, falsely identifying himself as a traveler from the Choctaw Purchase in search of a lost horse. In this exchange, he expressed views identical to Murrell's own, to gain the outlaw's confidence. This device allowed Stewart to comment broadly on life in the United States. His views were bitter, cynical, and occasionally even satirical. They were palatable to readers because they issued from the mouths of real or pretended rascals. Murrell himself sometimes bordered on the picaresque, satirizing the society he exploited. But his superiority was an illusion; he

8. Howard, *History of Virgil A. Stewart*, p. 48; Walton, *History of John A. Murel*, pp. 9-10.

9. Walton, *History of John A. Murel*, p. 41.

was a fool, a boaster, easily tricked into giving himself away.¹⁰

Murel. This country is about to be completely over-run by a company of rogues; and they are so strong that there can be nothing done with them. They steal from whom they please; and if the person they take from accuses them, they jump on more of his property; and they find that the best plan is to be friendly with them. There are two young men who moved down from middle Tennessee to Madison county, keen shrewd fellows. The eldest brother is one of the d_____dest best judges of law that there is in the United States. He directs the operation of the banditti; and so paves the way to all his offenses that the law cannot reach him.

Stranger. Well sir, if they have sense enough to evade the laws of their country, which are made by the wisest men of the nation, let them do it. It is no harm. It is just as honorable for them to gain property by their superior powers, as it is for a long-faced hypocrite to take advantage of the necessities of their fellow-beings. We are placed here, and we must act for ourselves, or we feel the chilling blasts of charity's cold region; and we feel worse than that, we feel the power of opulent wealth, and the sneer of pompous show; and sir, what is it that constitutes character, popularity and power, in the United States? sir, it is property; strip a man of his property in this country, and he is a ruined man indeed—you see his friends forsake him; and he may have been raised in the highest circles of society, yet he is neglected and treated with contempt. Sir, my doctrine is, let the hardest fend off.

Murel. You have expressed my sentiments and feelings better than what I could myself; and I am happy to fall in with company possessed of principles so congenial with my own.¹¹

10. *Ibid.*, pp. 11-12.

11. *Ibid.*, pp. 12-13. The phrase "let the hardest fend off" was contemporary slang. It appeared in newspaper anecdotes occasionally: for instance, a story about a ship that struck a whale, which thereupon flailed out with its tail and did substantial damage to the hull; the helmsman saw the whale and deliberately nudged it. Thus the phrase was used humorously. If the whale "had got a *fair lick*, as

Murrell dropped all pretense of suspicion and launched into a string of anecdotes detailing the exploits of the elder brother and his less talented sibling. By now, Stewart had decided on a strategy that combined sympathetic views and flattery. "I must confess, that what I have heard of this man . . . has excited my admiration; but perhaps it is because we are of congenial spirits. Sir, if I live in hell, I will fight for the devil." Deeply moved, Murrell exclaimed, "D_____n the horse, let him go to hell—I will learn you a few tricks, if you will go with me. A man with as keen an eye as you, should never spend his time hunting after a d_____d horse." Thus at the close of the first day, even before he knew Stewart's name, Murrell invited him to come along to Arkansas. Not until the morning of the second day did Murrell ask for some identification. After Stewart gave his name as "Adam Hues," Murrell again pressed the case for Arkansas. "There is some of the handsomest girls over there you ever saw. I am in town when I am there," which translated seemed to imply the dubious proposition that every day was Saturday in Arkansas. "Hues" admitted that he was partial to handsome ladies. "Oh! well, go with me to Arkansaw, and d_____n me, if I do not put you right in town, and they are as plump as ever came over, sir."¹²

Stewart's Murrell was a vain, garrulous, gullible braggart. Outside the town of Wesley, he finally went all out, admitting not only that he was one "of those devils, Murel's, up in Madison county," but the elder brother himself. "Hues" could scarcely contain himself. "Is it possible! I have the pleasure of standing before the illustrious personage, of whom I have heard so many noble feats, and whose dexterity and skill in performance are unrivaled by any the world has ever produced before him; is it a dream or is it reality? I scarce can believe that it is a man in real life who stands before me? My imagination would fancy, and make you the genius of some master spirit, of ancient days, who is sent as a guide, to protect and defend me. . . . Sir, under the protec-

the boys say, he would have sent the vessel to the bottom." *Arkansas Gazette* (Little Rock), 24 June 1835.

12. Walton, *History of John A. Murel*, pp. 21–23.

tion of so able a guide, and preceptor, I have nothing to fear; but look back to the hour of our meeting, as the fortunate era, when my importance and victories were to commence." And the man whom Stewart with heavy irony called "his experienced preceptor," replied:

Sir, I pledge you my head that I will give you all the instruction which my long experience will enable me to give you; and I flatter myself that I shall never be ashamed of the progress, of so very intelligent a pupil. Sir, I am the leader of a noble band, of valiant and lordly bandits; I will give you our plans and strength hereafter, and will introduce you among my fellows; and give you all their names and residence before we part; but we must not be parted longer than you can arrange your business; and I will make you a splendid fellow, and put you on the high road to fortune.

You shall be admitted into the grand councils of our clan; for I consider you a young man of splendid abilities. Sir, these are my feelings and sentiments towards you.¹³

The itinerary of this famous trip is easily followed. Murrell's destination was supposedly Randolph, Tennessee, a town that no longer exists but was then about fifty miles due west of Denmark. His actual destination was the "morass" in eastern Arkansas, a notorious outlaw nest; he planned to cross the river somewhat to the south of Randolph. It was winter and bitter cold, yet Murrell traveled deep into the night. When Stewart complained, he was told that "privations and difficulties, when surmounted, are what constitutes the glory of an old veteran." Much of the country they passed through was an uninhabited wilderness, and at the end of the third day they still had not reached the river. On the first night, they stayed in the cabin of a man known to Murrell; on the second in an inn where accommodations were so primitive that Murrell, who earlier boasted that he had "suffered enough to kill a horse" and could stand anything, was moved to protest. "'What!' says Murel, 'a 'leven-penny-bit for riding such a colt as we rode last night—he

13. Ibid., p. 27.

has not been curried since the day he was foaled; d_____d high for lodging on the shuck pen. Here is the money, sir.'"¹⁴

They passed through Wesley on the morning of the second day, where Stewart contrived to speak privately with Col. William H. Bayliss, an acquaintance to whom he confided the secret nature of his mission. He also borrowed a pistol, which doubled his firepower since he was already armed.¹⁵

At the end of the third day, they found that high water had made the road to the river impassable and turned north to find a way through. As night fell, they were forced to seek shelter at the farm of John Champion. The next day, they worked their way south around the "slues" to the Matthew Erwin place where they hoped to borrow a skiff. This proved to be unavailable and not until the following evening did a trading boat come by and carry them downriver to the house of Mr. Hargus where a skiff was found. In three days, they had gone a distance of only six miles. At the Hargus place, they were delayed two days more by a snowstorm. Murrell became impatient and "would swear that the devil had quit cutting his cards for him."¹⁶

At all three of these way stations, Murrell gave his name as "Merel." Given the usual phonetic spelling of proper names in the narrative, this is undoubtedly "Merrill," an alias employed by the outlaw. In his profession, it was useful to have more than one name ready at hand when approaching state and other boundary lines. He also claimed to be a slave trader from Williamson County. This was a natural role for him to adopt. Farmers in isolated regions depended on the itinerant trader, who served as their principal means of access to the market in slaves. In newly settled areas where the shortage of labor was chronic, the slave stealer could pose as a trader and could expect to meet with few questions. Thus Murrell arranged to deliver three slaves to Erwin on his return from Arkansas. As in the case of Bayliss, Stewart

14. Ibid., pp. 18, 34.

15. Ibid., p. 26; Howard, *History of Virgil A. Stewart*, pp. 44-45.

16. Walton, *History of John A. Murell*, p. 42.

privately disclosed the purpose of his mission to all three men and also arranged with Erwin to have Murrell arrested when the slaves were delivered.¹⁷

Champion presented Stewart with an "elegant pocket pistol." With the additional weapon, he had begun to bristle with offensive armament, but apparently Murrell never noticed this mushrooming arsenal. Nor did he observe the stenographic scratches on fingernails, luggage, and other possessions. Also, Stewart had contrived to inform four different men of his mission with Murrell in the immediate vicinity without once arousing suspicion. Thus, the narrative, though the main source of Murrell's lingering reputation as a criminal mastermind, does not suggest the presence of a towering intellect.¹⁸

Stewart crossed into Arkansas with the Experienced Preceptor, met many of his lawless confederates, and learned their secrets while pretending to be one of them. The site of this rendezvous has never been precisely determined. It was south of Randolph and not too far inland since it was reached in less than a day through almost impenetrable country. According to tradition, "the clan had their meeting in the neighborhood of a notable Sycamore tree . . . that . . . could be seen for miles from every direction"; meetings were held in the hollow of this forest giant. In the narrative, however, Murrell proudly called the attention of "Hues" to "yon lofty cottonwood." That tree, he said, stood "in the garden of Eden . . . where many a noble plot has been concerted."¹⁹

After several nervous days, Stewart found an excuse to return alone to the Tennessee side. At Erwin's place, the plan to arrest Murrell fell through when he arrived later

17. Ibid., pp. 39-41; Howard, *History of Virgil A. Stewart*, pp. 99-100; J. W. G. Colburn, *The Life of Sile Doty: The Most Noted Thief and Daring Burglar of His Time* (Toledo, Ohio: Blade Printing & Paper Co., 1880), p. 225.

18. Walton, *History of John A. Murel*, p. 40.

19. Ibid., p. 42; Diary of Cartnell, 5 February 1913, vol. 31; Joseph S. Williams, *Old Times in West Tennessee: Reminiscences . . . by a Descendant of One of the First Settlers* (Memphis: W. G. Cheeny, Printer & Publisher, 1873), pp. 200-201.

without the promised blacks. After arrangements were completed to make delivery at a future date, the two men returned to the Champion farm for their horses and began their journey home. Outside Wesley they parted company. The plan was for "Hues" to close out his affairs in the Choctaw Nation and to meet Murrell at his home in two weeks to help deliver the blacks to Erwin. Instead, he headed directly for the Henning farm by a different route. Murrell's arrest followed immediately.²⁰

In his "confessions," Murrell was revealed as naturally garrulous, a braggart of the half-horse, half-alligator school. He outdid himself in the presence of Stewart's "naive" admiration. His exaggeration was the counterpoint of Stewart's excessive flattery. Perhaps this personality resembled that of the actual Murrell. The original audience of the narrative were his neighbors, after all, and it must be significant that the central actor in the drama was not portrayed as shy and retiring.

He was as bold as brass and smart as paint. He ranged far and wide preying on travelers, occasionally intruding upon the settled routine of those who lived along the way. An outsider always on the fringe, he gained entrance by means of the clever disguise. Once he got as far as "South America." He "passed as a doctor, and commenced practising medicine." So great was the impression he made that an "old Catholic" adopted him and introduced him "to all the best families as a young doctor from North America." He became "a great Roman Catholic; and bowed to the cross, and attended regular to all the ceremonies of that persuasion." After three months among the "treacherous and cowardly" Spaniards, he ran off with the contents of his benefactor's treasure chest. Murrell, who by his own admission cared "nothing for religion," so depraved that even the despised Catholic observance was a religion much like any other, was beyond redemption. Yet, the tale was redeemed by the humor of the situation.²¹

20. Walton, *History of John A. Murel*, pp. 45-46, 53, 57.

21. *Ibid.*, p. 47.

He fancied himself a legal scholar, a jailhouse attorney who had "dived into the quirks of the law," but his characteristic disguise was the man of the cloth. While in jail in Davidson County as a youth, he "read the scriptures, and became a good judge of theology." He took his "first lesson in divinity" from a "young man who . . . professed to be a preacher among the Methodists, . . . a sharper . . . as slick on the tongue as goose grease," who taught him to use preaching as an aid in his "speculations." For a society that provided few opportunities for social intercourse, religion was an important institution. With clergymen as scarce as church buildings, the wandering preacher was a welcome visitor. It was a situation full of possibilities and, according to the "reformed gambler" Jonathan H. Green, "many suspicious characters travelling under the disguise of clergymen" preyed "upon the unsuspecting." Murrell found the sermon to be a useful tool for holding the attention of congregations, while his confederates outside made off with the best horses. Pretending to be a preacher was also an excellent way to pass bogus money; people were disinclined to suspect villainy from such a source. In the story of Brother Nobs, the victim first made change for a counterfeit bill, then anxious to please sold a "jack" (ass) on credit to the "preacher" who said he wanted it to breed mules, but in reality to sell for profit. The gullible Nobs he repaid with a "parting blessing." "Brother Nobs," said the shameless Murrell, "may the Lord bless you, and save you in heaven; farewell. Sister Nobs, may the grace of our Lord and Saviour, Jesus Christ, rest and remain upon you; farewell. May the Lord bless your little children; farewell, my dear babies."²²

Murrell sometimes acted from a sense of mischief or even a desire to right wrongs, as in the tale of the Old Baptist and his sheep. He learned that a friend had been falsely accused

22. Ibid., 19-20, 36; Malcolm J. Rohrbough, *The Trans-Appalachian Frontier: People, Societies, and Institutions, 1775-1850* (New York: Oxford University Press, 1978), p. 303; Jonathan H. Green, *Gambling Unmasked* (Philadelphia: G. B. Zieber & Co., 1847), p. 194.

by the Old Baptist of stealing his sheep and decided to teach him a lesson. When he found the sheep accidentally, he went to the farm of the Old Baptist at dusk, identified himself as a Baptist preacher, and gained permission to lodge for the night in return for a butchered animal. After feasting on mutton, the Old Baptist asked Murrell to pray for his sick wife. "The old man got his bible and hymn book, and invited me to go to duty. I used the books, and then prayed like hell for the recovery of the old lady." The next morning he left behind the head of the butchered animal with its mark identifying it as the property of the Old Baptist and scattered the remainder of the sheep in the woods down the road.²³

In all these tales, Murrell's behavior is consistent with a character from folklore. He is the trickster. Though powerless—he owns no property, has no station in life—he is well endowed with native wit. Not respectable himself, he yet can pass as respectable in roles that men bound by conventions reward with deference. Thus he is greeted as a welcome guest rather than a suspicious stranger. He is free to exploit the situation to his advantage, while his hosts are bound by the codes of hospitality and respect. Stewart deliberately exploited the humor in these situations. Even when most drenched in gore, and Murrell was forever gleefully slicing open a victim to remove the viscera, then sinking the carcass filled with stones into a creek to avoid embarrassing inquiries, he can usually manage a humorous aside. Once he murdered a young man ill advised enough to boast of his wealth, only to find an empty wallet when he searched the corpse. The table had been turned on the trickster. "I thought all such d_____d fools ought to die as soon as possible," he growled.²⁴

The tales of slave stealing in the narrative show Murrell at his most brutal, and not alone because they often ended in murder, but also because in them the trickster was duping the helpless rather than the comfortably respectable. In one

23. Walton, *History of John A. Murel*, pp. 49–50.

24. Ibid., p. 49. For "trickster tales," see Richard Dorson, *American Folklore* (Chicago: University of Chicago Press, 1959), *passim*.

case, Murrell and his brother “got in with an old Negro man and his wife and three sons to go off with us to Texas, and promised them that if they would work for us one year after we got there, that we would let them go free.” When the man became suspicious, he was murdered and the rest of his family was sold in Louisiana. Family affection and a desperate desire for freedom were no more than opportunities to be seized by the trickster for his own ends.²⁵

We have no study of slave stealing, partly because the distinction between a runaway and a stolen slave is difficult to establish. Obviously any property that can be moved or convinced to move can be stolen, and it may be that the crime depicted in the narrative was common. It is described as a business with well-established procedures. This is illustrated in a tale that, as is often true of the narrative, has one known and confirmable fact associated with it. Murrell’s sister Leanna married a man named Nolin, who figures in the story.²⁶

I have a friend by the name of Nolin, my brother-in-law’s brother, who is overseeing in Alabama, for a man who is from home. Nolin has decoyed six likely negro men for me. I am to go within about ten miles with a two horse carryall, and stop at an appointed place. . . . I will put them into the waggon, and fasten down the curtains all round, and then throw fodder over them. . . . Nolin is to be driving the woods for the negroes, and reporting that he had seen them every day or two, until I have time to get clear.²⁷

The system was so well organized that there was even a method for transforming a felony into a mere civil action. The thieves waited until a notice of the runaway appeared in the newspaper. This advertisement was legally a power of attorney to seize the property of the victim. “Now if the holder of the property chooses to make a breach of the trust . . . and instead of carrying the negro to the owner, he

25. Walton, *History of John A. Murel*, p. 36.

26. Madison County, Deeds, Book 6, p. 473.

27. Walton, *History of John A. Murel*, p. 51.

converts him to his own use—this is not stealing, and the owner can only have redress in a civil action.”²⁸

The problem of the slave stealer was discussed more in the popular press after the narrative appeared. “The negro stealer takes the negro to the lower country,” wrote a correspondent from Covington, Tennessee, “sells him for \$800 or \$1000 cash, than [*sic*] tells the negro to run away and meet him at a place appointed, where they divide the money. He takes him to another section of the country and sells him again, the negro runs away and they again divide the money. After having sold the negro in this way several times over he takes him into the woods, murders him, and takes the whole of the money.” This sequence was patterned after the narrative’s tale of the Tipton boy.²⁹

Murrell went downriver with a runaway from Tipton County, Tennessee. A passenger aboard the steamboat recognized and denounced him as a notorious Negro thief. Although taken into custody, he managed to escape in New Orleans by producing a forged bill of sale. The troublesome passenger subsequently had “his guts made into fish bait.” With the cooperation of the Tipton boy, Murrell sold him in New Orleans, again in East Feliciana parish where he posed as a “professor of religion,” and finally in Arkansas. After this last transaction, the Tipton boy was “conducted to a swamp” where Murrell “veiled the tragic scene and got the last gleanings, and sacred pledge of secrecy, as a game of that kind will not do unless it ends in a mystery. . . . He sold that negro for two thousand dollars, and then put him for ever out of the reach of all pursuers. . . . His carcass has fed many a tortoise and cat fish before this time, and the frogs have sung this many a long day to the silent repose of his skeleton.”³⁰

How did Murrell entice a slave to leave the safety and security of home on such a desperate venture? The bait

28. *Ibid.*, p. 16.

29. *Niles' Register* (Baltimore, Md.), 31 October 1835, p. 149.

30. Walton, *History of John A. Murel*, pp. 24–25; Howard, *History of Virgil A. Stewart*, pp. 41–42.

could not have been more simple. He offered freedom. A clear demonstration is given in the Clitto episode. Clitto's responses and his vulnerability to Murrell's appeal are painful to read. As "Hues" and Murrell proceeded on their way, "they saw an old negro at a crib by the road side, preparing to go to mill with a sack of corn." Never one to miss an opportunity Murrell stopped to pass the time.

Murel. Well, old man, you must have a d_____d hard master, or he would not send you to mill this cold day.

Negro. Yes, maser, all ov um hard in dis country.

Murel. Why do you stay with the d_____d villain then? when he treats you like a d_____d dog?

Negro. I can't help um, maser.

Murel. Would you help it if you could?

Negro. O! yes, maser, dat I would.

Murel. What is your name, old man?

Negro. My name. Clitto, maser.

Murel. Well, Clitto, would you like to be free and have plenty of money to buy land and horses, and every thing you want?

Clitto. O! yes, maser, dat Clitto do so want em.

Murel. If I will steal you, and carry you off, and sell you four or five times; and give you half of the money, and then leave you in a free state, will you go?

Clitto. O! yes maser Clitto go quick.

Murel. Well, Clitto, don't you want a dram? (taking out his flask . . .)

Clitto. Thankey, maser, atter you.

Murel. O! no, Clitto, after you. (Clitto drinks, and then Murel after him.)

Murel. Well, Clitto, have you no boys that you would like to see free?

Clitto. O! yes maser.

Murel. Now, Clitto, if you was to hear a pistol fire at the head of the lane some night, do you think you will be sure to come to me, and bring three or four boys with you?

Clitto. O! yes maser, Clitto come dis night.

Murel. I am in a hurry now, Clitto, and cannot carry you off at this time; but you have the boys ready;

and you shall not be with your d_____d old task master much longer, to be cuffed about like a dog. I am a great friend to black people. I have carried off a great many, and they are doing well, all got homes of their own; and making property you look out, and when you hear the pistol fire, come with the boys, and I will have horses ready to push you. Good by, Clitto, until I see you again.³¹

For Murrell, the slave's yearning for freedom was an opportunity to exploit, an opening to punish society while simultaneously extracting a profit. Revenge was the leit-motiv of his career, appearing at every point the question of motive was raised. In the end, his vengeful nature was his downfall; stealing the Henning slaves to get even put the intrepid Stewart on his trail. When Murrell was whipped for stealing a horse in his youth, he became obsessed with thoughts of vengeance. "I look on the American people as my common enemy," he told Stewart. "They have disgraced me, and they can do no more; my life is nothing to me, and it shall be spent as their devoted enemy." Contemporaries found nothing strange in this response. "No doubt," one wrote, "but Murel being whipt for horse stealing, and for life disgraced, has been one cause of his abandoning himself to piracy." His was a society in which a man of mettle was expected to respond to the merest personal slight with violent retaliation. Murrell had invoked an accepted code of conduct. The fact that he was a criminal beyond the pale of respectability did not change the logic of the justification for retaliation.³²

After his release from the Nashville jail, he was restless, constantly on the move: "I could not rest when my mind was not actively engaged in some speculation." At first, he was content to rob and slay, to trick and humiliate. "The last five years of my life have been spent in the same way. . . . I have been from home the best part of the time; and I have let but

31. Walton, *History of John A. Murel*, pp. 28-29.

32. *Ibid.*, pp. 32, 36; *Mississippian* (Jackson, Miss.), 17 July 1835; John Hope Franklin, *The Militant South* (Boston: Beacon Press, 1964), pp. 33-62.

few chances escape me, when I could rob, that I did not do it." Gradually this traveling became more purposeful. A long trip from New Orleans to Cincinnati, through Kentucky, Virginia, South Carolina, and Georgia, and back to Williamson County—"the old stamping ground"—was taken for the express purpose of "making all the acquaintances among the speculators that I could."³³ "I only robbed eleven men," he boasted, "but I preached some d_____d fine sermons, and scattered some counterfeit United States' paper among my brethren."

During this "grand circuit," the first of two Stewart claimed Murrell described to him, the great design of his life was conceived, "the plan of exciting a rebellion among the negroes as the sure road to an inexhaustible [*sic*] fortune." At New Orleans, Murrell and several "associates," including one of his brothers, formally launched the Mystic Clan of the Confederacy. His "heart began to beat high with the hope of being able, one day, to visit the pomp of the southern and western people, in my vengeance; and of seeing their cities and towns one common scene of devastation, smoked walls and fragments." After that life became meaningful. His wandering now had a purpose. Even the trip to "South America" was taken to find "strong friends . . . to aid me in my designs." The second grand circuit was made to establish "emissaries over the country in every direction." By the time the plan was to go into effect, he hoped to have a following of "two thousand strong." His ambition had now grown to Napoleonic proportions. "I will have the pleasure and honor of seeing and knowing, that my management has glutted the earth with more human gore, and destroyed more property, than any other robber who has ever lived in America, or the known world."³⁴

The clan was efficiently organized. At the top was a kind of inner circle known as the Grand Council, composed of trusted men privy to all aspects of the plot. Half of them were "men of high standing, and many of them in honorable and lucrative offices. Should anything leak out by chance,

33. Walton, *History of John A. Murel*, pp. 38, 46, 51.

34. *Ibid.*, pp. 32, 38, 46-47, 49.

these men would crush it at once, by ridiculing the idea. . . . These fellows make strong pillars in our mystic mansion." The rank and file known as "strikers" "we trust with nothing." They did the dirty work and ran the risks but if apprehended knew too little to endanger the organization as a whole. "For a few dollars we can get them to run a negro or a fine horse to some place where we can go and take possession of it." At the time of the narrative, the Grand Council numbered 400, the strikers nearly 650.³⁵

Handpicked blacks had a vital role to play in implementing the plot. They were recruited from among the most "vicious and wickedly disposed on large farms." Judging by the arguments used to convince them, they were the slaves least reconciled to their condition. "When . . . we have a blood-thirsty devil, we . . . convince him that every other state and section of country where there are any negroes, intend to rebel and slay all the whites they can . . . and assure him there are thousands of white men engaged in trying to free them." The new recruit was then sworn to secrecy. "We have a long ceremony, for the oath, which is administered, in the presence of a terrific picture, painted for that purpose, representing the monster who is to deal with him should he prove unfaithful."³⁶

The arguments employed to gain recruits are also statements of unpleasant fact for the audience of the narrative to digest, statements that could have been repeated safely only as the alleged words of an unregenerate scoundrel. Blacks are told "how they are mistreated; that they are entitled to their freedom, as much as their masters, and that all wealth of the country is the proceeds of the black people's labor: we remind them of the pomp and splendour of their masters, and then refer them to their own degraded situation; and tell them that it is power and tyranny which rivet their chains of bondage; and not because they are an inferior race of

35. Ibid., pp. 30, 33. *Striker* was a "flash" word (criminal jargon) for someone who decoyed a slave to a place where he could be kidnapped. *Nashville Banner* (Tenn.), 23 November 1930.

36. Walton, *History of John A. Murel*, pp. 30-31.

people." The readers of the narrative were uncomfortably reminded of the growing isolation of the institution of slavery in the world and of the peril implicit in this state of affairs. "We tell them that all Europe has abandoned slavery, and that the West Indies are all free, and that they got their freedom by rebelling a few times and slaughtering the whites; and convince them, that if they will follow the example of the West India negroes, they will obtain their liberty, and become as much respected as if they were white; and that they can marry white women. . . . [We] get them to believe, that the most of people are in favor of them being free, and that the free states, in the United States, would not interfere with the negroes, if they were to butcher every white man, in the slave-holding states." Murrell made sport with virtually every anxiety to which a people living uneasily with slavery fell prey.³⁷

The rebellion was set for 25 December 1835, a holiday when slaves were customarily permitted greater latitude and freedom of movement. On the appointed night, the sworn blacks were to be furnished money and spirits with instructions to invite everyone within reach to a gathering. Once the liquor had taken effect, the sworn blacks would break the news:

Fellow slaves this is the night that we are to obtain our liberty. All the negroes in America rebel this night, and murders the whites. We have been long subject, to the whips of our tyrants; and many of our backs wear the scars: but the time has arrived when we can be revenged.

There are many good white men who are helping us to gain our liberty. All of you that refuse to fight will be put to death; so come on my brave fellows, we will be free or die.³⁸

Once this speech had been delivered, a handful of chosen strikers would emerge to play key leadership roles. Meanwhile, the white outlaw bands would have gathered.

37. Ibid.

38. Ibid., p. 32.

We design having our companies so stationed over the country, in the vicinity of the banks and large cities, that when the negroes commence their carnage and slaughter, we will have detachments to fire the towns, and rob the banks, while all is confusion and dismay. The rebellion taking place every-where, at the same time, every part of the country will be engaged in its own defense; and one part of the country can afford no relief to another, until many places will be entirely overrun by the negroes; and our pockets replenished from the banks, and the desks of rich merchant's houses. It is true that in many places, in the slave states, the negro population is not strong, and would be easily overpowered; but back them with a few resolute leaders from our clan, and they will murder thousands, and huddle the remainder into large bodies of stationary defense, for their own preservation; and then, in many other places, the black population is much the strongest, and under a leader, would overrun the country before any steps could be taken to suppress them.³⁹

Arms for this enterprise were to be purchased with funds from the clan's treasury. The first onslaught would cause shock and paralysis; many cities would fall, and with them great arsenals and stores of supplies. Murrell asked only to command the company that attacked New Orleans. "I feel an ambition to demolish the city, which was defended from the ravages of the British army, by the great General Jackson."⁴⁰

A newspaper editor confessed that when he first came upon the narrative he "read some ten or a dozen pages, and threw it down as a catchpenny affair and a bait to catch gulls with." That it did not stay down was the result partly of the narrative's plausibility and its deceptive reliability. It is filled with actual events such as the Long case. Actual persons abound, playing parts of their own, or confirming roles others assert for themselves. Yet the narrative stubbornly retains an air of improbability because of its apochryphal con-

39. *Ibid.*, pp. 30-31.

40. *Ibid.*, pp. 33, 57.

versations reconstructed from notes scratched on fingernails, and its suspicious penny dreadful format, but, above all, because of an inability to shake off the feeling that one is dealing with a contrived literary production. The trickster tale is a typical frontier yarn, the favorite of border ruffians from Mike Fink to Davy Crockett, of even more ancient ancestry. Murrell is revealed as a boastful, easily gulled fool who prides himself in his talent for fooling others. Was it Murrell or Stewart (or whoever wrote the narrative) who invented the trickster? This question is not likely to be answered categorically; however, a possible answer is suggested in the narrative itself. It is not Murrell who is the real trickster but Stewart. At the beginning of the journey, it is Stewart who announces that he will "venture a trick" on Murrell and then successfully follows through to the end.⁴¹

Artful formulation shaped the description of the Mystic Clan and its evil genius, also. The next chapter will examine the context within which this baneful organization was viewed as plausible. At this point, it is worth noting that the trickster tales were told within a larger framework that was a parody of the conventional literary formula of the outlaw legend. This formula required a central character who was in some sense a victim, a man of spirit, dispossessed or wronged in some way by society, whose career brought into sharper focus the moral and ethical ambiguities of society. An attempt was made to force Murrell into this mold. By seeking satisfaction for punishment inflicted on him, his conduct became a negative image of the code that governed respectable men who were compelled to defend their honor. The final composite is only half-formed and it compares unfavorably with a fully realized character like the legendary Jesse James. Murrell always acted from personal motives, displaying none of the innate nobility of the folk hero. All true outlaw heroes must become the symbolic champion of an oppressed or submerged people. The slaves could hardly assume that role; Murrell employed the

41. *Arkansas Gazette* (18 August 1835), from *Natchez Courier and Journal* (Miss.); Dorson *American Folklore*, pp. 186-90, 210.

rhetoric of antislavery with heavy irony. The outlaw-hero formula of the narrative remained a parody from beginning to end. Nevertheless, he did for a while become a symbol of abolitionism. It was a role for which he had many shortcomings.⁴²

42. See Kent L. Steckmesser, "Robin Hood and the American Outlaw," *Journal of American Folklore* 79 (1966):348-55; Eric Hobsbawm, *Bandits* (New York: Dell Publishing Co., 1969). I found only one source willing to place Murrell in the framework of Robin Hood legends. "Many generous deeds are reputed to him. He robbed the rich but he helped the poor. Blood was never shed except when absolutely necessary." *Florence Times* (Ala.), 22 August 1890.

The Clan

He belonged to the organized band of Mississippi robbers and thieves, who have lately infested the coast between Memphis and Randolph, principally the Arkansas side.—National Banner and Nashville Whig (21 August 1834).

The description of the clan in the narrative is melodramatic. Yet for distortion to exist there must be something to distort. "It has been a notorious fact, for a number of years past," the narrative said, "that Negroes and fine horses are frequently missing from the farms of planters and citizens of the Mississippi valley, and never again heard of by the unfortunate owners." This was indeed a notorious fact. Outlawry thrived in the marshes, sloughs, and canebrakes along the Mississippi and its navigable tributaries. The greatest centers of activity were in the newly settled regions of west Tennessee, the Indian cessions, the Delta of Mississippi, and, above all, in Arkansas, which in the mid-1830s was experiencing a great emigration and the introduction of "large droves of negroes." The waterways provided easy mobility for illicit traffic in counterfeit money, Negroes, and horses.¹

Some degree of organization linking this scattered activity was suspected. Thus before the appearance of the narrative revealing the plot for a slave insurrection Frank Latham, publisher of the *Randolph Recorder*, asserted that "Murrell has long been known in this state as a dangerous and des-

1. Augustus Q. Walton, Esq., *A History of the Detection, Conviction, Life and Designs of John A. Murel, the Great Western Land Pirate* (1835), p. 5; *Niles' Register* (Baltimore, Md.), 26 December 1835, p. 281; *Clinton Gazette* (Miss.), 10 October 1835.

perate freebooter, and the chief of a clan of counterfeiters, horse and negro stealers, stretching from near the mouth of the Ohio several hundred miles down the Mississippi valley through Arkansas, into the interior of Mississippi and Alabama. The clan consists in number, in 'operatives' and 'silent partners,' of no less than several hundred." In the use of the name *clan*, in the assumption that Murrell was the leader of this criminal network, the effect of Stewart's testimony in the slave-stealing trial can be seen. The network itself was real enough, though perhaps not so cohesive as imagined. Newspapers were filled with references to lawless gangs "who make a regular business of kidnapping negroes and stealing horses, and running them off to the lower country and selling them."²

Arrests occurred, but breakouts from the primitive jails were frequent, costs of maintaining prisoners during the long months between court sessions were burdensome, and law-enforcement people were often no match for bold well-organized determined criminals. In the spring of 1835, in an incident by no means uncommon, three prisoners in the Little Rock jail—a murderer, a slave stealer, and a Negro taken in his company—were set free by six men "with blackened faces" who threatened "the only person on guard with instant death." The slave stealer, a young man with the impressive name of Fielding G. Secrest, was known to be one of a large gang infesting the swamps of White River with spies and accomplices everywhere, including Little Rock itself. "It was probably through their agency . . . that the . . . prisoners are indebted for their rescue," the editor of the town newspaper said darkly.³

More important than the conventional law-enforcement machinery was the regulator tradition. From the beginning, this tradition had been an important factor in the expansion of the trans-Appalachian frontier. Frontier communities were marked by a strong conservative urge to reestablish the

2. *Randolph Recorder* (Tenn.), 21 November 1834; *Arkansas Gazette* (Little Rock), 10 March 1835.

3. *Arkansas Gazette*, 4 April 1835.

social order left behind, a social order usually composed of three "classes": community leaders, people of average means, and the honest poor. There was no place in this scheme for the free-floating, turbulent, often lawless elements found in abundance in any frontier community. The primitive state of law enforcement, the frontier tradition of self-help, the prevalence of spontaneous lynch mobs, and the commitment to order combined to produce the regulator tradition. In the name of order and to retain their position of leadership, the most respected citizens combined in their communities to commit violence on a scale that occasionally exceeded the level of criminal violence. In "courts" sometimes secret in character to protect the identity of the "judges," with illegal procedures that did not scruple at the use of torture to extract confessions, the best men tried the worst.⁴

In the 1830s, every town along the Mississippi below St. Louis had "its vigilant committee and patrol, for the protection of life and property." Towns where regulator activity had lapsed were prey to spontaneous mob violence that sometimes also became thinly veiled attacks on privilege. James Foster, "a member of a wealthy and respectable family," was tried in Natchez for the murder of his wife and was acquitted. A mob that may have believed he was acquitted because of social position took him from the courthouse. He was scalped, lashed 150 times, tarred, and feathered. Only narrowly did he avoid hanging. "We had seen Foster but an hour or two previously, in the prisoner's box, apparently in perfect health, and one of the finest looking men in the country," said a writer for the *Natchez Courier* describing the scene. "It was a horrid sight to see him as we afterwards saw him; pale and trembling, the blood trickling down his neck; the tar and feathers making his appearance that of a monster. So far from recognizing Foster, we could scarcely realize that he was a man. The mob believed that he was a

4. For a study of the regulator tradition, see Richard Maxwell Brown, *Strain of Violence* (New York: Oxford University Press, 1975).

monster at heart, and were determined that his external appearance should correspond with the inner man.”⁵

Monsters were everywhere, even in the community itself. Mobs had a way of falling under the sway of shiftless elements, the violently inclined, the envious, the disgruntled—combustible materials that constituted another kind of threat to order. Towns with regulators kept a tight rein on monsters or at the least had some assurance of their social station. Anson Moody, a notorious slave stealer, was tried for that crime in Brownsville, Tennessee. He was picked out of a hundred people by the Negro whom he had allegedly kidnapped, who also identified his pistols though placed among dozens of others. Under Tennessee law, a Negro could not testify against a white man and Moody was acquitted; but in Brownsville mobs did not take up the slack in the law. He was retried by a “committee of thirteen of the oldest and most highly respectable citizens of the county,” branded on the cheek with the letter “R,” and given a hundred lashes. It was not uncommon for opinion outside an affected area to wax indignant at such flouting of judicial process. The *National Banner* of Nashville excoriated the citizens of Brownsville for the treatment accorded Moody. People who felt that way in Brownsville kept quiet.⁶

Strangers entering a town were kept under surveillance by its “vigilant committee” until their business “became satisfactorily known.” Once an individual was suspected, the likelihood of conviction was great. Sentences of banishment, tar and feathers, and whippings were liberally dispensed. At the end of a heated pursuit, justice could be swift and brutal. A highwayman and murderer taken in Arkansas “was tried by about fifty citizens” and persuaded to confess. The confession was an important part of such proceedings, although the means of extracting it were usually vague. With the for-

5. Joseph S. Williams, *Old Times in West Tennessee: Reminiscences . . . by a Descendant of One of the First Settlers* (Memphis: W. G. Cheeny, Printer & Publisher, 1873), p. 201; *Randolph Recorder* (30 January 1835), from *Natchez Courier* (Miss.).

6. *Randolph Recorder* (25 September 1835), from *National Banner*.

malities observed, they "bent a green sapling down, fastened his neck to its top," and released it. The rare jury trials of individuals indicted for administering popular justice invariably ended in acquittal. Yet participation in such activity was not without risk. The identity of regulators was often kept secret precisely because of the fear of retaliation. The fear was well grounded. A man lynched (whipped) in Arkansas later ambushed and killed one of his tormentors. Another who helped apprehend four fugitives was afterwards fatally stabbed.⁷

Persistent thievery kept the conventional machinery of justice humming, but newspapers in the triangle formed by Randolph, Tennessee, Little Rock, Arkansas, and Jackson, Mississippi, were vociferous in urging that more cases be referred to the court of Judge Lynch.⁸ Some even advocated search and destroy missions.

To resort to the laws for protection, seems to be worse than useless; for, if apprehended and committed to prison, there are ten chances to one in favor of their rescue by their accomplices; and, if brought to trial, either through the mercy of our petit juries, or the want of positive testimony against them, the chance is no better for their conviction and punishment. But one mode and only one suggests itself to us of getting rid of them—and that is not to trouble our courts or juries with them. Their hands is [*sic*] raised against every honest man in the community, and the laws of nature teach us that every honest man's hand ought to be raised against them. They ought to be hunted down as wild beasts, and their carcasses left as food for the buzzards. A company of resolute woodsmen, who are inured to hardships, and familiar with the use of the unerring rifle, by scouring the woods, penetrating to their hiding places in the swamps and caves, and waylaying

7. Williams, *Old Times in West Tennessee*, pp. 200–201; *Arkansas Gazette* (1 September 1835), from *Bolivar Free Press* (19 August 1835). Also, *Arkansas Gazette* (5 August 1834, 31 March 1835, 1 September 1835); *Randolph Recorder* (5 September 1834, 21 November 1834, 24 April 1835, 2 October 1835).

8. *Arkansas Gazette* (10 March 1835).

their secret paths, could effect more in ridding us of the lawless and organized banditti, than all the courts and juries in the country.⁹

The model for this amiable suggestion had been provided by the citizens in Tipton County, Tennessee. The eastern part of Mississippi and Crittenden counties in Arkansas, known as the morass, was the seat of the most notorious gang of thieves. It was low, swampy, and unhealthy; population was thin and government thinner. Within this wild maze of islands, sloughs, swamps, and canebrakes, men could hide and move about in large numbers undetected. To boatmen looking for a place to moor for the night anywhere along its shore was inhospitable. In June 1834, Tennessee citizens marched into Arkansas, determined to clean out the morass and put an end to robbery and piracy.¹⁰

Randolph, Tennessee, took the lead. This town no longer exists; a change in the course of the river severed its lifeline. But in the 1830s, it had a population of one thousand and a choice location behind the second Chickasaw Bluff. In 1834, it was the northern terminus of a line of packet boats operating from New Orleans when Memphis was still served by independent steamboats and not even a regular stop for packet boats. This busy little port was an important shipping point for the gentry across the river who dealt in Negroes, horses, and counterfeit money. It was also a favorite of the less devious craftsmen who preferred second story work. Of course, it was a regulator town and well patrolled. Visitors from Arkansas taken in suspicious circumstances were dealt with harshly.¹¹

- It is keenly remembered by the writer, who was a member of the patrol at Randolph . . . that one dark night . . . the patrol were out on the river front above the town. In the dead, silent hours of the night, the

9. Ibid. (4 April 1835).

10. See Williams, *Old Times in West Tennessee*, pp. 200-205; and Larry D. Ball, "Murrell in Arkansas: An Outlaw Gang in History and Tradition," *Mid-South Folklore* 6:3 (Winter 1978):65-75.

11. Marshall Wingfield, "Tipton County, Tennessee," *The West Tennessee Historical Society Papers* 3 (1949):5-26.

gentle rippling of the still waters from the sharp prow of a boat came gliding down near the shore. The patrol had taken a position at the mouth of a deep cove, formed by the flow of the waters from the high bluff. It afforded a safe mooring for small boats. The suspicious craft moved in close to shore, and ran into the cove. Several yards from the river's edge, waiting until they had made fast by running an oar down in the soft mud, . . . the Captain of the patrol threw the light from his dark lantern full upon them, the patrol at the same time leveling their double barrels. Three stout, broad-shouldered sinners stood before us; an old gray-haired lark, and two younger—father and his two sons. The old man, who stood in the stern of the boat, dropped something from his shoulder into the water as soon as discovered. The water being shallow, however, he was required to fish it up. It proved to be a wallet filled with burglar's tools. They were marched up to the headquarters of the vigilance committee, and immediately put upon trial under the code of Judge Lynch. The wallet contained sufficient evidence to insure conviction and speedy execution. On account of the gray hairs of the old sinner, and youth of his two sons, the penalty was modified to corporeal castigation. They were sentenced to be denuded of every vestige of their clothes, stretched across a cotton bail, and striped with a three and a half foot "cowhide," at intervals, until day began to break, the old man to receive two licks to the boys one. That when day began to dawn, that they be taken to their boat, stark naked, tied hand and foot, and fast to the bottom of the boat, face upwards, gagged, with a placard posted upon their foreheads, written upon each, that if "ever caught again on the east bank of the Mississippi, in Tennessee, a twenty-five pound bag of shot would be tied around their necks and they become food for the catfish"; the boat to be carried out in the middle of the current and sent adrift without oars. The sentence was fully executed, and their up-turned faces greeted the first rays of the morning sun.¹²

If the best men in a community could without compunc-

12. Williams, *Old Times in West Tennessee*, pp. 201-3.

tion condemn three tortured, mutilated human beings to a sporting chance of being slowly broiled to death what must the criminals have been like? An answer of sorts is provided by the same writer, an old war-horse named Joseph Williams, in his description of the incident leading to the invasion of Arkansas. All accounts of this event are based on that of Williams. It began with "a most atrocious and diabolical wholesale murder and robbery. . . . The crew of a flat-boat had been murdered in cold blood, disembowelled and thrown in the river, and the boat stores appropriated. . . . The 'Murrell Clan' were charged with the . . . act." In fact, no contemporary source gave Murrell credit as the leader of those responsible or even mentioned his name. The incident happened before his trial for slave stealing (he was in the Brownsville jail awaiting trial). All references to Murrell's leadership of the Arkansas gang occurred after the trial. Moreover, deplorable as piracy is no one was eviscerated or even killed. After the appearance of the Stewart narrative, the sources were haunted by poor disembowelled corpses but strangely silent on the subject before them. What actually occurred was reported in the *Randolph Recorder*.¹³

Our peaceful town presented, last week, more the appearance of a war camp, than the abode of peace. An expedition composed mostly of our chief citizens, "thrice armed, their quarrel being just," set out from this place to take or exterminate a gang of lawless freebooters, infesting the Arkansas shore of the Mississippi for some hundred miles, who have been for several years past, committing continual depredations upon the lives and property of the individuals upon the river and in this State, and becoming at length so bold as to require the action adopted by our citizens, for the preservation of their lives and property. Their last depredation, was their seizing, some 12 or 20 of them, a flat boat owned by Mr. Wm Mitchell, of May's Lick, Ky., laden with flour and whiskey, that had stranded on a sand bar about 12 miles below this town: one or two of

13. *Ibid.*, p. 203.

them standing over the boatmen with levelled rifles, while the rest plundered the boat, and took off, in other boats, what they could conveniently remove. Horses, negroes, cattle, and every species of property is their prey; and such is their adroitness, and so impregnable their marshy skulking places, as to make their detection almost impossible, burying themselves when pursued, in the almost impervious canebrakes. This last audacious wholesale robbery, aroused our citizens, many of whom have suffered by counterfeit money and property stolen, to march against them armed with rifles.¹⁴

The absence of any mention of corpses split up the middle or not is striking. So is the lack of any references to Murrell or the "clan." Circumstances surrounding his arrest a few months earlier were well known; several prominent farmers in the area had been involved, including the leader of the Randolph expedition. Given the significance soon to be attached to Murrell's activities, it is more than passing strange that his name was not mentioned in connection with the greatest of all efforts made by Randolph to stamp out outlawry in its vicinity. Only after the trial in July and after the subsequent publication of the narrative would the notion take hold that he was the undisputed chieftain of this ragtag of border misfits (themselves transformed into "valiant and lordly bandits").

The name *morass* can be misleading. Obviously it was not the most fortunate of locations. It was thinly populated—Mississippi County had only 437 inhabitants. But there was no question of all these people being outlaws. Many of them were shopkeepers, hunters, trappers, and, where conditions permitted, farmers. There were settlements that passed as towns and the skeletons of county governments, although court was held in private residences in Greenock, the county seat of Crittenden, for want of a courthouse. The Tennessee expeditions were not simply attacks on a band of outlaws lurking in a swamp but on the settled communities of a neighboring jurisdiction.¹⁵

14. *Randolph Recorder* (21 June 1834).

15. Ball, "Murrell in Arkansas," p. 66.

The destination of the Randolph expedition was Shawnee Village, a community in southernmost Mississippi County near the site of the flatboat robbery. The men attacked suddenly, burned a few cabins, and returned with eight or ten prisoners. The next day forty or fifty men from Covington, the county seat of Tipton, arrived in Randolph "gloriously armed." They drifted downriver on a flatboat "the self-same way as when they went to fight Packenham" but prudently withdrew from Shawnee Village where they found the aroused citizens armed and prepared to fight. (They lamely settled for the sheriff's assurance that the robbery would be investigated.) But they did not return immediately. For a week, they scoured the canebrakes in the vicinity with dogs, rounding up another twelve or fifteen prisoners, then dropped downriver to Memphis to a heroes' reception, whence they returned to Randolph by steamboat. In all that time, there was one fatality. "One of the boatmen that is supposed to have stranded the boat in order that it might be plundered, was found dead in the canes, whither he had fled, the victim of dishonesty, hunger, and musquitoses."¹⁶

The prisoners were taken to Covington where justices of the peace jailed seven and released the remainder for lack of evidence. The dragnet would appear to have been indiscriminate. Four or five of those freed were taken across the river by the sheriff and by a party from Randolph and were whipped; the "eloquent music" of their screams was audible on the Tennessee side. "One villain named or pronounced Geno, after being stripped for the dance, howled and begged so pitifully, that altho' his back bore striped evidence of his having before danced around the whippingpost, he was spared the lash, and taken back, as he promised to divulge secrets of importance. But finding he could be of little service in this capacity, he was suffered to return to Arkansas, where his fellow robbers, for his faithlessness and cowardice at Lynch's alter [*sic*], stripped him, tied him to a tree, and gave him a 'smart sprinkle' of the lash themselves." To even the score, "Geno" later robbed and whipped a hapless Ten-

16. *Randolph Recorder* (21 June 1834, 24 April 1835); Williams, *Old Times in West Tennessee*, pp. 203-5.

nessean who had the misfortune to cross his path. In a fitting conclusion to this travesty, four of the seven locked up soon took French leave of the Covington jail.¹⁷

The Tennessee expeditions produced no noticeable effect other than vague threats to burn the town of Randolph in retaliation. Harassment and piracy continued on the river. In June 1835, a flatboat loaded with tobacco sank mysteriously in shallow water near Shawnee Village. Subsequent investigation revealed the possibility of auger holes bored in the bottom. The sheriff auctioned off the cargo for a fraction of its value, and the hapless captain was sent packing with instructions not to return under penalty of death. A group of Randolph citizens accompanied the owners of the cargo to the scene and forcefully recovered the tobacco found cached in the woods, "not without much grumbling from the new owners." Later it was found that the captain had been paid in counterfeit money, and—indignity upon indignity—in making change in the transaction had given the purchasers forty-five dollars in good money.¹⁸

The activities of these shadowy criminals come into better focus against a larger background. A recent historian of regulator and vigilante movements has pointed out that counterfeiting and horse stealing often went together, and the geographical distribution of both followed closely that of flourishing regulator activity. All three "tended to be found in wilderness areas, close to state lines, or near Indian borders." In the southwest, slave stealing should be included as companion activities of counterfeiting and horse stealing. Each involved transactions best completed at a safe distance from the locale of origin, preferably across state lines. The morass was obviously an ideal location; access to it was forbidding and the river permitted rapid movement from one place to another.¹⁹

Direct or indirect evidence linking Murrell to these crimi-

17. *Randolph Recorder* (21 June 1834, 16 September 1834, 24 April 1835); *Arkansas Gazette* (30 September 1834).

18. *Randolph Recorder* (20 June 1835); *Arkansas Gazette* (14 July 1835).

19. Quote in Brown, *Strain of Violence*, p. 99.

nals before the Stewart narrative made him famous is slim but intriguing. Piracy was evidently a sideline; the main activity of the morass bunch was counterfeiting. The usual chronic shortage of money on the frontier and the many different kinds of bank paper in circulation in the Jackson era combined to produce conditions in the area ideal for counterfeiting. Randolph was an excellent point for distributing bad money up and down the river. Gentlemen employed in this trade naturally preferred anonymity but names did surface occasionally. It is very likely that Murrell and his brother William were important figures in this illegal traffic. About the time the former went to the penitentiary two counterfeiters were taken in Gallatin, Missouri. They were ordered to "quit the country, without even the pleasure of a visit from Dr. Lynch," after one of them, Willis Watson, had made a detailed confession. This document said explicitly that "John and William Merrill, forty miles above Memphis, make the counterfeit money." This was precisely the location usually given as the headquarters of the morass bunch, as well as the general vicinity of the Tennessee expeditions. "Merrill" was an alias often employed by Murrell. Moreover, of the nineteen persons named in this confession nine found their way into Stewart's narrative, which was published the following spring. Some were names often mentioned in the press as those of suspicious characters. Yet the connection between "Merrill" and the Murrell brothers was not made when the Watson confession was published, and the rather large role assigned a felon who had just been imprisoned after a sensational trial was unrecognized. This is consistent with the impression that the Murrell name did not figure prominently in the activities of the gang before the trial.²⁰

Counterfeiting was earlier connected with the name Murrell in Williamson County. The role of manufacturing the money assigned to John and William Murrell in the Watson confession was plausible and if true would indicate that their function was an important one. But clearly the name was not predominant over those of known or suspected criminals

20. *Randolph Recorder* (16 September 1834).

active in west Tennessee and Arkansas before 1835. Greater attention was given to certain suspected individuals who actually resided in Arkansas. The Murrells were numbered among the many transients who came and went on errands of their own, recognized or unrecognized as the case might be.

Aside from the Watson confession, sources linking Murrell with the morass bunch were collected by Stewart. At least one of these was compelling. It described an incident that occurred during the historic journey to Arkansas. According to the original edition of the narrative, when the usual road to the river was blocked by high water Stewart and Murrell turned northward to look for higher ground and for a place to be ferried across. Failing to find it, they stayed the night at the Champion farm. However, the 1836 edition of the narrative describes what happened during the period when they were searching for a way around the floodwaters. According to this account, they passed the plantation of Orville Shelby and "Murrell attempted a display of his tact in producing disaffection with a number of Mr. S.'s negroes. . . . The spirit of disloyalty and rebellion was soon perceptible, and in a short time became almost violent; finding vent, first in murmurs of discontent, and afterward in audible execrations and expressions of hatred against their master." While it is certainly curious that this episode was missing from the first edition, there is no reason to doubt that it happened. Shelby was a historical character and a redoubtable one. He owned three hundred acres of cotton land near Randolph and was an active regulator. In fact, he was the leader of the 1834 Randolph expedition against the morass bunch. His confirmation of the episode was one of the documents later collected by Stewart to support his case. It is unlikely that Shelby would have allowed the document to be published without objection did it not represent his version of the truth.²¹

21. Walton, *History of John A. Murel*, pp. 38-39; H. R. Howard, comp., *The History of Virgil A. Stewart and His Adventure* (New York: Harper, 1836), pp. 70-71; *Randolph Recorder* (18 July 1834); Williams, *Old Times in West Tennessee*, pp. 203-5.

Shelby wrote that two men passed him early in February of 1834 as he stood on the riverbank near his home. He suspected that one was "the notorious Murrell." The other he assumed to be a confederate, "being unacquainted with" Stewart at the time. When he arrived at home, he told his wife "that two suspicious looking fellows had just gone by."

She then informed me that, during my absence from home, two white men on horseback had been among our negroes tampering with them, offering to take them to a free state, &c. I got on my horse and rode out to the place where my negroes were at work, determining to learn from them all the particulars.

Having satisfied himself that the men described by his wife were the same as the ones who passed him earlier, he set out for Randolph where he believed they were headed "to ascertain if one was Murrell (as I was not certain of it myself), and have him well Lynched." Later he learned from his neighbors, Champion and Erwin, "that one of the men was Murrell . . . (and) the other was a man . . . who was following . . . Murrell for the purpose of detecting his villany." Thus, a leader of the Randolph regulators knew Murrell by reputation, probably as counterfeiter and suspected slave stealer, and was vaguely familiar with his appearance, "having seen him once previously."²²

The evidence actually linking Murrell to the morass is sparse but sufficient, although he lived nearly sixty miles away. In the Randolph vicinity, he was a suspected Negro thief; his role as a counterfeiter was less well understood. The morass served Murrell and other criminals in the region as a rendezvous and distribution point for the illicit traffic in bad money, horses, and slaves. This is made clear by following the case of the Henning slaves to its conclusion.

The Henning slaves were found missing on 18 January 1834. A year and a half later, young Richard Henning recovered them from the person who had purchased them in Avoyelle parish, Louisiana, at a site easily reached from the Mississippi by way of the Red River. They had been sold in

22. Howard, *History of Virgil A. Stewart*, pp. 100-102.

June, six months after the original theft. In the interval, they had been concealed in a wilderness "the extent and position of which they could form no idea of," to which they had been conducted. Almost daily, they saw "different companies of armed men, who appeared to be divisions or sub-divisions of some general company."²³

In December 1833, Dr. D. O. Williams had lost three slaves from his plantation on the Mississippi below Randolph. At first, he assumed they had escaped to freedom on a passing steamboat. Then, in June the citizens of Randolph and Covington brought back prisoners from the vicinity of Shawnee Village. "It was from the confessions here that I first learned that my negroes were stolen and sold somewhere." He made a diligent search in the lower valley but failed to find them. Subsequently, he took up residence in the booming Delta country near Clinton, Mississippi. When he heard that the Henning Negroes had been recovered, he went to Avoyelle parish and found his missing slaves. Their story was similar; they had been kept for an indeterminate period in a wilderness before being transported downriver. The slaves of both Williams and Henning "were decoyed from their masters by pretended horse traders and gamblers, who promised to convey (them) to Texas after selling them several times, to defray . . . expenses which were represented to be very considerable."²⁴

Nothing in the account of their recovery connected the theft of the Henning slaves to Murrell. But the morass was consistent with the description of the place where they were hidden; the Williams slaves were clearly concealed there. According to the testimony of all five slaves, a man named "Rheinhardt" was in charge of the white men who harbored them in the "wilderness." In the 1836 edition of the narrative, Stewart claimed to have met a man called "Rainhart"

23. *Vicksburg Register* (Miss.), 24 September 1835, from *New Orleans Bulletin* (La.).

24. Williams's letter is in *Clinton Gazette* (7 November 1835), reprinted with slight differences in wording in Howard, *History of Virgil A. Stewart*, pp. 162-63. For Henning's and Williams's slaves, see *Vicksburg Register* (24 September 1835).

while in Arkansas with Murrell, who with three other white men was sheltering two stolen Negroes (by implication, those of Williams). Since the incident did not appear in the original narrative, its inclusion in the later edition was probably done deliberately to bring it in line with the startling revelations surrounding the recovery of the Henning and Williams slaves. Nevertheless, Rainhart was an actual person and a resident of Crittenden County, Arkansas. The account of the recovery of the Negroes mentioned other names that also appeared on Stewart's list of "clan" members in the original narrative.²⁵

This list was given to Stewart shortly before he parted from Murrell outside the town of Wesley. It and the Mystic Clan's plot for a slave rebellion constituted the surprising elements in the narrative. Neither element was a part of Stewart's testimony in the Murrell trial. The bizarre aspects of the rebellion were made plausible by the plausibility of the list. In the original edition of the narrative, Stewart used the remainder of his notebook that had not yet disappeared down the mail slot in his hat to set down the names as they were reeled off by Murrell. In the later edition, the paper shortage was given as the reason for listing only 445 of the more prominent members of the clan. This was also the reason surnames were usually given only with an initial or no initial at all, although occasionally titles such as "colonel," "captain," or "squire" appeared. The list was organized by state or territory, some thirteen in all, with a category for "transienters, who travel from place to place."²⁶

In 1835, Stewart's list was used by authorities as a litmus to confirm suspicions of arrested persons. For instance, two men were arrested in Charlotte, Tennessee, after offering "to sell horses so cheap that the citizens became suspicious of them." Their names were Reuben Tims and Larkin Tims, and it was soon determined that "R. Tims" appeared on the

25. *Vicksburg Register* (24 September 1835). See also, Walton, *History of John A. Murel*, pp. 42-43; Howard, *History of Virgil A. Stewart*, p. 87; Ball, "Murrell in Arkansas," p. 70.

26. Walton, *History of John A. Murel*, pp. 53-56; Howard, *History of Virgil A. Stewart*, pp. 115-19.

list for Tennessee. These men were encouraged to confess, revealing among other things that the horses had been stolen by "J. G. Murel" and brought from Kentucky. It is worth noting in passing that according to tradition the Murrells kept a "corrall" somewhere in Hickman County, Kentucky, whence stolen horses could be distributed over the surrounding country to be sold.²⁷

A list of this kind is a tricky thing to investigate. Aliases were much in vogue among the class of gentlemen found on it. Nor was it much help that the names were all of English or Scottish derivation and to be found in abundance in censuses of all the states in question. Something may be done with it tentatively, however, if we begin by taking seriously informed opinion of the time: "In the list of names furnished by Murel, those of known and long suspected rascals are enumerated."²⁸

The Watson confession that named "John and William Merrill" as counterfeiters is an interesting example of the random appearance of names that later appeared in the narrative. This document contained nineteen names, some of active speculators, others of friends who could be relied upon to render assistance of various kinds. Nine names later appeared on Stewart's list, all but three from Mississippi valley states or territories. Some were notorious characters. One that did not appear on the list, Jacob (sometimes John or Jonathan) Tipton, was often linked with individuals who did. He was a well-known counterfeiter, horse thief, and slave stealer. In March 1835, he made a daring escape after the editor of the *Vicksburg Register* "rescued from him, on board a Steamboat, a negro man, whom he had stolen from a widow lady near Donaldsonville in Louisiana." He was fatally shot near the mouth of the Arkansas River later in the year during the purge of "Murelites" that developed in the wake of the Mississippi insurrection panic. His name some-

27. *Western Weekly Review* (Franklin, Tenn.), 28 August 1835; Emma Inman Williams, *Historic Madison* (Jackson, Tenn.: Madison County Historical Society, 1946), p. 239.

28. *Arkansas Gazette* (18 August 1835), from *Natchez Courier and Journal* (Miss.).

times appeared in connection with "Hunter" and "Crenshaw," both of whom appeared on the list, the latter as "D." (presumably Daniel) Crenshaw. Hunter was hung in Wilkinson County, Mississippi, during the same purge. Crenshaw was killed after an apparent attempt to assist Hunter had landed him in the Woodville jail. "Having been informed that Krenshaw had visited Woodville for the express purpose of taking the life of Dr. Webb . . . who was an important witness on the part of the State against Hunter, (another supposed Murelite) the Doctor . . . found access to the jail, and shot Krenshaw through the body."²⁹

On the list for Arkansas, twenty-four surnames appeared, a total of forty-six individuals. Not all of them necessarily lived in the morass. Pockets of outlawry existed along most of the rivers that drained into the Mississippi. For that matter some may not have been actual persons at all. Nevertheless, ten of these surnames, twenty persons altogether, appeared in the census or other records as residents of Mississippi or Crittenden counties where the morass was located.³⁰

Some of these were well-known characters along the river. Stewart listed two "Barneys." Both appeared in Shelby's "certificate." As the experience of Williams suggests, planters living along the river had a greater problem with runaways and Negro stealers than those who lived further inland. In 1835, Shelby (who may not have been a gentle master) lost two blacks to white kidnappers. He let it be known that the Barneys were suspected "and that I was determined, if I did not get them, to punish the Barneys agreeably to the merits of their crime; therefore, in a short time, my negroes were forthcoming." It quite possibly happened that way. Shelby was not a man to trifle with. On one occasion, a group of Randolph citizens were asked to decide whether a suspect should be lynched or banished, with only residents voting. Shelby acted as one of the judges to determine qualified voters, and when one of the men he elimi-

29. *Randolph Recorder* (16 September 1834); *Vicksburg Register* (3 December 1835); *Western Weekly Review* (31 July 1835, 11 December 1835).

30. Ball, "Murrell in Arkansas," p. 68.

nated came after him with a dirk he defended himself with great presence of mind. (A bystander who tried to have both men taken before a magistrate to be put under a peace bond was laughed at by the sheriff, who seemed bitter: "Did we not go to hang a man this morning. It is useless to talk about law.")³¹

One of the Barneys was involved in the incident in June 1835 in which the cargo of a flatboat disabled near Shawnee Village was auctioned off by the sheriff. Barney purchased this cargo. He was forced to return it by Randolph citizens who had good reason to suspect foul play, but accompanied the original owners to New Orleans to contest the issue in court. Whether litigation actually resulted is not clear.³²

The sheriff who presided over this auction was Elijah F. Lloyd. Under the law, the sheriff was obligated to auction stranded goods, although the means by which this cargo became salvage were certainly questionable. His reputation in Arkansas could not have been too odious; he was chosen to be the first sheriff when Crittenden County was created by the territorial assembly in 1833. When the *Randolph Recorder*, in what was probably a reference to Lloyd, said that "county officers" in the morass "participate in the profits of the plunder," the Little Rock *Arkansas Gazette*—a paper generally in favor of efforts to clean out the morass—called the statement "unjust." Just or not, Lloyd was not well regarded in west Tennessee. According to the 1830 census three Lloyds resided in Crittenden County. Two of them, Elijah and William, were named in the confession of a mortally wounded Negro stealer as accomplices in October 1835. The Lloyds often appeared in association with the Barneys and Bunches. D. O. Williams said all three "generally keep a great many worthless characters about them who have no visible appearance of an honest living, and are often taken

31. *Randolph Recorder* (20 March 1835, 25 September 1835); Howard, *History of Virgil A. Stewart*, p. 102; James Smith, *Memoirs*, pp. 35-39, in the Wallace A. Jones Genealogical Collection, manuscript in TSLA.

32. *Randolph Recorder* (20 June 1835); Ball, "Murrell in Arkansas," p. 68.

up with counterfeit money in their possession, and generally break jail before their trial comes up.”³³ Stewart listed two “Loyds,” one of whom he implicated in the Henning business.

Stewart listed three Bunches. Two individuals with this name were also involved in the incident of the sunken flat-boat in June 1835. Apparently, the boat was tied up for the night, and although the hands went ashore the captain remained aboard. He awoke in the middle of the night to find that the boat was sinking. As if from nowhere people began to gather at the site, and a “drunken frolic” was soon underway. Fights broke out among the newcomers and “they murdered one of their companions, William D. Bunch, by shooting him simultaneously with two rifles, and nearly beating to death his brother. After Bunch was murdered, his head was inhumanly mangled by an infernal demon, with blows from a pistol.” The Census of 1830 listed two families by that name. One was that of William D. Bunch, Sr., a man in his thirties who had four sons, among them William D. Bunch, Jr. Since the elder Bunch died in 1832, the two Bunches, one killed and the other badly injured, must have been adolescent boys or very young men.³⁴

Sometimes a name appearing on the list was a close enough approximation to that of an actual person to be suggestive. Such was the case of the Arkansas name “Skurlock.” There were three householders with the surname Spurlock living in Mississippi or Crittenden counties. One of these, Matthew Spurlock, had a large estate, including two slaves, and was a suspected counterfeiter, having already been arrested at least once for that offense. He may have had respectable accomplices in Randolph. One source connected him with the owner of a hotel and grocery who

33. *Randolph Recorder* (21 June 1834, 16 October 1835); *Arkansas Gazette* (19 August 1834); Ball, “Murrell in Arkansas,” p. 69; Walton, *History of John A. Murel*, p. 46; *Clinton Gazette* (7 November 1835).

34. *Randolph Recorder* (20 June 1835); Ball, “Murrell in Arkansas,” p. 68.

served as a distributor of "coney," the underworld parlance for counterfeit paper.³⁵

With most of the men on Stewart's list who can be identified, it is a matter of evil reputations, hearsay, and suspicion of wrongdoing; but two of the notorious lawbreakers who were named were more infamous than Murrell before the appearance of the narrative. One was Col. Stephen W. Foreman, who was, according to Stewart, a clansman from Missouri. *Niles' Register* described him as "celebrated." He was one of a large gang of counterfeiters that broke jail in St. Louis in 1834. He was found to be among the prisoners brought back from the morass by the Randolph-Covington expeditions in June and was returned to St. Louis. Not long afterwards, he broke out again and was thought to be "amusing the citizens of Little Rock with his exploits in manufacturing Uncle Sams money for them."³⁶

The other was Alonzo Phelps, who appeared on the list as "Soril" Phelps, a "transient." The surname occurs at several other points in the narrative. Phelps was identified as one of the charter members of the clan's Grand Council. Murrell spoke of him respectfully as a formidable man of parts, though seriously flawed by sentimentalism and idealism. "He is a noble fellow among the negroes, and he wants them all free; and he knows how to excite them as well as any person; but he will not do for a robber, as he cannot kill a man unless he has received an injury from him first; he is now in jail in Vicksburg, and I fear will hang. I went to see him not long since but he is so strictly watched, that nothing can be done. He has been in the habit of stopping men on the high-way and robbing them, and letting them go on; . . . after I rob a man he will never give evidence against me." It is this passage that makes it virtually certain that

35. Ball, "Murrell in Arkansas," p. 70; Jonathan H. Green, *Gambling Unmasked* (Philadelphia: G. B. Zieber & Co., 1847), p. 123. A resident of Madison County, Tenn., named Granderson Spurlock served as a juror in the trial of Murrell in 1834. See Madison County, Circuit Court, Order Book, 1834.

36. *Niles' Register* (8 August 1835); *Randolph Recorder* (21 June 1834, 24 April 1835); *Arkansas Gazette* (22 July 1834).

"Soril" and Alonzo Phelps were one and the same person. Alonzo Phelps was in the Vicksburg jail at that time awaiting his trial for murder.³⁷

The trial in February was one of the most famous in Mississippi history. The prosecutor was the celebrated S. S. Prentiss. The defense was led by his frequent political opponent Henry S. Foote, on crutches at that time as a result of his most recent duel with Prentiss. It attracted widespread attention, for Phelps, a man with a bizarre history, had the reputation almost of an ogre. He was a New Englander by birth who according to his own account had murdered and sunk in a millpond a rival-in-love. Fleeing to the Mississippi Valley, he lived for years a virtual wild man, subsisting on game, avoiding human contact except to rob the occasional unfortunate traveler who crossed his path. Murrell's description of him as a reluctant killer was apparently accurate. He was credited with hundreds of robberies but only eight murders. It was also apparently true that he killed without hesitation any man he conceived had done him an injury. He was tried for the murder of Owen Rhodes, a prominent citizen of Vicksburg, whose life he had previously threatened. He had also threatened other "valuable citizens" and remained at large for a time after the death of Rhodes, lurking in the vicinity "with the view . . . to make further sacrifices upon his unholy altar." It is tempting to conclude that Phelps had fallen into the hands of Vicksburg regulators earlier and had been flogged or otherwise abused. He was the kind of disreputable vagabond likely to receive such attention, and he appears to have declared a vendetta against the kind of persons usually found in regulator bands. But there is no evidence for this beyond the fact that his ire was directed against certain of the better class of Vicksburg citizens.³⁸

37. Walton, *History of John A. Murel*, pp. 46-47, 50-51, 56.

38. Dunbar Rowland, *Mississippi*, 3 vols. (Atlanta: Southern Historical Publication Association, 1907), 2:421; Henry S. Foote, *Bench and Bar of the South and Southwest* (St. Louis: Soule, Thomas & Wentworth, 1876), p. 35; Governor's File, J. W. Connell to Charles Lynch, 21 August 1833, manuscript in the Mississippi Department of Archives and History (hereafter referred to as MDAH).

He was formidable: "a muscular, well-shaped man," according to Foote, "about five feet eleven inches in height, and evidently possessed of great vigor and activity. He had a particularly fair complexion, though somewhat bronzed and freckled. . . . His hair was blood-red, and was much inclined to curl up in knots, and his crispy, snake-like locks stood stiffly up over and about his cranium, with a singularly fierce and menacing aspect. His keen gray eyes exhibited a curious blending of audacity and furtiveness." With great difficulty, Foote prevented his client from hurling himself upon Prentiss during the prosecutor's summation, in which he heard himself dubbed "The Rob Roy of the Mississippi." And yet this strange contradictory man when captured possessed a well-thumbed copy of Horace that he read with the ease of a trained classicist.³⁹

Convicted and sentenced to hang, he remained defiant to the end. "When asked if he had any thing to say, why judgment should not be pronounced against him, he replied that he was innocent, that he was convicted by false testimony, that he had encountered the sword, the pistol and musket, undaunted, and if the judge witnessed his execution, he would see him undaunted at the gallows." The closest thing to a plea for mercy from this fierce, proud man was a letter to the governor asking for a few more days of life to complete his autobiography.⁴⁰

I think perhaps your honer would prolong my life a few days till I can settle my business which will consist of giving to the world the history of the last nine years of my life and I have two or three reasons for wishing the public to see it. I think people will be satisfied that I am not as bad a man as I have been represented and I have some acquaintances which are poor and helpless and intend for them to be benefited by the book if the sail of it should equail my expectations and there are hundreds of people both in Mississippi and Louisiana which would have a curiosity in seeing it. I understand that I am a more noted caracter than I would wish to be.

39. Foote, *Bench and Bar*, p. 35.

40. *Vicksburg Register* (26 February 1834).

I am called the wild man and perhaps your Excellence has heard of me. My life has been singular I must own. I have lived in the wilderness six or eight weeks frequently without seeing a humane being and while in this way was reading books of all kinds and admiring the works of Nature etc and I leave it to your Excellency to judge whether it was most like a hermit or like a wild beast of prey to which I have been compared. I hope your Excellence will add a few days to my life for the reasons I have stated; not that life is so agreeable in this place—a gloomy dungeon with double irons on my legs and handcuffs which make it difficult to write. Nor is it the fear of death I shrink from for I believe I can meet my fate like a Soldier and would rather die in battle for my country if I had a chance . . . but as all this is vain to hope for I shall die without fear and without a guilty conscience as I have always been a friend to the widow and orphan. My life was falsely sworn away.⁴¹

His request was ignored and on the penultimate day of his execution the friend of widows and orphans broke jail. Hampered by chains, he was quickly surrounded and cornered. Brandishing a long butcher knife snatched from the cook house of the jail, “he defied all attempts to take him alive, making fearful lunges at every one who attempted to approach him. As a last resort, he was shot down by the Sheriff . . . he took three long firm steps—stood for a moment, and then fell like a post.” It is hard not to see this end as a kind of victory. Before he was “lugged off,” an observer noted, his fetters were jerked away “with as little feeling as if they had been the shoes of a dead horse.” The “sail” of his book never came up to his expectations. The unfinished manuscript fell into the hands of Henry S. Foote, who suppressed it for reasons of his own. One wishes it had survived.⁴²

Though obviously not applicable to outcasts like Phelps it

41. Governor's File, Alonzo Phelps to Hiram Runnels, 11 March 1834, manuscript in MDAH.

42. *Vicksburg Register* (26 March 1834); Green, *Gambling Unmasked*, pp. 193–94; Howard, *History of Virgil A. Stewart*, pp. 261–62.

will be recalled that Murrell claimed that about half of the thousand or so clan members were “men of high standing, and many of them men in honorable and lucrative offices.” Elijah F. Lloyd could easily be made to fit this description. It is also of some interest that of the names that can be identified some were land and slave holders and therefore men of standing. Others had families and settled occupations and could even be said to take an interest in community affairs. A few names were found on a petition to the postmaster general for a post office in a Crittenden County town. Even Murrell had a wife and children and gave his occupation to prison authorities as farming. Names on the list were represented as those of the “principal characters.” Stewart’s claim that many were “socially prominent” was met from the beginning with a degree of skepticism, but it was also believed, and most Murrell writers have followed suit. One late nineteenth-century author wrote that descendants of the clan “live to this day in peace and plenty. Yet those who keep the run of provincial history speak of them with a certain reserve. They are nice enough people—oh yes—but stock counts for so much—and it is strongly suspected that the grandfather was a Murrell man.”⁴³

On the other hand, it is mistaken to assume that contemporaries who accepted the claim of the narrative in this matter were simply gullible. The perception was widespread that the slave stealers and horse thieves infesting the lower valley had “agents through the country who are little suspected by the community.” We have seen that in Randolph county officers in Arkansas were believed to be implicated, possibly with good reason, and other examples could be cited. In 1835, Arkansas provided an example in the case of John Steele.⁴⁴

Steele was never implicated with Murrell, but of his prom-

43. Walton, *History of John A. Murel*, p. 33; Ball, “Murrell in Arkansas,” pp. 68–70; James Phelan, *A History of Tennessee* (Boston: Houghton Mifflin, 1888), p. 351; Martha McCulloch-Williams, “John Murrell and His Clan,” *Harper’s New Monthly Magazine* 94 (January 1897):302–8.

44. Quote in *Arkansas Gazette* (10 March 1835).

inence there can be no doubt. "Attorney and Counsellor at Law, Land Agent, late Editor of the 'Political Intelligencer' at Little Rock, compiler of the Laws of Arkansas, 'under the direction and superintendence' of Ex-Governor Pope, Book-binder and Stationer, &c. &c. &c.," he left Little Rock hastily in the spring, "strongly suspected" of having connections with the underworld.

For a time there was nobody like Mr. Steele. It was Mr. Steele here, and Mr. Steele there, and Mr. Steele every where. He was a favorite guest or manager at most of the balls, and routes [*sic*], and dinner and supper parties in our town, and by his impudence and loquacity, succeeded in making himself a conspicuous character at them. But his career was short. The bubble soon burst, and with it vanished the fleeting hopes of some of our political aspirants, who had almost fancied themselves on the topmost round of the ladder of preferment.⁴⁵

After his departure from Little Rock, he began to practice more seriously the activities that in view of the richness of his earlier interests must have been a sideline. His method of operation added a new wrinkle to the business of slave stealing. He would steal a slave and sell him elsewhere, then steal him again and return him to the original owner for the posted reward. He was arrested after kidnapping a slave who, it turned out, had been stolen earlier from a plantation in Louisiana. Somewhat later, he was a member of a gang of Negro stealers operating in northern Mississippi.⁴⁶

Murrell with his settled location and family life had much in common with criminals of his time and place. Many operated behind a facade of respectability maintained with one degree or another of success; some held public office or, like Steele, claimed public distinction at stages of their careers. Of those discussed, only Phelps lived the furtive life of the bush bandit. The evil reputation of the morass was justified, and equally clear was the Murrells' association with that maligned location. But its well-known character and the notori-

45. Ibid. (1 September 1835).

46. Ibid. (1 September 1835, 27 October 1835).

ety of its denizens are precisely what make Stewart's list suspect. His purpose, as the next chapter will make clear, was to enlarge Murrell's importance. It was no great trick to include in a list of names, most of which were probably invented, those of persons already notorious in west Tennessee or infamous throughout the lower valley. Phelps died just a year before the narrative was published; the memory of his murder trial was still bright. He was a famous brigand. It was a simple matter to incorporate an association with this desperate man in the narrative as a way of enlarging Murrell. It was just as easy to claim that Murrell was the leader of the morass bunch. But the claim sprang from the inventive imagination of Virgil A. Stewart. That imagination is the critical target of the next chapter.

Rawhead and Bloody Bones: The Enlargement of Murrell

A pamphlet purporting to be a history of the detection, trial, and conviction, of John A. Murrell, &c. &c., has been published by a Mr. "Augustus Q. Walton, Esq.," and has been extensively sold in this and the surrounding counties. As a specimen of composition, it is a miserable affair; but the rawhead and bloody bones character of its details is well calculated to excite popular interest and give it a wide circulation. The historical part of the pamphlet is substantially the same as that given in evidence on the trial, by the witness for the state, Mr. Stewart. We entertain no doubt of the veracity and honest intentions of Mr. Stewart; but to the extraordinary disclosures made by Murrell to the witness, and which, through "Augustus Q. Walton, Esq.," have been communicated by him to the public, we must oppose our scepticism. They are too incredible in themselves to be believed, on the mere testimony of such a man as Murrell—especially when to their improbability is added the fact, that they impeach the honor and honesty of some of our most respectable citizens.—*Arkansas Gazette* (2 June 1835), reprinted from *Truth Teller*.

Murrell went to prison for slave stealing, convicted on Stewart's uncorroborated testimony. Two affidavits in the 1836 edition of the narrative support Stewart's contention that he was a slave stealer, but there is no reason to believe that he committed the crime for which he was convicted. When Henning's slaves were recovered in Louisiana a year after the trial, they said they had been "decoyed" by men posing as horse traders and gamblers. Some of the names they gave can be found in Stewart's narrative, most of them residents of the morass, but the name of John A. Murrell is nowhere to be found in the long detailed account of their recovery. The actual thieves may have been confederates of

Murrell, but this is speculation. There is also the possibility that he was not involved.¹

Murrell was arrested on 9 February 1834. Because the lockup in Jackson was considered insecure, he was deposited in the Brownsville jail in neighboring Haywood County to await trial in Jackson. Despite the precaution, on 7 May he escaped. According to one possibly apochryphal account, his wife smuggled in the proverbial saw, and he escaped to Florence in a grain wagon while friends decoyed the posse in the direction of the morass. There is no question that he was recaptured in Florence, Alabama, less than a month later. Court costs of his prosecution included ten dollars for "prison fees at Florence," three for "chains and locks," and forty-eight for the four deputies who traveled to Florence and back with the prisoner. By 9 June, he was in Haywood County again.²

1. Apart from his convictions for "harboring" in 1833 and for slave stealing in 1834, direct links between Murrell and the crime for which he is best known are found in the tale of the Tipton boy and in the story of Eason's Negro. These originate in the narrative, but can be verified to a degree. In Augustus Q. Walton, Esq., *A History of the Detection, Conviction, Life and Designs of John A. Murel, the Great Western Land Pirate* (1835), pp. 24-25, the victim in the Tipton boy case was identified as "Hiccombatan." This curiosity is typical of the spelling in the narrative. In H. R. Howard, comp., *The History of Virgil A. Stewart and His Adventure* (New York: Harper, 1836), pp. 41-42, a sworn statement by John B. Higginbotham ("Hiccombatan") confirmed the incident in broad outline. (But the fate of the Tipton boy, his ultimate murder, comes from Stewart alone.) Higginbotham and L. P. McCauley, the justice of the peace before whom the statement was sworn, were actual persons whose names appear in the records of East Feliciana parish, Louisiana. Marie M. Fogy, deputy clerk of court in Clinton, Louisiana, to Author, 5 May 1979. For a discussion of the Tipton boy, see my Chapter 2. In the second case, Murrell's brother stole a slave from William Eason and sold him to Thomas Hudnold, a Mississippi planter. Hudnold's sworn statement is in Howard, *The History of Virgil A. Stewart*, p. 26. Hudnold of course was a historical character, whose name will figure prominently in a later chapter.

An account of the recovery of Henning's slaves is in *Vicksburg Register* (Miss.), 24 September 1835. See my Chapter 3.

2. Diary of Robert H. Cartnell, 5 February 1913, vol. 31, manu-

Allowing enough time for word to reach Jackson and for deputies to go to and from Florence, Murrell was at large less than three weeks. During that period, according to the *Truth Teller*, he was "engaged . . . in directing the operations of his accustomed employment," slave stealing. He was apprehended with the assistance of a slave known as Uncle Tom Brannon. With the passage of time, it came to be believed, even by people in northern Alabama, that Murrell had kidnapped Brannon. Brannon himself always insisted upon the contrary: "Murrell never stole me; he tried hard; I was too sharp for him." He lived for many years in Tusculum, a few miles from Florence, his home as a slave. Around the turn of the century, a reporter made a stenographic record of his story, which was reprinted some thirty years later in the *Nashville Banner*.³

The comments of the interviewer were often interesting as reflections of the local recollection of Murrell. For instance, he was described as a "reckless 'Negro trader.'" We have seen Murrell use this disguise when negotiating with Matthew Erwin. But it is Brannon's tale that claims attention. Structurally, it has many elements in common with the Negro folktale; it also meshed nicely with the Murrell folklore. The trickster with many faces was very much in evidence, but again the real trickster was the narrator.

Brannon was unsure how many times previously he had seen Murrell, who wore "so many disguises." The first time, for certain, he arose out of the bushes and offered the slave some brandy. Brannon outwitted the trickster on this occasion by failing to appear at the appointed rendezvous. Mur-

script in TSLA; Madison County (Tenn.), Circuit Court, Order Book, 1828-1836, pp. 443-44; William McDonald, "The Legend of Uncle Tom Brannon and the Capture of John A. Murrell," *The Journal of Muscle Shoals History* 5 (1977):38. Compare Robert Coates, *The Outlaw Years* (New York: Macaulay, 1930), pp. 257-58; and *National Police Gazette*, eds., *The Life and Adventures of John A. Murrell, the Great Western Land Pirate* (New York: H. Long & Brother, 1847), pp. 90-91.

3. *Randolph Recorder* (Tenn.), 5 September 1834, from *Truth Teller* (Jackson, Tenn.); *Nashville Banner* (Tenn.), 23 November 1930.

rell had attempted to engage Brannon "to strike for him," meaning "to get Negroes out so he could steal them." A year or so later, the slave was driving "a four horse wagon on the Nashville and Florence road" when he passed three men playing seven-up. One of them was Murrell.

Murrell "hollered" to me and came up to the top of the hill, and said: "Hello, my man, where are you going?" I told him I was going up the hill to get some wood. He said: "Go on you d_____." He was cussing me cause I didn't stick to promise to meet him; he knowed me. I did not see Murrell after that for a year or two.⁴

When they met again, Murrell was a fugitive from justice. As a slave, Brannon was hired out to work in Mr. Sample's brickyard. Working there also were two of Murrell's brothers and another slave, Randall Campbell, who fell into difficulty with one of the Murrells and ran off to his master. He was ordered to return to work and on the way came upon John A. Murrell and two companions outside of town, the former driving a carryall, the others on horseback. In due course, Campbell appeared at the house of Uncle Tom Brannon with word that Murrell wanted to see him. They were to bring bread from the baker's shop for supper, which Murrell had provided money to purchase. Instead, Brannon went with Campbell to "the white folks' Methodist Church" where he found William Garrett, the county clerk, sitting in the "amen corner." Garrett heard them out, then told them to purchase the bread, and take it to Murrell, while he collected "some soldiers." When they arrived at the rendezvous, Campbell, who was reluctant to go to the authorities from the beginning, warned Murrell of the danger. As a result, the two men on horses outdistanced pursuit; however, Murrell in his carryall was easily overtaken.⁵

There are obvious problems with this story. Why should Murrell have asked for Brannon when he had no reason to trust him? More likely, Murrell approached Campbell with-

4. *Nashville Banner* (23 November 1930).

5. *Ibid.*

out mentioning Brannon, with the intention of kidnapping or luring him into running away, for such was the purpose of the carryall, a small covered wagon. While on his errand—Murrell had given him the princely sum of seven dollars and instructions to keep the change—he encountered Brannon and confided the tale to him. When Brannon sought out Garrett, he may have been unaware that Murrell was involved. The fugitive had every reason not to advertise his name.

Taken as a whole, Brannon's story invites suspicion. It has the appearance of one often polished with a view to improvement. The preliminary encounters with Murrell, the presence of the brothers, and the elements that enhance the wit of the narrator fall into this category. Nevertheless, the story has its factual side. Garrett was the county clerk, and the soldiers were real enough. Murrell was taken into custody by a company of the Sixteenth Regiment of the Alabama Militia, many of whose members belonged to the local regulator band between muster days.⁶

The Brannon story is typical of what happens whenever we turn away from the narrative with its central character who might have been president had he not chosen to be an outlaw king. We encounter the same bumbling, feckless wastrel. The same is true of the trial, which finally opened in the court of Judge Joshua Haskell on 24 July.

Its beginning was not auspicious for the defendant. Two of the jurors had also served on the jury in the harboring case the previous year. Nor was Murrell's defense consistent with that of a master criminal: "The prisoner informed the court that by reason of his poverty he was unable to employ counsel." He did rather well in the way of lawyers—the court appointed four to face the prosecution's two—but they were given little time to prepare an effective defense. The issue was soon decided, and on 29 July the prisoner was brought back to the courtroom to face judgment. After the presentation of several motions, which were all stoutly denied, the

6. Ibid. See also, *Memphis Commercial Appeal* (17 February 1895); William McDonald, "The Legend of Captain Slick's Company," *Journal of Muscle Shoals History* 5 (1977):17-18.

judge pronounced sentence: "That the said defendant John A. Murrell . . . do undergo confinement at hard labour in the Jail and Penitentiary house of this state for the period of Ten years." The prisoner was remanded to the sheriff for prompt transportation to Nashville.⁷

Murrell's fate was decided by Stewart's testimony. The other witnesses called by the state testified to the good character of the principal witness. As the prosecutor wrote to Stewart, Murrell "was rightfully and legally convicted of the crime of negro-stealing, on your evidence." Yet, his evidence was not accepted without qualms. At first, the jury was deadlocked, its members swearing "upon their oath," according to the trial record, that "we the jurors cannot agree." Ordered to deliberate further by the judge, who was reluctant to accept a hung jury, they returned the next morning with guilty verdicts on only two of the eight counts in the indictment. Had Murrell not had an unsavory reputation in the neighborhood, the lack of evidence or corroboration in the state's case would probably have resulted in an acquittal.⁸

Stewart had faced a courtroom overflowing with spectators, many of them women. Murrell's dramatic escape and recapture, the long indictment, the expectation of spectacular revelations, and the controversial character of the chief witness promised high entertainment. Few were disappointed. Stewart was on the stand between five and six hours, from mid-afternoon to nightfall, and again the next morning. According to the *Truth Teller*, the only weakness of his testimony was "too much effort at display."⁹

In the course of that afternoon, the pockmarked braggart regarded a few months earlier as a thieving nuisance began to take on some of the larger-than-life proportions of the

7. Madison County, Circuit Court, Order Book, 1828-1836, pp. 442, 445-46, 457; *Randolph Recorder* (5 September 1834), from *Truth Teller*.

8. Howard, *History of Virgil A. Stewart*, p. 179; Madison County, Circuit Court, Order Book, 1828-1836, pp. 442, 445-46. For other witnesses, see Madison County, Circuit Court, Judgment Book, No. 991.

9. *Randolph Recorder* (5 September 1834), from *Truth Teller*.

legend. He was portrayed as the undisputed leader of the "lawless band" infesting the Mississippi and as the author of a "splendid scheme of organized villainy" devoted to slave stealing, which he believed "when properly directed entirely safe, and the sure road to fortune." True, the *Truth Teller* hinted that Murrell already had the "high reputation . . . as one of the talented leaders," but this account was written under the influence of the expanded charges after his recapture in Florence, for which Stewart, of course, was the source. Before his arrest, Murrell was known as a thief in his home district, and little more, as Stewart later admitted in his narrative. In the Randolph vicinity, his name was seldom linked to the morass bunch, and never in the leadership role commonly attributed to him after the trial.¹⁰

From this modest beginning would evolve the Mystic Clan and its plot for a regionwide slave revolt. But Stewart made no mention of these things in the course of the trial, and may not have thought of them yet. The same was true of the list of clan members, which also made its debut in the narrative. During the trial, the thrust of Stewart's tale of calculated ruthlessness was to make Murrell responsible for the crime rampant in west Tennessee and east Arkansas, to portray him as a criminal mastermind who had consolidated, rationalized, and expanded the business of slave stealing.¹¹

The prosecutor, Alexander Bradford, believed Murrell had received a fair and impartial trial. "The verdict of the jury," he said, "met with the general sanction of those who witnessed the trial." Approval may have been general but, certainly, was not universal. Stewart was the center of controversy from the time of Murrell's arrest. He himself was quite aware of the weakness of his case. This is one reason, after Murrell's arrest, he went searching for the missing slaves in the Choctaw Purchase, to which Murrell allegedly had said they were taken. As the narrative put it, "Mr. Stewart was very desirous that the negroes should be found,

10. Ibid.; Walton, *History of John A. Murel*, p. 7.

11. According to the narrative, knowledge that Stewart could, if he wished, reveal their names kept Murrell's friends away from the courtroom. Walton, *History of John A. Murel*, p. 72.

as all the evidence depended on himself." When he returned to Jackson empty-handed, he found himself the object of "several charges, and preferments." These charges did not disappear with time but continued to haunt him after the trial. The narrative blamed this on rumors deliberately put about by Murrell's friends to undermine Stewart's character.¹²

But certain questions about his conduct circulated from the very beginning. First, and most obvious, Stewart and Murrell had once lived in such close proximity that many found it difficult to believe the two men were unacquainted at the beginning of their famous journey and, therefore, drew the logical conclusion that they had been confederates. This belief never died and eventually became a firm part of tradition; no one can probe very deeply without uncovering it. Stewart was Murrell's "pal," himself a "member of the clan," who "turned traitor to his chief."¹³

Evidence on this question is either badly tainted or plainly inadequate. There was, for instance, the matter of the documents found on Murrell when he was arrested in Florence, which he had written before he broke jail and later forgot about when they seemed unlikely to be needed. Among them were instructions to an unnamed person discussing the possibility of having Stewart brought before a magistrate for passing counterfeit bills. Another letter, to his wife, noted that the "business" he was "endeavoring to effect" would be arranged "in the course of this week." The prosecution introduced them as evidence of Murrell's malicious intent, but there is at least the possibility that Murrell

12. Ibid., pp. 46, 59; Howard, *History of Virgil A. Stewart*, p. 179.

13. Jay Guy Cisco, "Biographical Sketch," manuscript in TSLA; N. W. Jones, "A History of Mount Pleasant Especially, and the Western Part of Maury County, Generally, as He Remembers It," (Typescript. Columbia, Tenn.: Maury County Historical Society, 1965), p. 29; *Columbia Herald and Mail* (Tenn.), 13 April 1877; John L. Jordan to editor of *Collier's Weekly* (Typescript, TSLA, 19 March 1937); J. F. H. Claiborne, *Life and Correspondence of John A. Quitman*, 2 vols. (New York: Harper, 1860), p. 138, note; Park Marshall, "John A. Murrell and Daniel Crenshaw," *Tennessee Historical Magazine* 6 (April 1920):6.

was talking about actual rather than manufactured events. In his narrative, Stewart complained of false accusations of counterfeiting that circulated in May and hinted that he narrowly avoided arrest by hurriedly leaving Mississippi again. Complaining of persecution, he pointed to the Murrell documents as evidence that the charges were unfounded. But those documents were never transmitted, and remained in Murrell's possession until his recapture in June, which suggested that Stewart was a suspected counterfeiter quite apart from any action taken by Murrell, and that Murrell knew something of Stewart's affairs before their journey. But whatever the truth or falsity of their contents, the documents were written because the only defense open to Murrell was to undermine the credibility of the state's witness.¹⁴

The charge of prior acquaintance was countered in the trial by the testimony of the regulators who had taken Murrell into custody upon his return from Arkansas. The gist of this testimony was spelled out in a statement made fifteen months later. "Murrell could never have had any knowledge of Mr. Stewart under any name whatever," they said, "until after Mr. Stewart practised his deception on him." Their claim that Murrell had repeatedly denied knowing Stewart carried great weight. The editor of the *Randolph Recorder* who was no admirer of Stewart, and in fact confronted him at every turn with hearty skepticism, nevertheless accepted the

14. Howard, *History of Virgil A. Stewart*, pp. 152-53, 214-15; Walton, *History of John A. Murel*, pp. 62, 70. Apart from the narrative, I found no evidence that directly linked Stewart to the crime of counterfeiting. However, the day before this book was to be sent to the compositor, I received information pointing to a possible indirect link. A large gang of counterfeiters was put on trial in Little Rock in the fall of 1842. *Arkansas Gazette* (12 October 1842) named one of the members, Tapley H. Stewart, as "a brother of the noted Virgil A. Stewart, the hero of the Murrell disclosures." Further coverage of the trial of this band is in *Arkansas Gazette* (19 October 1842, 2 November 1842, 14 December 1842, 28 December 1842). I have not had the opportunity to examine any of these issues. This information was provided by Larry D. Ball. Letter, Larry D. Ball to Author, 10 April 1981.

statement that Murrell and Stewart were "both strangers at Estanaula" as a "circumstance . . . well known here."¹⁵

The regulators' statement should be approached with caution. Two of the five men named were Hennings and a third was William H. Long, once impudently addressed as "Master Billy" by Murrell. All three had grudges of their own and may have been among the original group that "solicited" Stewart to entrap Murrell. A fourth, George Hicks, was numbered among the men who donated money to Stewart in September 1834 as a "token of . . . gratitude." Presumably, they were as anxious as Stewart to convict Murrell, a less likely result had the two men been accomplices.¹⁶

A man much in Murrell's company during the summer of 1834 was Sheriff Mathias Deberry. His statement was designed to counter the "diverse insinuations . . . that . . . Stewart was associated with John A. Murrell in his thefts and robberies." For fourteen of the twenty days Murrell was in his custody, he was confined in an outbuilding near the sheriff's farmhouse because of the poor state of the jail, "securely chained also chained to a stout negro man." "The prisoner excited great curiosity," the sheriff said, in a statement that supports the traditional view of Murrell as a compulsive talker, "and many visited him during the time, as well strangers as citizens of our county; and the subject of the route with Stewart was one of the most common topics of conversation, of which he always conversed freely, and always admitted that he had never known Virgil A. Stewart; and always, when it was involved, candidly confessed that fact, and very frequently, when conversing freely on the subject, called and designated Stewart by the name of Hues; and on his way to the penitentiary, after conviction, he frequently spoke of Stewart, calling him Hues."¹⁷

15. Howard, *History of Virgil A. Stewart*, pp. 122-23, 214; *Randolph Recorder* (8 January 1836).

16. Howard, *History of Virgil A. Stewart*, pp. 122-23, 179-80.

17. Diary of Cartnell, 23 February 1913; Howard, *History of Virgil A. Stewart*, pp. 213-14. See Madison County (Tenn.), Circuit Court, Order Book, 1828-1836, p. 498, for number of days Murrell was in custody of the sheriff. This statement of court costs is

Law-enforcement officials in the county, the prosecutor as well as the sheriff, and a small group of "worthy citizens," several of whom testified in the trial, were strong supporters of Stewart. They presented a united front in their insistence that he had been unknown to Murrell. They wanted Murrell convicted; their statements were written a year after the trial when the character and evidence responsible for that conviction were under attack. Yet, there was a certain ambiguous softness in their assertions. As the sheriff recalled the testimony of the regulators, for instance, it "proved . . . that Stewart was presented to Murrell immediately after his arrest . . . and that Murrell then called him Hues." The company that Murrell kept had a preference for alternative forms of address. In the sheriff's long statement, the point he returned to over and over was that to Murrell Stewart was "Hues." It is an open question whether or not he knew him by that name earlier.¹⁸

Possibly, the belief that Murrell and Stewart were confederates was an example of the unwritten rule that an informer is viewed with distaste and suspicion; but there is also the common sense of the matter. Two men lived within five miles of one another for over a year in the sparsely populated neighborhood of Denmark, and we are expected to believe they were unknown to one another, or not quite unknown. Despite his assertion "that Murrell and Stewart were strangers," the sheriff interjected a peculiar qualification: "John A. Murrell and Virgil A. Stewart were as completely strangers personally," he said, "*as any two citizens who had lived as near.*" The narrative said disarmingly that Stewart had seen Murrell once from a distance. This statement was difficult to accept then, and is no easier now. In light of the existing evidence, the question whether or not

interesting, too, because it shows that when Murrell was transported the fifty-six miles back and forth between Jackson and Brownsville he was guarded by only two men, scarcely a sufficient number for a man supposed to have hundreds of friends at his beck and call.

18. Howard, *History of Virgil A. Stewart*, pp. 178-79, 213-15.

Stewart was acquainted with Murrell at Estanaula is moot. The issue can fall either way.¹⁹

It was believed of Stewart that he was a hired informer. He attempted to counter this belief in the trial by avoiding any imputation that the Hennings had sent him on Murrell's trail. According to the surviving newspaper account of his testimony, "the witness started in search of the negroes which had been stolen" (presumably out of friendship for the Hennings), but "accident threw him in company with Murrell who was ignorant of his name and his business." Later, in the narrative, Stewart admitted that he intended to follow Murrell from the beginning, but it was, very likely, commonly believed at the time of the trial that Stewart had been hired to ensnare Murrell; certainly, the narrative was at pains to confound the charge. Parson Henning "insisted on remunerating" Stewart "for his trouble," it said, "but he refused." Skepticism was not allayed, and tradition would continue to suggest otherwise: Murrell was "betrayed for money" and "the gratification of a desire for revenge."²⁰

Witnesses for the defense apparently testified in the trial that Stewart acted initially because of a promised reward; in view of the outcome, at least some members of the jury may have believed them. Existing evidence will not permit an unqualified answer today. One of the documents found on Murrell in Florence was introduced in evidence by the prosecution as proof that Murrell had concocted the charge. In the form of a statement to be sworn in the presence of a magistrate, it stated that in Arkansas five men had heard Stewart claim he was to receive five hundred dollars if the Negroes were found and if Murrell was convicted. The characters of the men named were not highly regarded (the names Barney and "Loyd" appear, among others), and none of them made an appearance at the trial. Not for some time

19. Ibid., p. 214, emphasis added; Walton, *History of John A. Murel*, p. 9.

20. *Randolph Recorder* (5 September 1834), from *Truth Teller*; Walton, *History of John A. Murel*, p. 9; *Columbia Herald and Mail* (13 April 1877); Marshall, "Murrell and Crenshaw," p. 6.

did Stewart finally admit to any kind of compensation. After the trial, it seemed, forty-three citizens of Madison County donated an unspecified amount of money to Stewart. "We mean . . . to manifest . . . our approbation and applause," they said, "and not only appreciate his courage, but discountenance the odium which has been attempted at his character."²¹

The narrative had its own theory as to the source of this "odium." Since Murrell had given "a list of their names to Mr. Stewart," the "professors of villainy . . . must either destroy the character of Mr. Stewart, or he would destroy them." But the rumors about Stewart boiled down to the single charge of betrayal and was in no way limited to Murrell's friends. "We wish he had been convicted under different circumstances," wrote the *Randolph Recorder*. "For although the law may recognize as right, the abuse and betrayal of confidence pledged as inviolate, in order to bring an offender to justice, yet there are many who look upon the betrayer with coldness and distrust."²²

This distrust was in the air from the beginning but was sharply focused in the trial by Milton Brown, one of the defense attorneys. In time, he would become a wealthy railroad promoter and prominent political figure in the state, best remembered, perhaps, as the congressman who introduced the resolution to admit Texas to the Union. In 1834, he was a young lawyer just beginning his practice. As a court-appointed attorney, he had little choice but to defend Murrell, yet far from heeding well-meaning friends who urged him to keep a low profile in the interests of his "prospects" he was the most active member of the defense team. His prospects were certainly undamaged; in fact, the outcome of the trial may be considered a victory for Brown. One, or more, of the eight counts in the indictment, based on Murrell's "confessions" to Stewart, was apparently murder. Before the trial, Brown told his associates that "Murrell was a thief but not a murderer," an opinion completely sup-

21. Walton, *History of John A. Murel*, pp. 72-73; Howard, *History of Virgil A. Stewart*, pp. 152-53, 179-81.

22. Walton, *History of John A. Murel*, p. 59; *Randolph Recorder* (21 November 1834).

ported by the verdict. He saved Murrell from the gallows, and it is clear from the conduct of the jury, which first announced its inability to agree, that Brown came very near successfully impeaching Stewart's testimony altogether. He took the position that Stewart had by his own admission lied to Murrell, and that a man who would lie would take the next step and swear to a lie. The success of this strategy was evident in the deep sense of outrage breathed by the narrative. So incensed was Stewart that he was only narrowly restrained by friends from administering a "Stansberry reproof" (horsewhipping) to Brown on the streets of Jackson.²³

With the backing of officials and citizens of consequence in the county, Stewart portrayed Murrell in the trial as a criminal of vastly greater significance than the mere thief he had been supposed to be. In one sense, this effort was unsuccessful. Either because of a basic mistrust of the informer or because the relationship of Stewart and Murrell remained ambiguous, the majority of the jury accepted the only part of his testimony consistent with their knowledge of Murrell and convicted him of stealing. Even that much was accepted without corroboration, and to this day there is no proof Murrell was the actual culprit. We have only the strong supposition that he was a slave stealer. But the point is not Murrell's guilt or innocence; besides, *innocence* in any general sense was not a word easily applied to Murrell. The real concern is Stewart's conduct. Why did he inflate Murrell's importance in his testimony?

When Murrell was first arrested and taken before a magistrate, Stewart limited himself "to such facts as related to the abduction and subsequent disposition of Mr. Henning's negroes," and for some time thereafter his charges were confined to "what was connected in some way with the crime." This changed after Murrell's escape. By the time of

23. "Paper Read by Mrs. Randall Vann before Madison County Historical Society, 9 May 1944," in Roy W. Black papers, manuscript in TSLA; Emma Inman Williams, *Historic Madison* (Jackson, Tenn.: Madison County Historical Society, 1946), pp. 87-88; *Western Weekly Review* (Franklin, Tenn.), 9 October 1835; Walton, *History of John A. Murel*, pp. 73, 80-84.

the trial, the indictment had expanded to eight counts, and Murrell had become the "master spirit" behind the "organized band of Mississippi robbers and thieves, who have lately infested the coast between Memphis and Randolph." Defense counsel was overruled in an attempt to have counts three through eight of the indictment quashed. Yet, this was the result of the trial. The verdict of guilty on counts one and two, with a recommendation of a ten-year imprisonment, by a jury that had first announced its inability to agree, was a compromise. The jury split like the larger community, some members wholly or partially convinced by Stewart's story, others frankly skeptical. In this sense, Stewart's strategy of enlargement was a success. Had the state gone to trial solely in the matter of the theft of Henning's slaves, the outcome might have been different, considering the weakness of the case. The verdict was as much a victory for the state as for the defense; the former won a conviction and put Murrell away, the latter won a verdict of not guilty on six of eight counts and seriously damaged the credibility of the state's principal witness.²⁴

The most immediate reason for enlargement was the failure to locate the missing Negroes. In their absence, there was no proof of Murrell's guilt other than his alleged "confession" to Stewart. With Richard Henning, Stewart journeyed in February to the Choctaw pass, a bayou in northern Mississippi, across which Murrell had supposedly told Stewart the Negroes would be conducted for sale in the "Yazoo market," but they were unable to pick up the trail. Stewart returned to his home in Mississippi, but not before the suspicion and distrust he encountered during a brief stay in Tennessee made him aware that his case was now far from ironclad.²⁵

In Mississippi, Stewart ran into difficulties that would have a profound effect on his conduct in the trial. Since the summer of 1833, he had been trading with settlers and Indi-

24. Howard, *History of Virgil A. Stewart*, pp. 123-24; Walton, *History of John A. Murel*, pp. 69-70; *Arkansas Gazette* (Little Rock), 26 August 1834; Madison County (Tenn.), Circuit Court, Order Book, 1828-1836, pp. 442, 445-46.

25. Walton, *History of John A. Murel*, pp. 46, 58-59.

ans in the Choctaw Purchase, with the vague intention of speculating in rising land values. On the Yalobusha River in what is now Grenada County, he fell into an association of sorts—its precise nature is unclear—with Matthew Clanton, a merchant and farmer in his middle thirties from Perry County in Tennessee. The two men had been slightly acquainted earlier. When Clanton returned to Tennessee for his family in early December, he left his trade goods in the care of Stewart for a period of six weeks; then, Stewart left for Madison County immediately after Clanton's return and became involved in the plan to snare Murrell. Not until April did he return to take up his own affairs again and await the trial in July. But he was not destined to remain long. In May, he suffered two stunning reversals in fortune. Word arrived of Murrell's escape from jail and hard upon that unwelcome news Clanton accused Stewart of taking goods without payment from the stock left in his care the previous winter. Judging by the amount of corn involved, Stewart probably had a still for making whiskey to sell. He was also accused of helping himself to various household and farming utensils.²⁶

Murrell's escape had its own consequences, as we shall see, but those stemming from the Clanton charge were more immediate. In the narrative, the accusation was described as an attempt by the clan to impeach Stewart's character, who claimed to have evidence that Clanton had accepted a bribe of one thousand dollars for his trouble. There is no proof at all of that, and none for Clanton's accusation for that matter. But there is no doubt about Stewart's response. He left Mississippi and returned to Tennessee with a haste that some thought unseemly. The narrative claimed that he feared for his life, but it was not until he was accused of stealing that he decided to seek safety in other regions.²⁷

26. Ibid., pp. 59, 65–69, 71; Howard *History of Virgil A. Stewart*, pp. 8–9, 127–29, 169–70, 205–6; Panola County (Miss.), Population Schedules, 1850 Census, Family, H 838, in MDAH; Byron Sistler, transcriber, *1830 Census: West Tennessee* (Evanston, Ill., 1971).

27. Walton, *History of John A. Murel*, p. 68; Howard, *History of Virgil A. Stewart*, pp. 209–10; *Mississippian* (Jackson, Miss.), 17 July 1835.

There is a puzzling aspect to the feud with Clanton that followed. Many bitter recriminations were exchanged. The narrative itself was framed in part as a counterattack against his accuser. Yet, not once was Stewart to mention the one connection between Clanton and Murrell that can be established, of which he could hardly have been ignorant. Clanton was married to the step-daughter of Robert Clanton, who lived in the vicinity of Denmark, a neighbor of both the Hennings and the Murrells and formerly of Stewart himself. A prominent and prosperous farmer, Robert was listed in the record of Murrell's trial in July as a witness for the defense. The record is too incomplete to determine the nature of his testimony, but one thing is clear. The only possible defense open to Murrell was to impeach the character of Stewart. It is, therefore, possible that Robert was called for this purpose. It is also possible that Robert's attitude in the case had some bearing on the chilled relations between Matthew Clanton and Stewart.²⁸

Some of the mud flung at Clanton by Stewart stuck; there is scarcely an account of Murrell that does not assume the older man was a member of the clan. But Robert Clanton has gone unnoticed because no one looked at the trial record, and Stewart never mentioned him. This latter may have been prudent. Robert was an expert with weapons, whether swords or guns. But more likely Robert was big game, even for Stewart. A Virginian originally, a cavalry man in the War of 1812, one of the first settlers in west Tennessee, a man of proven rectitude and religious scruple, a friend of Andrew Jackson and a successful farmer, founder eventually of a large and prominent family in northern Mississippi to which he emigrated in 1836, secure enough to speak up for Murrell without apparent damage, he was not easily assailed by the likes of Stewart.²⁹

Stewart made his way to Jackson after leaving Mississippi.

28. Madison County (Tenn.), Deeds, Book 1, 1821-1827, p. 261; Madison County (Tenn.), Circuit Court, Judgment Book, No. 991; Sistler, *1830 Census: West Tennessee; History of Tennessee*, 2 vols. (Nashville, Tenn.: Goodspeed Publishing Co., 1886), 1:546.

29. *History of Tennessee*, 1:546-49.

This was not a pleasant time for him. Murrell was still at large. Clanton's accusations had followed him to Tennessee. He was on the verge of moving on again when word arrived of Murrell's capture in Florence. It can scarcely be a coincidence that between this event, which restored his status to him as the only source of evidence against Murrell, and the trial in July the state's case was greatly enlarged. In an allusive way, the narrative described Stewart's state of mind during this period. "Mr. Stewart was very secluded after he returned to Madison county, until after the trial of John A. Murel was over, as his mind was alive to all the marvellous and strange circumstances which had attended him, in his adventure, from the commencement." A "superior power," presumably the Deity, had shown him the way to defeat "his enemies in all their designs against him." It was a period of fertile invention in the evolution of the Murrell legend. Conviction had become a matter of great personal importance to Stewart, the only way open to divert the impact of Clanton's accusations.³⁰

Unfortunately, the strategy of enlargement won a conviction but backfired against Stewart personally. Brown's scathing attack and the jury's unwillingness to accept his expanded story left Stewart suspended in a limbo of suspicion and distrust, branded as an informer, an accused thief. It was at this point that publication became a matter of serious consideration. The trial, with its portrayal of Murrell as a criminal mastermind, was the first of two stages in the formation of the legend; the second, the narrative, with its insurrection plot, was also a product of the circumstances Stewart faced.

The idea began to take shape after Murrell escaped. This was a heavy blow; Stewart could only view "his labours as lost." But he was one of the rare individuals with presence of mind to realize that in the wreckage of disaster new opportunities often lurk. Murrell's escape had "left him nothing for his dangerous adventures," but he still had "the information Murel had given." Indeed, so intent was Stewart on

30. Walton, *History of John A. Murel*, pp. 69, 71.

extracting some benefit from his effort that it raised again the question whether or not his original incentive had been a promised reward.³¹

The capture of Murrell led to a postponement of the plans for publication; but the fiasco of the trial invested them with added significance. No longer was it a matter of cutting his losses; publication had become the route to vindication and safety from his "enemies." He began to move toward the view that Murrell was a greater threat than even the trial had revealed. He was perhaps assisted in this conclusion by the trial account in the *Jackson Truth Teller*. Portions of this were later reproduced almost word for word in the narrative's description of the trial. Moreover, phrases used in the *Truth Teller* account such as "far famed personage," "organized system," and "master spirit" appear throughout the narrative. The editor was mightily impressed by Stewart's portrayal of Murrell as the talented leader of a vast criminal conspiracy. "If well written out and properly embellished," he said, Stewart's tale "would form a legend in real life unsurpassed by anything produced by fiction."³²

After the trial, Stewart dropped a few hints to friends in Jackson that all had not yet been revealed, perhaps even alluded to the nature of the additional revelations. The response was not gratifying. "It was peculiarly mortifying to his feelings to meet with much incredulity from even those in whose faith and integrity he reposed the most entire confidence."³³

But, of course, the narrative was published. It appeared in the early spring of 1835. Before long, it had "been extensively sold in [Madison] and the surrounding counties." The *Truth Teller's* reception of the new revelations—part of which serves as an epigraph at the beginning of this chapter—was restrained. "We cannot but believe," it concluded, "that the leading motive of the author of this edifying history, is to speculate upon the natural love of the mar-

31. Ibid., pp. 65, 68-70.

32. *Randolph Recorder* (5 September 1834), from *Truth Teller*; Walton, *History of John A. Murel*, pp. 7, 12, 72, passim.

33. Howard, *History of Virgil A. Stewart*, p. 181-82.

velous, which has ever characterized mankind, and, as we can see no good which can result from it, but on the contrary much harm, we cannot but express our decided disapprobation of the pamphlet.”³⁴

The additional revelations presented in the narrative that the *Truth Teller* found it difficult to believe concerned the slave-insurrection plot of the Mystic Clan of the Confederacy—the name now given to a criminal conspiracy that had become coextensive with all slaveholding states—and the names of clan members. Several prominent citizens of Madison County appeared on that list, who had been among the more vocal of Stewart’s critics. The editor’s prediction at the time of the trial that the story if written out would be “unsurpassed by anything produced by fiction” had come true with a vengeance, “properly embellished” and all. The narrative put the finishing touches on the enlargement of Murrell during the trial. But what must be understood is the motive behind this outrageous inflation.³⁵

Whatever hope for profit accompanied its publication, the narrative itself took the form of an answer to Stewart’s critics and particularly to the accusations of Matthew Clanton. Stewart asked the reader to place these charges in perspective. He had been up against a formidable conspiracy, unmatched “in any other age of the world.” Its power was ubiquitous, running and ramifying into every Southern state and local community. If many of his critics were apparently respectable and honorable, the clan reached into every level of society, including the respectable and honorable. From the time of Murrell’s arrest, this mighty engine of demonic power had but one purpose, the annihilation of Stewart. Nor was this purpose deflected by Murrell’s conviction; knowing he had revealed their identity to Stewart, to avoid exposure their only safety lay in Stewart’s destruc-

34. *Arkansas Gazette* (2 June 1835), from *Truth Teller*. For other evidence that the narrative was sold, and indeed, that Stewart was the salesman, see Henry S. Foote, *Casket of Reminiscences* (Reprint ed. New York: Negro Universities Press, 1968), p. 251; and Henry S. Foote, *Bench and Bar of the South and Southwest* (St. Louis: Soule, Thomas & Wentworth, 1876), p. 66.

35. Stewart singled out “Col. Jarrot” of Denmark for special attention. Howard, *History of Virgil A. Stewart*, p. 144.

tion. In the narrative, Clanton became an agent of the clan, his accusations against Stewart only one of numerous attempts to undermine his credibility. But as long as Stewart lived they would know no peace of mind. The narrative revealed three attempts upon Stewart's life, two in Mississippi before the trial, and the third afterward. This last came within a hair's breadth of success, but Stewart survived, and against great odds the fell nature of the insidious cancer growing secretly in the body of society was revealed by the publication of the narrative.³⁶

In November 1834, several months before the appearance of the narrative, newspapers in west Tennessee received a mysterious communication. Only the copy printed in the *Randolph Recorder* has survived. It was a letter signed "John G. Brown," written "'on board a steamboat among a dense crowd,'" which described an attempt to assassinate Stewart. The events described were strikingly similar to the description of the same events in the narrative, in many cases even the phrasing was identical, and there is good reason to believe they had the same author. In both accounts, Stewart was attacked on the road near Patton's ferry on the Tennessee River by three men who rushed out of the wood, armed respectively with shotgun, rifle, and "horseman's pistol." In both, Stewart shot the wielder of the shotgun in the forehead, was missed by the shot from the rifle, threw his empty pistol in the face of the owner of the horseman's pistol that discharged into the ground, and while trying to finish the job with a dagger was struck on the neck from behind by the rifle of the third man. In both, he spurred his horse to flee and was shot in the "left arm" by the rifleman, who had a double barrel or miraculously had managed to reload. In both he kept his seat and rode for three miles before collapsing in exhaustion.³⁷

The narrative carried the story forward from that point. When he had recovered enough to ride again, he made his way slowly into Mississippi, aiming for the town of Colum-

36. Walton, *History of John A. Murel*, p. 3; the first two assassination attempts are described on pp. 60-65.

37. *Randolph Recorder* (21 November 1834); Walton, *History of John A. Murel*, pp. 74-76.

bus, where he hoped to get a boat on the Tombigbee River to Mobile. When this proved to be impossible, he aimed for the Mississippi River. But his strength was ebbing rapidly. Somewhere in Mississippi, he chanced upon an acquaintance. It happened that Stewart had been en route to Lexington, Kentucky, to prepare the narrative for publication when he was accosted by the assassins, with all the notes and papers required for that purpose in his possession. This material he now deposited with his friend; believing the end to be near, he thought only of his quest—the South must be warned of the great peril in which it stood. So it came to pass that Augustus Q. Walton, Esq., appeared on the title page. At the beginning, he introduced his work as the fulfillment of a promise made to Stewart “when it was thought that he was on his dying bed.” The final line contained the news of his providential recovery.³⁸

The 1836 edition of the narrative added material intended to dispel the ambiguity of this abrupt conclusion. In the interval, unwarranted objections had been raised. It was a peculiarity of Stewart that wherever he went critics seemed to spring from the very soil around him. To reply to them all became his abiding passion, and every answer raised new questions.

In addition to the papers, as this later account had it, Stewart gave Walton two thousand dollars to defray the cost of publication. They parted with the understanding they would meet again when Stewart had recovered the strength to travel. After a brief period of recuperation, at the home of James Moore in Madison County, Mississippi, the two men were reunited at St. Francisville, Louisiana, and from there made their way to Cincinnati by steamboat. Walton prepared the papers for publication and saw the result through the printers while Stewart continued his recovery. At the end of February, the pamphlet was mailed “to all the principal military, as well as civil officers of any note in the country.” Now able to travel, Stewart “procured a suit of disguise” and set out for New Orleans. Along the way, “he took every opportunity of distributing his pamphlet wherever he went, and would frequently, after dark, secretly

38. Walton, *History of John A. Murel*, pp. 3, 76.

leave it in public places, where it would be most likely to fall into the hands of those for whom he had intended it."³⁹

This moving tale of dedication, fortitude, courage, and altruism was not in agreement entirely with the account of John G. Brown written shortly after the alleged attempt occurred, although both were apparently written by the same author. Brown claimed to have last seen Stewart "near Madisonville, La., confined in all probability to his death bed," delirious "from inflammation of the brain." James Moore stated that Stewart "lay sick" at his home in western Mississippi "in the latter part of October"—though neither gunshot wounds nor the nature of the illness were part of his description. He left Moore's place for Natchez, whence he proceeded to St. Francisville on the Mississippi and to the reunion with Walton. Stewart went directly to Natchez from Moore's home, yet according to Brown was out of his head in Madisonville on 3 November. The rendezvous at St. Francisville occurred on 10 November. Madisonville was located east of Lake Pontchartrain, a goodly distance from the Mississippi River; he was indeed out of his head if he chose that route to come to Natchez.⁴⁰

The entire story of Stewart's activities after the trial was cloaked in mystery. The editor of the Nashville *National Banner* doubted an attempt to murder Stewart was ever made.

We have before us a certificate signed by forty three citizens "living on and near the road, leading from Jackson to Patton's on Tennessee river," which states, that no such extraordinary fight as that said by Stewart to have taken place between himself and three assassins, was ever heard of in that section of the country until Stewart's book was published. No unprejudiced man, it seems to us, could read the story without feeling satisfied of its utter want of truth; and it is so considered throughout the whole neighborhood where this "eleven men in buckram" transaction is alleged to have taken place.⁴¹

39. Howard, *History of Virgil A. Stewart*, pp. 200–204.

40. Ibid., pp. 201–2; *Randolph Recorder* (21 November 1834).

41. *Randolph Recorder* (25 December 1835), from *National Banner* (Nashville, Tenn.).

One can sympathize. The encounter was messy; at least one man was left lying with a hole in his forehead. Someone should have noticed. It is a pity the forty-three names were not published by the editor. Perhaps they were members of the Grand Council.

The greatest mystery of all was the identity of the narrative's author. Even Stewart implied that the name on the title page was a pseudonym. He was introduced in the 1836 edition of the narrative as a "friend, whom the reader will hereafter know by the name of Walton." It is plausible enough that the untutored Stewart had a ghostwriter and collaborator. The story circulated that one of his Tennessee sponsors, William Armour, was the author. Brown's letter abstracted in the *Randolph Recorder* and the description of the assassination attempt in the narrative were almost certainly written by the same man, but "John G. Brown" and "Augustus Q. Walton, Esq." were both apparently fictitious names. The author remains a mystery to this day; unless, of course, Stewart wielded the pen himself. The crude grammar and orthography characteristic of the narrative were consistent with his claim to little formal education, but no teacher of undergraduates will consider the question closed on that evidence.⁴²

42. Howard, *History of Virgil A. Stewart*, p. 200; for Armour: *Mississippian* (19 February 1836). There were times later when Stewart seemed to admit to authorship. See *Mississippian* (19 February 1836). There were two John G. Browns living in Tennessee, but neither lived in west Tennessee. See Byron Sistler, transcriber, *1830 Census: East Tennessee* (Evanston, Ill., 1969), and *1830 Census: Middle Tennessee* (Evanston, Ill., 1971). A John G. Brown lived in Wilkinson County, Mississippi. This county adjoins the parish in which St. Francisville, Louisiana, is located. He is the most likely author of the letter to the *Randolph Recorder* if the author's name was genuine. He could also conceivably be the man known as Augustus Q. Walton, Esq. Wilkinson County was deeply affected by the insurrection panic in 1835, but apart from this there is no known connection with Stewart, and none between Stewart and the John G. Brown who lived there. See Irene Gillis and Norman E. Gillis, transcribers, *Mississippi: 1830 Census* (Baton Rouge, La., 1965).

The Murrell Conspiracy

Never was there an instance of more extravagant and even maddening excitement amid a refined, intelligent, and virtue-loving people than that which I had the pain to witness in the counties of Central Mississippi in the summer of 1835.—Henry S. Foote, Casket of Reminiscences (Reprint ed. New York: Negro Universities Press, 1968), p. 251.

An organized band, very much like John Brown's, was said to have been formed, and a general insurrection was to occur on a certain day. In the central counties . . . committees of safety and armed patrols were established; many suspected persons were arrested and hung. . . . The whole story was a fabrication. Murrell was simply a thief and counterfeiter, and Stuart was his subordinate, who, having quarreled with him, devised this plan to avenge and enrich himself. The whole "plot," and its tragical consequences, may now be regarded as one of the most extraordinary and lamentable hallucinations of our times.—J. F. H. Claiborne, *Life and Correspondence of John A. Quitman* (New York: Harper, 1860), 1:138 note.

Events in Mississippi in the summer of 1835 were unusual but not unique. It was an old story: the regular processes of justice swept aside by a community in the grip of panic. Clement Eaton, who has written perceptively about these events, was reminded of the witchcraft hysteria in Old Salem. There were parallels; in each a community sought psychological release from fear in the visible manifestation of a purge. But this was true of most such popular outbreaks. The resemblance was closer to the New York conspiracy of 1741. Both were believed to be insurrection plots,

though little basis existed for either in reality, instigated and led by ruthless white robbers whose object was plunder. In both, the whites except for the attractive women were to be slaughtered; the plan in Mississippi was to murder "all the white men and ugly women," sparing only "the handsome ones." Both conspiracies were brutally suppressed in proceedings that included confessions extorted by torture, executions, and banishment. "Voluntary" confessions were made by suspects seeking to shift the blame on to others or to prolong their lives from the refuge of the informer. Both focused on an outside threat in later stages: New York on Spanish agents, Mississippi on abolitionists. In one important way they differed. The executions in New York were judicial murder; in Mississippi, they had no legal sanction.¹

The panic began in the west-central counties, a booming region in the 1830s, where immense tracts of rich black land were taken up for cotton fields and slave quarters. Although prosperity was shaken briefly by the banking panic of 1834, easy credit fostered this feverish investment in land and slaves until the crash of 1837. "Conditions in this Delta country," wrote Malcolm Rohrbough, "created a new kind of frontier society, in which the dominant feature was slave labor. An overwhelmingly agricultural, simple society developed around the cultivation of cotton, access to market for a staple product, and control of the numerically dominant black population."²

The large plantation predominated, and on most holdings the number of slaves exceeded the twenty or so that was

1. Quote from *National Intelligencer* (29 July 1835), article reprinted in Davidson B. McKibben, "Negro Slave Insurrections in Mississippi, 1800-1865," *Journal of Negro History* 34 (January 1949): 92. Torture took the form of psychological pressure in New York, and banishment of transportation. See Edgar J. McManus, *A History of Negro Slavery in New York* (Syracuse, N.Y.: Syracuse University Press, 1966), pp. 126-40.

2. Malcolm J. Rohrbough, *The Trans-Appalachian Frontier* (New York: Oxford University Press, 1978), p. 311; *Mississippian* (Jackson, Miss.), 14 March 1834, 17 July 1835.

the average for the rest of the South. For the state as a whole, the black population had probably passed 50 percent and in the Delta was increasing even more rapidly. In Hinds and Madison, the two most affected counties, the number of slaves in the population grew from 39 percent of the total in 1830 to 69 percent in 1840. Of the two counties, Madison was more caught up in the panic, and it is probably significant that not only the general population but also the number of slaves increased there at a faster rate, from 44 percent of the total in 1830 to 74 percent in 1840. It is also noteworthy that in the vicinity of Beattie's Bluff and Livingston, the two Madison towns where most of the killings took place, blacks may have outnumbered whites fifty to one, and absenteeism was common; on many plantations the only white man was an overseer. Hinds had a more settled society: more schools, churches, and towns of consequence, including Jackson, the state capital. Madison was long on slave quarters and cotton fields but short on schools and churches. Towns were smaller and of less consequence; Livingston, though formerly the county seat, was a village of two hundred people struggling to survive.³

Into this society that was ripe for an insurrection scare, Stewart came selling his pamphlet. Nat Turner was fresh in every Southerner's mind. The failure of his revolt had underlined the impracticality of rebellion, but eighty dead whites and the destruction of thousands of dollars worth of slave and other property were part of the lesson. Conditions in central Mississippi were more favorable for insurrection than in the Old Dominion and nerves were on edge. The militia was called out to deal with a rising scare two and a half

3. Thomas Shackelford, Esq., *Proceedings of the Citizens of Madison County, Mississippi, at Livingston, in July, 1835, in Relation to the Trial and Punishment of several Individuals Implicated in a Contemplated Insurrection in this State* (Jackson, Miss.: Mayson & Smoot, 1836), p. 10; Henry S. Foote, *Casket of Reminiscences* (Reprint ed. New York: Negro Universities Press, 1968), pp. 250-51; McKibben, "Negro Slave Insurrections in Mississippi," p. 76; Laurence Shore, "Making Mississippi Safe for Slavery: The Insurrection Panic of 1835" (unpublished paper), pp. 4-7, 33.

years before the 1835 outbreak. Given the time and place, any event that suggested the existence of a white-inspired insurrection plot was bound to mean trouble. That event was the appearance and circulation of Stewart's pamphlet.⁴

By mid-June, "a rumor was afloat through Madison county that an insurrection of the slaves was meditated." The source of this rumor was Stewart. According to Henry S. Foote, when the narrative "in which Murrell and his associates were charged with . . . a scheme of negro insurrection, which . . . looked to the general destruction of the white population of the South" reached Mississippi, it "awakened the most wide-spread excitement and alarm." Few people in Madison County may actually have read it; an early report from Jackson (Mississippi) even recorded Murrell's name wrong—he was called "Mausel." But rumors of its lurid contents spread rapidly. Well before the first disclosures in Madison County, slaves were closely observed for signs of insurrectionary tendencies. Madison may have been more susceptible to the narrative's contents because Stewart was known there, but not as well known as in Madison County, Tennessee. He had convalesced in the home of James Moore and was acquainted with Thomas Hudnold, an influential planter who had a slave stolen by Murrell's brother.⁵

The rumors circulated until the end of the month, when the mistress of the Latham plantation overheard a conversation between two servant girls and a black man. She had been watching the behavior of her house servants with in-

4. For earlier rising scare, see David Grimsted, "Myths of Docility, Fantasies of Violence: The Mississippi Slave Insurrection Panic, 1835."

5. Shackelford, *Proceedings at Livingston*, p. 3; Henry S. Foote, *Bench and Bar of the South and Southwest* (St. Louis: Soule, Thomas & Wentworth, 1876), p. 62; see also, J. F. H. Claiborne, *Life and Correspondence of John A. Quitman* (New York: Harper, 1860), 1: 138, note; *Baltimore American* (Md.), 7 July 1835, letter from Jackson, Miss., dated 8 July 1835; H. R. Howard, comp., *The History of Virgil A. Stewart and His Adventure* (New York: Harper, 1836), p. 26.

creasing apprehension. They were more “insolent and disobedient” than usual, “often in secret conversation when they ought to have been engaged at their business.” The rumors had made her nervous and edgy, very susceptible to placing the most dire interpretation on any unusual behavior observed. The discussion she overheard expressed a certain bitterness with the condition of servitude and a belief that those conditions might soon be changed, but except for suspicious segments much of what was said was apparently inaudible. Her son questioned one of the girls. She was not threatened, or so we are told, but perhaps it was unnecessary. She was told that “she *must* tell it,” and no one had to spell out the consequences of a failure to comply. The slaves knew of the rumored insurrection; not much that concerned their masters escaped their notice. The increased alarm and watchfulness could not be hidden. The slaves must have been alarmed, too; to be the object of apprehension of people holding the power over life and death could not have been pleasant. One scene was repeated with depressing frequency as this story unfolded. To avoid punishment, victims admitted to knowledge that they supposedly knew and passed the blame along to others. Mrs. Latham’s girl was the first of a long dreary line. She confessed that the man had said “there was to be a rising of the black people soon, and that they intended killing all the whites.” The line between the snatches of conversation overheard by Mrs. Latham and the agony and death of several dozen people was direct.⁶

The Latham plantation was near Beattie’s Bluff, a tiny community on the Big Black River. News of the conversation overheard there traveled swiftly through the countryside and reached Livingston, nine miles away, the next day. Proceedings in the two communities were independent of one another but similar even before they merged on 2 July. Meetings were held, suspects were interrogated, and in both places whites were assumed to be involved from the beginning. This suspicion—first encouraged by the narrative—was soon confirmed by confessions. They were

6. Shackelford, *Proceedings at Livingston*, pp. 3–4.

elicited by the simple but effective means of whipping suspected slaves until the questioners were satisfied with the answers. One man at Livingston received six hundred lashes before he sang an acceptable tune. Neither of these towns exists today. Only a few farmers in the vicinity remember the location of Beattie's Bluff. Nothing remains but the sandy beach that made it a convenient landing for the farmers south and east of the river who shipped their cotton to Grand Gulf at its mouth. Livingston is a flat-topped mound set back in the woods. Two widely spaced rows of cypresses mark the site of the courthouse. These are sad places, haunted by bodies that once dangled from black gum trees or makeshift gibbets.⁷

Proceedings at Beattie's Bluff were far more rigorous and effective at first, and revelations there led directly to the formation of the Livingston Committee of Safety. Jesse Mabry, who took the lead in the interrogations, shifted his location to Livingston, where he was an active member of the committee. Four of the five white men executed by the committee were implicated first by Negroes at Beattie's Bluff in confessions that were extorted by Mabry. On 1 July, Mabry was one of several men delegated by a citizen's meeting to question the Latham girls. They confirmed the accuracy of the report but found that the man who had told the girls there was to be a rising had sensibly run away. At this, they turned their attention to a conversation overheard by another Beattie's Bluff resident. James Lee had heard a Negro preacher say to a slave named Joe that he would "never confess." Joe, who worked as a blacksmith, now became the target of inquiry.⁸

Joe's confessions were of great importance. He not only confirmed that white men were the instigators of the rising, but he provided the names of ringleaders, black and white,

7. Ibid., pp. 4-11; *United States Telegraph* (Washington, D.C.), 25 July 1835; *Yazoo City Herald* (Miss.), 28 July 1974.

8. Organized action to deal with the scare began at Livingston several days before Beattie's Bluff. Mabry may be the key to this delay. He was "absent from the county" until Sunday, 28 June; after his return, he seems to have taken the lead in arousing the community to act. Shackelford, *Proceedings at Livingston*, pp. 6, 8.

with which the inquiry could proceed. As a result, all of the men he named were hung, but he survived. He was later taken to Livingston to bear witness against the men tried there.

Joe's ordeal began when three white men appeared at his forge. Mabry asked if Joe knew who they were; he replied that he knew two of them, but not Mabry. As Mabry recalled, "I immediately insisted that he did know me, and continued to look him full in the face for some minutes, until he began to tremble." The hands of this frightened man were tied, and he was threatened with punishment. He may or may not have been beaten; he was certainly intimidated. His response showed the slaves were aware of the rumored insurrection and the fear of white involvement. Again, to refer to Mabry's account, Joe said, "if we would not punish him that he would tell all that he could recollect . . . that he knew what we wanted." He named several black ringleaders, some of whose names had been suggested by his interrogators. He also named three white men. Two of them, Joshua Cotton and William Saunders, were steam doctors. Steamers were followers of the New England botanic physician Samuel Thomson, who favored a variety of vegetable remedies, with particular emphasis on large doses of *lobelia* and Cayenne pepper combined with vapor baths. They were doctors of the people; their clientele came from the lower classes, and they were frequently called in to treat slaves. Singling out Cotton and Saunders was evidence of Joe's instinct for survival. As whites of low status often found in the company of slaves, they were plausible suspects. Several of the whites punished at Livingston were steamers associated with Cotton and Saunders. The third man named by Joe was Ruel Blake. As a gin wright, he also had ready and frequent access to the slave population.⁹

The white men were residents of Livingston. The blacks, however, were slaves in the Beattie's Bluff vicinity. They

9. Ibid., p. 7; Arthur N. Alling, "Samuel Thomson," *Dictionary of American Biography*, 18: 488-89; *Vicksburg Register* (Miss.), 12 July 1835, 3 September 1835; *Mississippian* (Jackson, Miss.), 14 August 1835; Foote, *Casket of Reminiscences*, p. 253.

were taken up and flogged until they confessed. Some of these victims named another white man, Angus Donovan, a transient who had been in the area for a month, who had given cause for complaint for gambling and associating with slaves. He was held for transportation to Livingston for trial, but on 2 July five Negroes, three named by Joe, were strung up.¹⁰

Meanwhile, events at Livingston had traveled on a less effective but parallel course, in ways that meshed with those at Beattie's Bluff when they became known. Word of the conversation at Latham plantation reached the town on 27 June, and a meeting was hastily called at which a committee of investigation was appointed to report on the evening of 30 June. On the thirtieth, a planter named William P. Johnson reported on the investigation that was carried out on his own plantation by his driver. At his request, "the driver had examined all the negroes on his place, and had learned from an old negro . . . that there was to be . . . 'a rising of the blacks soon.'" The old Negro "had learned it from a negro man belonging to Ruel Blake."¹¹

On 1 July, Johnson's "old negro" was brought to Livingston and was put to the question. Although "he denied bitterly ever having any conversation with the driver," he was "whipped until he would tell what the conversation was." After a "most severe chastisement," he broke down "and confirmed in every particular the statement of the driver." Blake's boy Peter, also implicated by the driver, was now brought in. He was told that "a conspiracy of the negroes to rebel against their masters was on foot, and that they wished to know if he had any knowledge of it." This man was beaten unmercifully; indeed, from all indications had he escaped hanging he could scarcely have lived. Yet he stubbornly refused "to confess any thing."¹²

By this time, the town and surrounding countryside were in an uproar. After Johnson's report on 30 June, "expresses

10. For events at Beattie's Bluff, see Shackelford, *Proceedings at Livingston*, pp. 6-9.

11. *Ibid.*, p. 4.

12. *Ibid.*, pp. 4-5.

were sent to the neighboring towns and villages to put them on their guard." The women and children were "congregated at one habitation" under armed guard; all night groups of armed men patrolled the roads and pathways around the town. After the two Negroes were interrogated on 1 July, they were "remanded into custody for further examination." This must have taken place some time during the night; by next morning, one at least had confessed that white men were the ringleaders.¹³

In determining the influence of Stewart's narrative on these proceedings, the critical question is at what point did the citizens of Livingston come to believe that white men were involved. Either they stumbled upon it in the course of gathering evidence or they believed it before they even began their search. All the evidence points to the latter. There is no other explanation for the interrogation of Saunders at the meeting on 30 June. Saunders was one of the steamers named by the Negroes at Beattie's Bluff, but interrogations began there on 1 July and news of the confessions did not reach Livingston until the evening of the second. The questioning of Saunders on the thirtieth was an indication that Livingston expected whites to be implicated and that suspicion fastened as a matter of course on low-status whites who were often found in the company of Negroes. These expectations arose from rumors inspired by Stewart's pamphlet, rumors that had circulated since the middle of the month. Saunders was asked about the activities of his partner Joshua Cotton. His admissions indicated the line of questioning. The interest was in Cotton's association with blacks. Saunders was released after admitting that Cotton occasionally traded with Negroes and was not above slave stealing. Cotton was questioned briefly the next day but released when it was found that Saunders had disappeared. When word arrived from Beattie's Bluff that Saunders and Cotton were named in confessions, these prior unfocused suspicions acquired new meaning.¹⁴

13. *United States Telegraph* (6 October 1835, 9 October 1835); Shackelford, *Proceedings at Livingston*, p. 5.

14. Shackelford, *Proceedings at Livingston*, p. 5. The idea of white participation in slave revolts was not unfamiliar. The example of

There were other indications that Livingston believed that white men were the ringleaders before “hard” evidence arrived from Beattie’s Bluff, and that the source of this belief was Stewart. In the narrative, Murrell had told “Hues” that the rising was scheduled to begin on 25 December 1835. It became a stock item in this conspiracy that because Stewart had made this date public after Murrell’s imprisonment, his followers had advanced the time for the rebellion to 4 July. Like Christmas, Independence Day was a holiday when normal controls were relaxed; slaves were “permitted to assemble together from the different plantations, and enjoy themselves in uninterrupted feasting and festivity.” The people of Livingston firmly believed this on 30 June, at a time when the only evidence for an uprising was the rumored conversation at Latham plantation and the report of the driver. They were running against the clock. This belief accounted for the panic that prevailed after the meeting on the thirtieth, for the questioning of Cotton and Saunders, and for the raising of the countryside on the basis of so little evidence.¹⁵

On the morning of the first, a large crowd, composed of anxious men from the countryside and nearby villages, gathered in Livingston. They milled about the hill while in the courthouse an improvised “committee of examination” “interrogated” the two unfortunate slaves. When neither of them revealed during this “formal” examination that whites were involved, they were savagely beaten during the night

the New York scare of 1741 has been mentioned. Marion D. Kilson, “Towards Freedom: An Analysis of Slave Revolts in the United States,” *Phylon* 25 (1964): 175–87, has compiled tables showing that real or alleged white participation was a factor in several earlier conspiracies. Furthermore, the extreme reaction in Mississippi is evidence that slaveholders, already sensitive to criticism of slavery from northern abolitionists, were none too secure about whites in their own midst either. But familiarity with past white involvement and insecurity about fellow whites are not enough to explain the expectation, indeed, the anticipation that whites were involved in the Mississippi crisis. That anticipation grew out of the rumors generated by Stewart’s pamphlet, as the subsequent argument will demonstrate.

15. Shackelford, *Proceedings at Livingston*, p. 5; *United States Telegraph* (6 October 1835).

with better results. The still larger crowd that assembled on the second knew that the Negroes—only one of them in fact—had confessed that “the blacks were to rise on the fourth of July,” and that “they had been drawn into it by white men,” but remained ignorant of the names of ringleaders. This crowd was restless. The pressure to act was mounting. Men moved about anxiously, “exchanging reports and counciling with each other.” In this maelstrom of rumor, one was predominant: “that a general disaffection and . . . plan of an insurrection had been spread among the negroes, by a band of desperadoes that infested not only that section of the United States, but the whole country from Maryland to Louisiana.” One would have to go far to find a better summary of the contents of Stewart’s narrative.¹⁶

The spark that ignited this dry kindling was the news from Beattie’s Bluff of the confessions and hangings there, which arrived in the early evening of the second. The two Negroes were immediately seized and hung. This was clearly an irrational act perpetrated for the sole purpose of achieving release from the tension that had stretched to the breaking point since the thirtieth. The people of Livingston not only now had “hard” evidence of the existence of a plot, they were in possession of the names of white ringleaders. With evidence on which to proceed, the rational response was further interrogation of the slaves in custody. Instead, their guards were brushed aside by the enraged mob and they were brutally murdered.¹⁷

This mindless rage was disturbing to the planter oligarchy. They had heretofore retained control of the proceedings. Interrogations had been carried out behind closed doors by an ad hoc committee of examination that was composed of men always aware of the surly crowd milling about outside. Now, that crowd had run amok and the planters were faced with two vexing problems. A rampaging mob

16. *United States Telegraph* (6 October 1835). The victim received six hundred lashes before breaking; *ibid.* (25 July 1835), letter from Canton, Miss., dated 3 July 1835.

17. Shackelford, *Proceedings at Livingston*, pp. 10–11; *United States Telegraph* (6 October 1835).

threatened the systematic disclosure of the conspiracy. Poses had been dispatched to bring in the men named in the Beattie's Bluff confessions. In the present mood, they were likely to be murdered as soon as they arrived, before they could be made to disclose what they knew. But no less vexing, the community threatened to seize control from its leading men.¹⁸

To meet this threat, on the morning of the third the mob that gathered around the hill was transformed into an impromptu meeting; but there was nothing unrehearsed about the course of action presented to it. Joseph J. Pugh offered a carefully prepared set of resolutions to create a committee of thirteen freeholders empowered "to bring before them any person or persons, either white or black, and try, in a summary manner, any person brought before them, with power to hang or whip." An unruly mob had become a formal meeting, and creation of the Thirteen solved both problems raised by the hanging of the Negroes the previous evening. Swept along by the enthusiasm of the moment, the crowd accepted the nominees for membership on the committee thoughtfully included by Pugh in his resolutions. All were men of standing in the community and slaveholders. Of eleven whose holdings can be identified, eight owned more than three hundred acres, five more than five hundred, and three more than one thousand. Thomas Hudnold worked twenty-seven hundred acres. Seven owned 20 or more slaves, three more than 40, and Hudnold 118. There would be no more impromptu hangings. One of the first acts of the Thirteen was to delegate command of all patrols to Pugh, along with responsibility for "the regulation of the town."¹⁹

18. Shackelford, *Proceedings at Livingston*, p. 11.

19. Accounts of events leading to creation of the committee conflict. The reconstruction given here is the most likely sequence of events. Shackelford, *Proceedings at Livingston*, pp. 11-12, described the meeting as a sedate and formal gathering of 160 "respectable citizens," called together in advance. Shackelford was always anxious to leave an impression of measured deliberation, but the overwrought atmosphere in Livingston made such a calm approach unlikely. *United States Telegraph* (6 October 1835) has

When the panic had run its course, the Thirteen published an account of its proceedings, prepared by its secretary Thomas Shackelford, to explain its conduct to the world. Records of the deliberations of vigilante courts are comparatively rare, and our understanding of the events of this outbreak are obviously the richer for it. But it must be used with care, for Shackelford's purpose was to justify the committee's course and he was often deliberately misleading. This attempt to distort the truth was defeated by the numerous firsthand accounts published in newspapers. The Mississippi papers preserved a stony silence during the first few days, and afterward were less than forthcoming. But the contents of letters sent to friends outside the affected area found their way into newspapers elsewhere. Shackelford sneered at the "*officious* and *gratuitous* information of some of the letter-writers," but they often refuted his own tendentious account in important ways.²⁰

This fact becomes critical in the trial of Saunders and Cotton. It was the key to Shackelford's narrative, on which all other events turned. With one exception the other whites punished by the committee were named in the confessions of one or the other of these men, especially Cotton's, and the committee was preserved from the damning accusation that white men were hung solely on the testimony of Negroes. But the facts did not entirely square with this interpretation.

another firsthand account, that of the "Sojourner" discussed below. This account gives the wrong date, 2 July, for creation of the committee, but the description of Dr. Pugh "haranguing" a distraught mob on the verge of plunging "into the wildest excesses" is more in line with conditions in Livingston at the time. Shackelford also speaks of "a vast concourse of people from the adjoining neighborhoods" that gathered at the scene on the morning of 3 July. Both accounts agree that the committee was formed to prevent further uncontrolled mob excesses.

For the holdings of committee members, see Edwin A. Miles, "The Mississippi Slave Insurrection Scare of 1835," *Journal of Negro History* 42 (January 1957): 50.

20. Quote from Shackelford, *Proceedings at Livingston*, p. 20. For references to lack of news from Mississippi, *United States Gazette* (Philadelphia), 24 July 1835; *Arkansas Gazette* (Little Rock), 28 July 1835.

Although suspicion had fastened on the men earlier, they were not arrested and tried until after news of confessions naming both men arrived in Livingston from Beattie's Bluff. This led Shackelford to twist the facts into a shape that better conformed to the desired interpretation. He manufactured an erroneous chronology and invented a fictitious witness.²¹

There are three accounts of the arrest of Saunders and Cotton, all wildly contradictory—Shackelford's; the narrative of a "sojourner" in Livingston during the crisis there, covering events from 28 June to 15 July; and the description in a letter written to a friend in Nashville on 9 July by a man who played a part in the actual arrest.

Shackelford said the men were arrested "before the disclosures of the negroes at Beattie's Bluff were known." After his interrogation on 30 June, Saunders fled the scene, determined to reach Texas. He made damaging revelations to a "gentleman" he had encountered on the road to Vicksburg, who as a consequence had him arrested and brought back to Livingston on 2 July. On the strength of these admissions, Cotton was arrested that evening. The committee of thirteen was formed the next day at the urging of high-minded men determined to save the steamers from the fate already meted out to the two Negroes the previous evening, at least until they had a fair hearing. Even if there were not good reason to believe the men were arrested after not before the creation of the committee, this story has problems. Why should a man in a panic to get away take time out to incriminate himself to a stranger on the road? How did Cotton and Saunders survive the evening of 2 July when two Negroes were hung by an enraged mob which had learned of confessions that actually named the steamers as ringleaders?²²

Shackelford's claim that the committee acted indepen-

21. The exception was Angus Donovan, at least among victims named in Shackelford's *Proceedings at Livingston*. But as we shall see he omitted the names of other victims who also may not have been implicated by Cotton or Saunders.

22. Shackelford, *Proceedings at Livingston*, pp. 10-11, 14.

dently of the Beattie's Bluff confessions is contradicted by the other two eyewitness accounts. The narrative of the sojourner is a bit confused but was not deliberately distorted. He said the men were seized in the crowd after the news of the confessions at Beattie's Bluff reached Livingston on 2 July and to prevent their immediate execution the committee was created the same day. This agreed with Shackelford on only one point, that the men were in custody before the formation of the committee. Sojourner even said the trial began on the same day, while Shackelford insisted the committee came into existence on 3 July after the hanging of the Negroes the previous evening. Sojourner was usually reliable, but in this case confused two separate events. Saunders and Cotton were seized in the crowd on 30 June and 1 July respectively, but after their release each fled the scene and had to be hunted down later.²³

The Nashville letter was the most reliable account. Its writer participated in the events that were described, while Sojourner was an observer relying on notes or memory, who took no part in the proceedings. This account makes it clear that Shackelford tampered with the truth. The steamers were arrested and put on trial after news arrived that they were named in confessions at Beattie's Bluff.

An intended insurrection of the slaves, assisted by many white men, has been disclosed by a negro. It was to have commenced on the 4th of July, and was not disclosed till the night of the 2d. I went up to Livingston. On the third and fourth the excitement exceeded any thing I ever saw. I joined a company, and assisted in taking several white men and negroes. A steam doctor, by the name of Cotton, was commander in chief. We took him, and delivered him at Livingston on the night of the 3d. We also took a doctor Saunders . . . and one other.²⁴

The "one other" was a Livingston blacksmith named Mitchell, who may have been taken simply because he was

23. *United States Telegraph* (6 October 1835).

24. *Niles' Register* (Baltimore, Md.), 1 August 1835, letter to a gentleman in Nashville from Carson Grove, Miss., dated 9 July 1835.

found in the company of one or the other steamers. So many men would be arrested in this affair for no reason except an inability to give a good account of themselves. He was mentioned in none of the confessions and was soon cleared of any suspicion. "He seemed the happiest man on the hill," wrote an observer in Livingston, "rendering every service required, with the utmost promptness and cheerfulness." The services were those expected of a smith, to forge the chains and irons to confine prisoners and to strike them off before they were led to a gibbet or whipping post. His relationship to M. D. Mitchell, a member of the committee of thirteen, was not clear.²⁵

There was never any doubt of the outcome in the trial of Saunders and Cotton; but since Shackelford emended the record by inserting fictitious material it would be interesting to know what he left out. He went to some lengths to avoid the implication that whites were whipped to extract confessions; he left an impression that corporal punishment short of hanging was unthinkable even for those found guilty; whites tried before the committee were executed or banished but never flogged. Yet Sojourner named two white men who were found guilty and punished by "slicking," the local jargon for flogging. A prisoner slicked by the committee was first stripped, "laid on his belly, his hands and feet fastened to four pegs," and the punishment administered then "with a Coleman" whip wielded by several men in turn. This was an unusual degree of formality. More typically, victims were simply tied to the nearest tree. A seventy-two-year-old man was sentenced by the committee to receive 50 lashes in this fashion; another, twenty years younger, was given 150 strokes; "his back was literally flayed." Even without strong evidence that white men were flogged, Shackelford's careful avoidance of the matter would invite suspicion. Regulator bands were not notoriously considerate of lower-class white backs, and why should men thought to be demons incarnate be spared when black flesh was so cheerfully laid open? Still, it is possible that flogging to extract

25. *United States Telegraph* (8 August 1835, 6 October 1835).

confessions from whites was not part of the proceedings. We need not stray far from Shackelford's narrative to account for what happened to the two steamers.²⁶

The Thirteen were assisted enormously by the abject fear of Saunders; his babbling helped to put Cotton's head in the noose, and had he but realized it, his own, too. But far more damaging was the testimony of the "gentleman" to whom Saunders spoke on the way to Vicksburg. He was almost certainly an invention. He was mentioned nowhere other than in Shackelford's account, and there he was never named, although, otherwise, Shackelford was careful to give the names of participants. He was just the "gentleman." The most damning admissions to emerge in the trial were placed in his mouth, and some of those admissions were carefully tailored to match the confessions of the Negroes hung at Beattie's Bluff.

The testimony attributed directly to Saunders was vague and confused, that of the "gentleman" precise and damaging. According to the "gentleman," Saunders had admitted to knowledge of the conspiracy but insisted "*that Cotton wanted him to join them but he would not*"; that in the event the planned insurrection for some reason was postponed or exposed, Cotton and his gang intended to rob the home of one of the partners of a Livingston Commission House who was known to be on a business trip to New Orleans. Saunders had also said that the rising was to begin at Beattie's Bluff, proceed to Livingston, then on to Vernon and Clinton, robbing, murdering, and picking up reinforcements and arms along the way. This was, almost word for word, the itinerary of the insurrection revealed in the confessions of the murdered Negroes at Beattie's Bluff.²⁷

The altered chronology and the invented witness were introduced to strengthen the official record. The case against the men depended on the confessions of Negroes; also both men ultimately made damning admissions of guilt. The Thirteen sought to avoid any implication that white men were convicted on Negro testimony, so Shackelford

26. Ibid.

27. Shackelford, *Proceedings at Livingston*, pp. 14-15.

insisted that Cotton and Saunders were already in custody before the confessions were known. To anticipate any suspicion that the steamers' confessions were extorted an independent witness—a white “gentleman”—testified to admissions freely made away from any intimidating surroundings, and at the same time confirmed the testimony of the slaves.

Perhaps understandably, Cotton's condition deteriorated rapidly as the trial proceeded. After Saunders's statement, he listened as a Negro described how Cotton had offered him a drink of brandy “and made him *drink first*.” This recalled Murrell's encounter with Clitto, who also was urged to drink first from a brandy bottle in violation of all decent standards of etiquette. When the slave pointed him out in the room, “Cotton looked thunder-struck, and came near fainting.” He was led from the room in near collapse. While he waited for his fate to be decided, he cast about desperately for a way out. Finally, he sent word to the committee that if they “would pledge themselves not to have him hung immediately, . . . he would . . . tell them all he knew about the conspiracy.” Their response was pitiless in one sense; but looked at another way it was in the true spirit of plea bargaining, which is always at pains to preserve the fiction that it is no bargain at all. They replied “that they would not pledge themselves to extend any favor to him whatever; that they were satisfied as to his guilt, and that he might confess or not.”²⁸

Wringing the little hope there was to be extracted from this dry stone, Cotton confessed. His statement proved, if it proved nothing else, that he was as familiar with the contents of Stewart's narrative as his tormentors, and no less familiar with the rumors alive in Livingston since 27 June. More than anything else, this sorry document has supported those inclined to credit the validity of Stewart's narrative.

I acknowledge my guilt, and I was one of the principal men in bringing about the conspiracy. I am one of the Murrell clan, a member of what we called the grand

28. Ibid., pp. 14–16.

council. I counselled with them twice, once near Columbus, this Spring, and another time on an island in the Mississippi river. Our object in undertaking to excite the negroes to rebellion, was not for the purpose of liberating them but for plunder. I was trying to carry into effect the plan of Murrel as laid down in Stewart's pamphlet. Blake's boy, Peter, had his duty assigned him, which was to let such negroes into the secret as he could trust, generally the most daring scoundrels; the negroes on most all the large plantations knew of it; and, from the exposure of our plans in said pamphlet, we expected the citizens would be on their guard at the time mentioned, being the 2d [*sic*] of December next; and we determined to take them by surprise, and try it on the night of the 4th of July, and which would have been tried to night, (and perhaps may yet) but for the detection of our plans.

All the names I now recollect, who are deeply concerned, are Andrew Boyd, Albe Dean, William Saunders, two Rawsons, of Hinds county, who have a list of all the names of the men belonging to the Murrel clan in this State, being about one hundred and fifty; and the names of all who are connected with me in this conspiracy, being fifty-one. John and William Earl, near Vicksburg, in Warren county, Ruel Blake, of Madison county. I have heard Blake say he would make his negroes help, and he was equal in command with me. Lunsford Barnes, of this county; James Leach, near Woodville, Wilkinson county; Thomas Anderson, below Clinton, in Hinds county; John Rogers, near Benton, Yazoo county; Lee Smith, of Hinds county; and John Ivy, in Vernon. There are arms and ammunition deposited in Hinds county, near Raymond.²⁹

Cotton's only chance was to reveal enough of what his judges wanted to hear to encourage their thirst for more, but not enough to slake it. It was a strategy that had worked before in similar situations. This time it failed. He was condemned, and Saunders with him because he could not answer the question, "why he did not reveal what he knew of the conspiracy when first arrested" on 30 June. Both men

29. *Ibid.*, pp. 16-17.

were "suspended from the grating of the window" of the jail. But though his strategy had served him ill, Cotton never gave up on it. Until his last breath, he continued to emphasize how much more he knew. As the rope was placed about his neck, "he proposed, if longer time were allowed, to develop much more important information." Until they were choked off the words poured out. He was probably babbling incoherently. Shackelford regretted that "some additional disclosures . . . were not reduced to writing." As the plank was removed, Cotton howled "'take care of yourselves to night and to morrow night,' and swung off."³⁰

News of the hangings in Livingston on 4 July had an electrifying effect on the counties of central Mississippi as it jolted through the countryside. Outside Madison County, awakening awareness of the danger began with the express riders who were dispatched from Livingston on the evening of 30 June; greater vigilance was reflected in the increased number of patrols. Such activity was much accelerated after the hangings. Groups of edgy heavily armed men roamed the countryside in the dark, in danger of firing on one another. "A dreadful alarm" existed, "particularly among the females." With the children, they were herded nightly into central locations and were placed under guard. "It is amusing," wrote a correspondent from Mississippi Springs, "to see the men assorting their wives and children every morning."³¹

Committees of safety sprang up, perhaps as many as a dozen, but the number may have increased as the panic spilled into neighboring Louisiana. The first problem was to be prepared with an adequate defense in the event of an

30. Ibid., pp. 17-18; *United States Telegraph* (8 August 1835, 6 October 1835).

31. *United States Telegraph* (25 July 1835), letter from Canton, Miss., dated 3 July 1835; letter dated 17 July 1835, *National Banner* (Nashville, Tenn.), 28 July 1835, (from Hinds County, Miss.); *National Banner* (5 August 1835), letter from Vicksburg, Miss., dated 12 July 1835; *Grand Gulf Advertiser* (Miss.), 14 July 1835, from *Jackson Banner* (Miss.); *Mississippian* (14 August 1835); *Baltimore American* (Md.), 31 July 1835, letter from Mississippi Springs, Miss., dated 7 July 1835; Foote, *Casket of Reminiscences*, p. 252.

immediate uprising. Livingston asked the governor for arms, but available weapons had already been distributed among people in the capital, now equally alarmed. The committee turned to Vicksburg for assistance, with better results; Natchez offered the services of the Fencibles. Elsewhere voluntary companies formed and began to drill, but the cry went out for troops. Clinton asked the governor to call up the militia. Canton fired off a message to the secretary of war demanding soldiers.³²

But the committees were created, as Clinton informed the governor, "for the direction of the utmost energies of the community for its self defence," and they were in no way content to sit back and await the arrival of reinforcements. Believing that Murrell's henchmen were "stalking over, not only different parts of this State, but over the whole Southern country, in bold defiance of the laws of the land, linked together for the horrible and inhuman purpose of not only plundering us of our property, but even butchering the innocent & unoffending citizens," they threw a broad dragnet to haul in the rascals. Jails were quickly filled. Steamers were automatically suspected, of course, and suffered greatly, but clock peddlers, gamblers, tinkers, and anyone else in a migratory occupation were roughly seized and cast into confinement. Itinerant preachers were included, perhaps because Cotton and Saunders were known to turn their hands "occasionally" to preaching, or because Murrell had often posed as a preacher. The Woodville committee decreed the arrest of any white person found "gambling, trading, drinking or associating with any negro or mulatto."

32. Foote, *Casket of Reminiscences*, p. 251; *Woodville Republican* (Miss.), 18 July 1835; *Mississippian* (14 August 1835); *Baltimore American* (27 July 1835), letter from Clinton, Miss., dated 5 July 1835; *United States Telegram* (25 July 1835), letter from Canton, Miss., dated 3 July 1835; (8 August 1835), letter from Livingston, dated 12 July 1835; (8 September 1835), letter from correspondent of *Natchez Courier* (Miss.) in Madison County, 24 July 1835; Governor's File, A. Hutchison, et al., for Clinton Committee to H. G. Runnels, 11 July 1835; Livingston Committee to Runnels, 9 July 1835; Runnels to Clinton Committee, 13 July 1835, manuscripts in MDAH; Shackelford, *Proceedings at Livingston*, pp. 33-34; *Grand Gulf Advertiser* (4 August 1835), from *Vicksburg Register*.

Even strangers on apparently legitimate business were not immune.³³

Whippings and banishment were common, but outside of Livingston only two other white men were hung in Mississippi, although several had narrow escapes. For Negroes, it was quite another matter; a great many were executed and many more were flogged. Unfortunately, no one thought it important enough to keep a count, even in Livingston where estimates of the number of blacks hung or waiting their turn ran as high as seventeen. Elsewhere flogging was probably most common, but one correspondent reported ominously that a "large number of blacks have been executed in different counties." An observer who traveled from Clinton to Livingston at the height of the crisis saw corpses of men "hung without ceremony along the roadsides or in front of their own dwellings." Many such victims must have been freedmen.³⁴

Reasonable and temperate men existed in Mississippi, but as elsewhere they were a minority. One of them traveled from Vicksburg on the fourth, weaving his way through bands of angry men to Clinton in Hinds County, where he

33. Governor's File, Hutchison to Runnels, 11 July 1835, manuscript in MDAH; *Woodville Republican* (1 August 1835); *United States Telegraph* (25 July 1835), letter from Canton, Miss., dated 3 July 1835; (3 August 1835), from *Columbus Argus* (Miss.); (5 August 1835), letter from Vicksburg, dated 12 July 1835; (8 August 1835), letter from Tiger Bayou, Miss.; *Baltimore American* (27 July 1835), letter from Clinton, Miss., dated 5 July 1835; *Grand Gulf Advertiser* (14 July 1835); *Mississippian* (17 July 1835); Frank M. Smith, "History of Maury County, Tennessee," (typescript, compiled by Maury County Historical Society, 1969), p. 102, has a story of a man whipped because he was a stranger from Tennessee, Murrell's home state.

34. Figures for those hung include only victims sentenced and hung by committees of safety. Various other persons were shot. One hanging victim was at Benton, Yazoo County; the name is unknown, but possibly it was John Rogers, who was implicated by Cotton. The other was "Hunter," who was captured first in Benton, but hung in Wilkinson County. He may have been tried by a legal court. See *United States Telegraph* (8 August 1835), letter from Clinton, Miss., dated 15 July 1835; *Clinton Gazette* (Miss.), 11 July 1835; *Western Weekly Review* (Franklin, Tenn.), 21 July 1835, 11 De-

found the citizens under arms. "The matter was so absurd, that when I went to bed I took out my pistol and weapons and laid them on the table, and told the (black) servant that if an insurrection did take place that night he must come and wake me up and give me arms. I went to sleep and next morning on waking found the town still standing—nobody killed—nobody hurt, and my own throat safe and sound enough to swallow a hearty breakfast." This skeptical spirit overtook and ended the crisis.³⁵

The position of the moderates was not that no threat of insurrection ever existed—the Vicksburg skeptic retired with his weapons close by—nor did the evidence that was available to them justify such a conclusion, but simply that all danger passed as soon as the conspiracy was detected. This position was taken by Henry S. Foote, who throughout his career was to be found on the moderate side of every issue. As a U.S. senator, he would help construct the Compromise of 1850; in 1851, he defeated Jefferson Davis for the governorship; later he opposed secession, opposed continuing the war, and favored acceptance of Lincoln's peace terms in 1863 and 1864. In 1835, men who were temperamentally inclined to moderation were in a difficult position: "those who dared even to question the actual existence of the dangers . . . were suspected by their more excited fellow-citizens of a criminal insensibility." They needed room to maneuver; opportunity came when a brave man refused to be intimidated.³⁶

ember 1835. See also, *United States Telegraph* (25 July 1835), letter from Canton, Miss., dated 3 July 1835; (8 August 1835), letter from Livingston, dated 12 July 1835; (8 August 1835), letter from Tiger Bayou, Miss.; *Baltimore American* (27 July 1835), letter from Clinton, Miss., dated 5 July 1835; (31 July 1835), letter from Mississippi Springs, Miss., dated 7 July 1835; *United States Gazette* (28 July 1835), letter from Mississippi; Foote, *Casket of Reminiscences*, p. 252.

35. *United States Telegraph* (5 August 1835), letter from Vicksburg, dated 12 July 1835.

36. Governor's File, George Wyche to Runnels, 8 July 1835, manuscript in MDAH; *United States Telegraph* (5 August 1835), letter from Vicksburg, dated 12 July 1835; Foote, *Casket of Reminiscences*, p. 251; *Biographical and Historical Memoir of Mississippi*, 2 vols. (Chicago: Goodspeed Publishing Co., 1891), 1: 747.

After the executions of Cotton and Saunders, Livingston sent out armed parties to arrest the men named by Cotton and any other suspicious white men unable to give a good account of themselves. By the evening of 5 July, they had eighteen in irons and as many blacks. The next day, a strong party under Hiram Perkins crossed into Hinds County and in the tiny hamlet of Fleetwood encountered the first resistance while attempting to seize the Rawson brothers.³⁷

Despite the excitement elsewhere, the leading men of this little community were not impressed. The previous day, several of them, sitting as a committee of examination, had questioned Negroes “under sispicion [*sic*] of having knowledge of an intended inserrection, [*sic*]” and finding “there was no evidence against them . . . advised that they should be sent home to their masters.” When Perkins came hunting the Rawsons, this committee decided that two should be charged—Cotton had named only two—and the third held for further examination by a justice of the peace, but that none should leave the county. This took courage since the Perkins party was armed and formidable. But the Rawsons, unlike most suspects, were apparently not friendless. During the heated exchange that followed between the Madison and Hinds men, they made themselves scarce, probably with the help of bystanders.³⁸

The frustrated band returned to Livingston to confess their failure. Perkins’s ire was directed mainly against Patrick Sharkey, who had taken the lead in resisting the demands of the Madison men. A wealthy planter, he was an anomaly found less often in the planter oligarchy after 1830, a slaveholder who hated slavery, an advocate of strong laws against cruelty to slaves. His home was fired upon the evening of the encounter; the marauders threatened to return the next night in force, but Sharkey was not easily daunted. With another member of the Fleetwood examining committee, he wrote a letter to the governor explaining

37. *United States Telegraph* (6 October 1835).

38. Governor’s File, James B. Kilborn and Patrick Sharkey to Runnels, 7 July 1835, manuscript in MDAH; *Grand Gulf Advertiser* (14 July 1835), from *Natchez Courier*.

the dispute and insisting that no one stood "in any further fear of negros [*sic*]." The problem, they said, was "an unlawful tribunal" in Madison County. They demanded that the governor issue a proclamation "commanding all illegal tribunals to desolve [*sic*]" and to deliver their prisoners to the civil authorities.³⁹

Heavily reinforced, Perkins returned to Hinds on the evening of the seventh. His instructions were to arrest the Rawsons "at all hazards"; instead, he attacked Sharkey's home. A firefight resulted; the doughty Sharkey killed Perkins, wounded another, and downed two horses before the party prudently withdrew. Gravely wounded, his hand shot away by a scatter gun, Sharkey slipped out with his family and hid the night in a cornfield. In the morning, a Hinds County patrol took him into Clinton. There he found time to send word to his cousin before the aroused Livingston committee dispatched another party to demand that Clinton give him up.⁴⁰

This cousin was no less than William L. Sharkey, chief justice of the High Court of Errors and Appeals. With Foote, whose law practice was in Clinton, he appeared before the committee to defend the wounded man. They listened gravely as the irate Livingston men argued that Patrick Sharkey should be delivered into their hands because he was a member of the clan. After all, Stewart had warned that apparently respectable men were part of the conspiracy. Then brushing aside the "charge of *complicity*," the two men easily won Sharkey's release by urging "the duty of the committee to protect citizens of their own county from trial beyond its confines, and by persons too much prejudiced against the individual then in custody to give him a fair . . . hearing." "When I left Hinds," an observer of this

39. Grimsted, "Myths of Docility," p. 64, note; Governor's File, Kilborn and Sharkey, 7 July 1835, manuscript in MDAH.

40. *Niles' Register* (1 August 1835), letter from Carson Grove, Miss., dated 9 July 1835; *United States Telegraph* (8 August 1835, 6 October 1835); *Grand Gulf Advertiser* (14 July 1835), from *Natchez Courier*.

dramatic scene reported, "the citizens were arming and rallying in his defense."⁴¹

The appearance of the chief justice of the highest court in the state before a committee that had temporarily usurped judicial power was in one sense a victory for the extremist position. Judge Sharkey was careful not "to call in question the authority of the committee. He did not even allude to his own power to grant a habeas corpus. . . . He frankly confessed the utter powerlessness of the courts in such an emergency." He had no power behind him to beard the committee on its home ground.⁴²

The problem was that so far Gov. Hiram Runnels had supported the extremist position. He had refused to call up the militia, which would have restored the reins of authority to state hands. Though the relatively moderate Clinton committee had requested this action, it ran counter to the desires of Livingston that wanted only arms and ammunition from the state. The committee of thirteen argued that the power of government was inadequate to deal with the crisis, and although it never said so, this was undoubtedly because disclosure of the conspiracy depended heavily on Negro testimony that was inadmissible as evidence under Mississippi law.⁴³

Runnels was slow to respond in any way, which suited the Livingston committee fine. He ignored Sharkey's demand for a proclamation. Runnels's brother was a member of the Livingston committee; his nephew, and namesake, had a horse shot from beneath him in the attack on Sharkey's home and his neck was singed by a bullet that cut his collar in two. After that explosive incident, Runnels continued to stonewall in the face of mounting demands for a proclamation that would restore authority to the state. When he fi-

41. Foote, *Casket of Reminiscences*, pp. 259-61; Foote, *Bench and Bar*, pp. 67-68; *United States Telegraph* (5 August 1835), letter from Vicksburg, dated 12 July 1835.

42. Foote, *Bench and Bar*, p. 68.

43. Governor's File, Runnels to Clinton Committee, 13 July 1835, manuscript in MDAH; *Mississippian* (14 August 1835).

nally acted, the last white victim had already been hung at Livingston and the panic had crested. Even so, his proclamation on 12 July fell far short of what moderates had demanded. It began by acknowledging the existence of "a band of lawless base villainous whitemen traversing the country endeavoring to get up an insurrection" among the slaves; it ordered civil and military officers to "apprehend all suspicious persons and deliver them over to the proper authorities that they may be brought to condign punishment"; and county police boards to organize patrols; and it ordered the quartermaster general "to deliver the arms of this State into the hands of the people for their defense." Conspicuously absent was any mention of illegal committees of safety or the disposition of prisoners they held.⁴⁴

In another sense, despite the unwillingness of the governor to act against the illegal committees, the appearance of Judge Sharkey before the Clinton committee was a victory for the moderates. Foote believed, correctly, that the attack on Sharkey's home and its aftermath turned events around. No one could fail to be impressed by Sharkey's stout defense. "I was in the room where he fought from, and the casement of the window—the bed clothes—the pillow, chairs, and wall of the room, were literally riddled," an awed witness reported. "A charge of buckshot rent the pillow upon which the head of his child was placed. . . . He fought like a hero until he discharged all his weapons, and had his right hand cut off. . . . He would fire and then throw clothes and pillows over his babe." Sharkey later won an award of ten thousand dollars for damages in a suit filed by Foote. Although a few reports from Mississippi accepted the Livingston view that Sharkey was an accomplice of the conspirators, with men of property it struck home that a respected planter, owner of two thousand acres and sixty slaves, had been attacked by a lawless band in the sanctity of his home, without regard even for the safety of his wife and

44. *United States Telegraph* (5 August 1835), letter from Vicksburg, dated 12 July 1835; (8 August 1835), letter from Tiger Bayou, Miss.; Governor's File, Wyche to Runnels, 8 July 1835, manuscript in MDAH; governor's proclamation is *ibid*.

child. "It is no longer the negroes," wrote one shocked observer, "but white man against white man."⁴⁵

Obviously, it was one thing to string up despised steamers and friendless transients and another to attack the wealthy first cousin of the state's leading jurist. If suspicion could fasten on such a man who might be considered safe? Some were alarmed at how near Hinds and Madison had been to civil war. For a while, it was "Madison folks now swear they will have him, and the people of Hinds" say no; the flat Delta plain resounded to the clatter of rattling arms. It was suddenly safer to call for sweet reason. There were reinforcements even from those who supported the governor's acquiescence in Livingston's course. On 17 July, the *Jackson Mississippian* broke its self-imposed silence on the crisis. While acknowledging that a group of "lawless white men" had conspired to incite a rising, it believed "not one negro in every five hundred ever dreamed of, or was in the slightest degree connected with it." The inevitable reduction in scale had begun—gone was the conspiracy stretching from Maryland to Louisiana. Instead, it was described as a mere "neighborhood affair" that—and this was the nub of the editor's concern—"should not prevent emigration to our State, or deter capitalists from investing their funds in our Stocks."⁴⁶

The *Mississippian* did approve of the governor's proclamation. Political opponents in this election year were less kind. "We publish this silly document, simply because it is the Governor's," wrote the *Natchez Courier*, "but a more injudicious, ill-timed, useless—nay, injurious paper, never emanated from an executive chair." What had the governor "been about for the last three or four weeks," the editor asked bitterly, "that he has just given evidence of being awake." There was no way to tell what effect the crisis had on the election in the fall. Certainly, the governor's course had

45. *United States Telegraph* (5 August 1835), letter from Vicksburg, dated 12 July 1835; Foote, *Casket of Reminiscences*, p. 261.

46. *United States Telegraph* (5 August 1835); *Mississippian* (17 July 1835).

"been as devious as a 'Virginia fence.'" Perhaps it is enough for those with a taste for irony that Runnels lost to Judge (Charles) Lynch.⁴⁷

Meanwhile, at Livingston the ad hoc machinery of justice had ground on inexorably. Three more men, Albe Dean, Angus Donovan, and Ruel Blake, were hung; two named Gregory and Ferry were flogged; Lee Smith, William Benson, Lunsford Barnes, Hiram Hale, and a man named Nicholas were allowed to choose between leaving the state within forty-eight hours and five hundred lashes. This was known as "leg bail"; "of course they tramped, and thank ye too!" William Earle was tortured and committed suicide; his brother John was remanded to Vicksburg. Two men, the blacksmith Mitchell and a man named Holden, were acquitted. These sixteen men (including Cotton and Saunders) were only two short of the eighteen said to be in jail on 5 July, but probably prisoners had continued to arrive because between 11 and 14 July "a great many" found to be unoffending strangers were released. Shackelford deleted Gregory and Ferry; in his record no white men were flogged. But there was another reason; Shackelford's victims were all men who had confessed or who had been named in confessions, men against whom, in his opinion, overwhelming evidence of guilt existed. Like Hale and Nicholas, Gregory and Ferry were not fingered by anyone and were excised from the record.⁴⁸

The Thirteen believed its course was justified by "the principle of self-defense." A real and immediate danger of insurrection existed, and although the conspirators must have failed in the end, horrid would have been their momentary triumph. They had to be convinced their enterprise was lost: "immediate example, and its consequent terror, without hope from the law's delay or evasion, seemed,

47. *Mississippian* (14 August 1835); *Vicksburg Register* (20 July 1835), from *Natchez Courier*; *Clinton Gazette* (17 October 1835); *Arkansas Gazette* (8 December 1835).

48. *United States Telegraph* (1 August 1835, 8 August 1835, 6 October 1835); Shackelford, *Proceedings at Livingston*, pp. 19-29. Shackelford also neglected to mention the acquittals.

as in truth it was, indispensable to safety." But mindful their task was "not only to break the force of the coming storm, but to shield the innocent from being confounded with the guilty—no very easy task in times of great public excitement," Shackelford was at pains to show the safeguards erected to protect the interests of defendants. He had his work cut out for him. Seven of the twelve men found guilty for whom information is available were recent immigrants to the state, three natives of New England or New York. Typical victims were vulnerable friendless outlanders.⁴⁹

Shackelford insisted no crimes were considered except those germane to insurrection; yet, the record of each victim was fleshed out with negative traits, some bordering on the criminal but most not remotely illegal. Cotton was suspected of shady business dealings; Saunders had been dismissed for lack of "deportment" from his overseer post before becoming a steamer; Dean was lazy and of doubtful honesty; Donovan was evicted from his boardinghouse for consorting with Negroes; Blake was cold and unfriendly and probably a former pirate. There is a good deal more, all trivial perhaps, but evidence that victims were heartily disliked by their neighbors to begin with.⁵⁰

Shackelford also maintained defendants were offered opportunity to prove good character. Although he was named in Cotton's confession, the life of Lee Smith was spared because of the "multiplicity of evidence" introduced to support his character. He, at least, seemed to have friends willing to step forward in his behalf, although they were unable to save him from banishment and a whipping from the mob after his release. Generally speaking, the question of good character did not arise with defendants, and where it did, as with Sharkey in Clinton, it proved the advantages of having a chief justice among your supporters.⁵¹

Most ludicrous of all was Shackelford's claim that the privileges of a criminal in a court of law were extended to defendants. If the setting and circumstances were not suffi-

49. Shackelford, *Proceedings at Livingston*, pp. 1-2, 13-26.

50. *Ibid.*, pp. 13, 17, 19-20, 23.

51. *Ibid.*, pp. 13, 26.

cient answer to this moonshine, there was always the case of Angus Donovan. From Maysville, Kentucky, he had been in the state less than a month when he was seized on the word of severely beaten Negroes at Beattie's Bluff. He had already aroused anger and suspicion by attempting to untie one of the blacks bound for interrogation, and before that he had scandalized the community by consorting with Negroes and by openly denouncing slavery. Aside from the extorted confessions, this was the sum of the evidence against him. Somehow, after he was brought to Livingston, he managed to get word to Foote in Clinton.⁵²

As Foote recalled, "the poor fellow seems to have imagined that it was a real court that was about to examine into his case, and that a lawyer would be allowed to defend him before it. I did not at all concur in this notion, but not being able to refuse him my sympathy, I got on my horse next morning, and proceeded to the place where his fate was to be determined." Foote's assessment proved to be realistic.

The examination was conducted in a very rapid and informal manner, and without the least regard to the established principles of the law of evidence. At length it was declared to be at an end. It appeared that this man had brought down a boat-load of corn from Kentucky . . . , had carried it up the Yazoo river for sale, and had sold it, together with his boat. . . . There was not a particle of evidence implicating him in the guilt alleged, except that of two or three ignorant negroes in the vicinage, who had been seen once or twice near his boat, and from whose reluctant lips certain disclosures had been coerced under the severest infliction of the lash.

Foote knew he had no rights at all in that room and expected to be given no opportunity to play a role; but he was a distinguished and popular lawyer, and perhaps for that reason Col. Harden B. Runnels, the governor's brother, offered him the courtesy of questioning the defendant.

I turned to him, and calling him by name, I said, "you are a *white* man; you say that you have a wife and chil-

52. Ibid., pp. 9, 13, 20-23.

dren at home whom you love dearly; you say, also, that you are very poor, and that you came down here on a trading expedition, in order to get the means of saving that loved family from starvation; you declare, in addition, that you have written to some member of your family whenever you could, and have sent them nearly all the money you have been able to earn; now tell me, I beseech you, were you to witness a bloody conflict between the slaves of this country and the white people, on which side would you be?" His eyes brightened with excitement . . . as he responded, "Certainly, sir, I should be on the side of my own color." I interrogated him no further. He was hung in less than twenty minutes!⁵³

Foote also accompanied Judge Sharkey to the hearing in Clinton a day later. The only weapons available even to so distinguished a jurist in such a setting were tact and discretion; these were all that Foote could bring to the assistance of Donovan. Had he offered a more vigorous defense, at best, he would have been ejected from the room; at worst, he would have fallen like Patrick Sharkey under suspicion of complicity.

Allegedly, confessions of persons already executed, whether white or black, had to be supported by strong circumstantial evidence for a defendant to be convicted. This was potentially a genuine safeguard had it been adhered to, but in practice it was meaningless. Only a motley collection of negative trivia and hearsay were ever introduced. The evidence against the third man executed, Albe Dean, apart from the appearance of his name in Cotton's confession, was the fact that he was a steamer and partner of Cotton and Saunders.⁵⁴

But the fate of Ruel Blake offered the most striking example of the failure of this safeguard. He was a gin wright and slaveholder himself, originally from Connecticut. His slave Peter was implicated by Johnson's driver and was examined on 1 July. As a courtesy, Blake was permitted to wield the whip himself, but the rest of the examining com-

53. Foote, *Casket of Reminiscences*, pp. 253-55.

54. Shackelford, *Proceedings at Livingston*, pp. 13, 19-20.

mittee grew dissatisfied with the vigor of his application. When his replacement laid on with a right good will, Blake intervened and in the struggle knocked the man down. Trouble threatened and there might have been a shooting, but Blake fled with the assistance of Hudnold who lent him a horse.⁵⁵

On 2 July when word arrived that Blake had been named in the confessions of slaves at Beattie's Bluff, Livingston put a price of five hundred dollars on his head. After he was taken in Vicksburg on the sixth, the committee sent a strong guard of thirty men to bring him back; there was great alarm that the clan might attempt to rescue him. He was condemned after an examination that lasted one hour and hung on 10 July. Besides the confessions of Cotton and the Negroes at Beattie's Bluff, and those beaten out of his own slaves, the only evidence against him was that he had not whipped Peter hard enough and had tried to prevent others from doing so because he was afraid of what might be revealed. Peter had shown enormous courage; he, at least, never implicated his master or confessed anything at all, though savagely beaten. In what proved to be the last execution of a white man, Blake also demonstrated great courage and dignity. He insisted his life had been foresworn, refused a blindfold, and jumped from the scaffold when the trap failed to spring.⁵⁶

Opposition to the high-handed course of the Livingston committee or to the popular excesses elsewhere did not imply disbelief in the existence of an insurrection conspiracy. Moderates were also beguiled by the Murrell legend. Despite what he wrote later, at the time Foote had considerable "confidence in the developments made by Stewart." The problem was that the ground was so trampled by rampaging mobs and by blundering committees of safety that sign was all but obliterated. The forced confessions and hasty executions prevented any realistic assessment of whether or not, in fact, a danger had existed. Foote had in

55. Ibid., pp. 23-55.

56. Ibid., pp. 23-55; *United States Telegraph* (8 August 1835, 6 October 1835).

his possession the unfinished autobiography of Alonzo Phelps, which was written at the time of Phelps's jailbreak and death in Vicksburg. In it, Phelps discussed "in his rude and coarse phraseology, his inclination to break forth from the prison . . . for the purpose of bringing about an insurrection among the slaves"; he relinquished this intention "from considerations of humanity." "Believing it dangerous," Foote suppressed this document. Without at all taking Phelps's daydream seriously, it is not unlikely that criminals had discussed the possibility of using a locally inspired insurrection as a diversion for plunder. If such a plot existed in Livingston, all the committee there succeeded in proving was that if some men were whipped until they admitted its existence, they and other men whom no one liked much anyway could then be hung.⁵⁷

That some kind of insurrection conspiracy actually existed seems remote; fear arose in the first place because people took seriously the revelations in Stewart's pamphlet, and panic began when some men under torture confirmed the general accuracy of its contents. Existence of the conspiracy was first revealed through eavesdropping; nothing was more open to misinterpretation or more easily twisted to match fears already prevalent. Interrogations began and ended by putting words in the mouths of frightened people. In previous conspiracies, the alarm was often given by traitors who identified with the interests of the master. A comforting myth had grown up around this fact, according to which kind masters had nothing to fear from conspiracies; they were always revealed in advance by loyal slaves.⁵⁸

The closest approach to this myth in the Mississippi outbreak was the investigation of William Johnson's driver. As the author of a remarkable coincidence, this man was the source of much trouble; his disclosures brought suspicion down upon Peter before his master, Ruel Blake, was named in the Beattie's Bluff confessions. The driver was a man with authority over other slaves, from the same privileged class in

57. Howard, *History of Virgil A. Stewart*, pp. 261-62.

58. *Mississippian* (17 July 1835).

slave society whence came both rebel leaders and traitors in most earlier conspiracies. He was neither; the game he played was more devious. His position was precarious: trusted by Johnson, but given the state of mind of his master, he was under extreme pressure to obtain results to keep that trust. Knowing that whites feared an insurrection and their desperate frame of mind, one possible though dangerous strategy to relieve the mounting tension was to toss them a victim or two. The alternative, to discover nothing, was the greater risk; if the whites were determined to find evidence of conspiracy, no one, not even a trusted driver, would be safe.⁵⁹

But his disclosures came after he was "instructed" to make inquiries rather than from the voluntary initiative of a faithful servant. Early reports from the affected region revealed an attempt to shore up the sagging myth: a "design . . . made known by a faithful negro . . . in the character of a driver" soon became a "design . . . frustrated . . . by a negro man who was entrusted with the secret." Eventually, the driver dropped from sight altogether, replaced "by a faithful negro man, who was in all the secrets, and was to have been high in command, and who revealed to his master the whole plan; and, to convince him of its reality, placed his master in a position where, from his place of concealment, he could overhear one of their night meetings, at which the whole scheme was discussed."⁶⁰

If there was a genuine conspiracy, it was among the strangest on record. For one thing, there were no black leaders; from the beginning interrogations had only the purpose of eliciting the identity of white leaders. Obviously, black leadership was essential for the kind of deep penetration of the slave community necessary to organize resistance, especially for an insurrection so near to explosion as

59. Eugene D. Genovese, *From Rebellion to Revolution* (Baton Rouge: Louisiana State University Press, 1979), p. 28; Shackelford, *Proceedings at Livingston*, p. 4.

60. *Grand Gulf Advertiser* (14 July 1835), from *Jackson Banner*; *Western Weekly Review* (17 July 1835); *United States Gazette* (28 July 1835), from *Nashville Banner* (17 July 1835).

this. The first ringleaders were hung only forty-eight hours before it was scheduled to begin. This kind of preparation was not to be accomplished by a handful of steamers skulking about the slave quarters. The slaves executed at Beattie's Bluff were smiths, artisans, or preachers, of the class from which rebel leaders had usually come. Mabry halfheartedly described them as "ringleaders," but everyone believed them to be dupes. Their only function was to point fingers at guilty whites.⁶¹

If the insurrection conspiracy was bogus, Livingston in its single-minded pursuit of this illusion may have obscured evidence of a genuine conspiracy. References to slave stealing cropped up continually but were never pursued; attention was concentrated on insurrection. Saunders first raised the subject on 30 June; he disclosed his belief that "Cotton had stolen John Slater's negroes, in connexion with Boyd." He raised it again in Cotton's trial on 4 July; he repeated his belief that Cotton and Boyd "had been extensively engaged in negro stealing" and added that Cotton often pretended to search for lost horses when his real purpose was to talk with the blacks. Supposedly, this was "to make converts" for the insurrection, but this assertion was tacked on to a statement largely about slave stealing. Either Saunders caved in to the pressure of his questioners who were interested only in insurrection or Shackelford distorted the testimony to suit his interpretation. The latter was more probable. This would be another reason Saunders's most damaging revelations of Cotton's role were placed in the mouth of the spurious "gentleman."⁶²

The story of Andrew Boyd and the Earles contained the possibility that the Livingston steamers were involved in some sort of slave-stealing operation. Boyd was a partner of Cotton and Saunders who was arrested just before the outbreak and was hauled before an examining court in Vicksburg on suspicion of stealing Slater's Negroes. Released for lack of evidence, he stole a horse and made for

61. Shackelford, *Proceedings at Livingston*, pp. 6-9.

62. *Ibid.*, pp. 13-14. Albe Dean, the other executed steamer, was also given to excessive horse hunting. *Ibid.*, p. 19.

Livingston, where he found that Cotton and Saunders had been arrested. He hung around awhile until he was spotted, then fled with pursuit hot on his heels. A few days later, Vicksburg learned of the contents of Cotton's confession, which had named not only Boyd but also John and William Earle as conspirators; the Earles had provided the alibi that had earned Boyd his release there. The brothers were kidnapped and brought to Livingston to stand trial. They made the usual admissions of complicity in the insurrection conspiracy, but because of their connection with Boyd the subject of slave stealing hovered on the periphery. It was never pursued.⁶³

Livingston was not the only community guilty of this kind of distortion. Several known slave stealers were swept up in the great dragnet cast after the hanging of Cotton. The notorious Jonathan Tipton was shot and killed near the mouth of Arkansas River while trying to escape; a man often linked with him, known only as Hunter and probably the same one who helped dispose of the Henning slaves in Louisiana, was hung in Wilkinson County. Daniel Crenshaw, Murrell's old "mentor," was killed also. Though all were slave thieves, as a matter of course they were presumed to be part of the insurrection conspiracy.⁶⁴

The interrogation of the Earles on 15 July ended the formal work of the committee in Livingston; elsewhere the panic had already begun to subside after the Sharkey inci-

63. *United States Telegraph* (8 September 1835), letter from correspondent of *Natchez Courier* in Madison County, Miss., dated 24 July 1835; *ibid.* (8 August 1835), letter from Tiger Bayou, Miss.; Shackelford, *Proceedings at Livingston*, pp. 28, 30–31. John Earle alluded to a criminal conspiracy called the "Domestic Lodge," which might have been a slave-stealing ring. No effort was made to follow up on this tantalizing allusion. His questioners were on the lookout for "mystic clan" or simply "clan," and at one point when prompted Earle obligingly gave the "sign" of that famous organization, a little flirt of the hand by which one clansman recognized another. Remarkably, it was similar to the sign described by Stewart.

64. *Vicksburg Register* (3 December 1835); *Western Weekly Review* (21 July 1835, 11 December 1835).

dent. It was a messy conclusion; the brothers were badly mistreated. William Earle was so viciously tortured that he committed suicide in his cell. Though chained to the floor, he somehow "tied his handkerchief to one of the rounds of a ladder standing in the room, and sitting down, strangled himself to death." Not a pretty death, but the treatment from which he sought release had little to recommend it either. After his formal examination, several men, including at least one member of the committee, entered his cell and worked him over for hours; among other things an indignant tomcat was repeatedly dragged by the tail across his bare back, then hot tallow administered to the open wounds. When this treatment came to the attention of Vicksburg, a town the citizens of which were far from squeamish, a committee of six was delegated to bring back the survivor. The "unauthorized individuals" in Vicksburg who had kidnapped the Earle brothers in the first place were rebuked. Shackelford was as tendentious as ever; his account of the Earles' "trial" was virtually worthless. The Thirteen had too much to conceal: the torture of William Earle and Vicksburg's demand for the return of his brother were omitted from the record; there is no telling how much was added.⁶⁵

The committee's final decision was made in August. It had long since dissolved when Hudnold's slave, who had gone into hiding to avoid capture earlier, returned home. Although Hudnold may have tried to shield him, he was seized and condemned to be hung by a handful of the committee that hastily reassembled. The deed was messy and brutal. "When the executioner was about putting the rope around his neck, he began to think they were going to hang him in good earnest, and determined to evade it if possible, by dodging the rope. And it was not til after a gun was presented at him that the rope could be put on his neck. So great was his desire to live (although his arms were tied), that after

65. *United States Telegraph* (8 September 1835), letter from correspondent of *Natchez Courier* in Madison County, Miss., dated 24 July 1835; *Vicksburg Register* (13 August 1835); *Woodville Republican* (14 November 1835); Shackelford, *Proceedings at Livingston*, pp. 27-29.

he was swung off he caught the rope above his head with his hands, and hung by them for a minute." Yet this edifying spectacle was evidence in itself of the return of reason and calm. On the scaffold, the man had said "if he was to be hung" there were "others . . . as guilty as he," but everyone present thought "the accusation was made out of revenge." The panic had ended.⁶⁶

It is difficult to do justice to a group that trafficked so egregiously in injustice; nevertheless, the work of the Livingston committee must be judged in perspective. While it is a great pity we know so little about the individuals who made up this body, it is reasonable to assume differences that ranged from extreme to moderate. From his actions at Beattie's Bluff, Mabry seemed determined on a root and branch purge, while Hudnold was more interested in cooling down rising temperatures. His assistance to Blake early on and his attempt to aid his slave in August were not the actions of a hothead. But as a group they had to deliberate in a terror-haunted environment in which people felt threatened and demanded drastic remedies. The committee came into existence to provide these forces with a means of controlled release.

These forces did not disappear with the creation of the committee; rather, it narrowed their focus, bringing to bear upon that body almost intolerable pressure. The mob was still aprowl, and when it disapproved of decisions it pounced. After Lee Smith was released and banished, he was seized, tied to a tree, and given three hundred lashes as a send-off. He was a steamer, and it was believed on that ground alone "ought at least to be decently scourged." The same pressure operated elsewhere. When a freedman named Vincent was found guilty of complicity by the Clinton committee and was sentenced to be flogged, the mob overruled the decision and hung him instead, despite a heartrending appeal by the widow of his former owner, and a discreet speech in his defense by Foote. There was no

66. *Niles' Register* (31 October 1835), letter from Madison County, Miss., dated 20 September 1835; Shackelford, *Proceedings at Livingston*, p. 30.

telling how much of Cotton's story was believed by members of the Livingston committee, but probably some of them had their doubts. Certainly, some among their counterparts elsewhere did. It scarcely mattered; they were swept along by imperatives imposed by the role they had assumed: to prove guilt, to punish, and—as Shackelford's tendentious account illustrated—to justify their own conduct even at the expense of the truth.⁶⁷

But the operation of moderating forces can be discerned in the record of the committee's deliberation. Eighteen men were in irons on the evening of 5 July, and more were arrested later. Sixteen were given "trials," of which two were found innocent of all charges and only three more were executed after Cotton and Saunders. As usual, blacks suffered more: at least a round dozen were hung and the figure was probably higher; a great many were flogged or otherwise abused. But it is fair to assume the toll would have been much higher had the committee not existed to channel and give direction to the mob's rage.⁶⁸

It serves no purpose to portray the committee as excessively bloodthirsty. There is good evidence that it took action in the beginning to limit the carnage. Although the conspiracy was believed to stretch from "Maryland to Louisiana," Cotton was ushered off to his appointment with the noose and hung within an hour of his confession. Hundreds were presumed involved; Cotton might have been of inestimable assistance: indicating the threads of conspiracy to follow and pointing the finger at new victims. It was a role he was eager to play. The need to place the other conspirators on notice before nightfall when the revolt was scheduled to begin was given as the reason for haste. Another possible motive can be inferred, also. On the evidence, this committee did not want an informant around unfolding conspiracy and naming victims with no end in sight, playing the role of Mary Burton in the New York

67. *United States Telegraph* (8 August 1835); *Grand Gulf Advertiser* (28 July 1835); Foote, *Casket of Reminiscences*, pp. 256–59, 262; Shackelford, *Proceedings at Livingston*, p. 26.

68. *United States Telegraph* (6 October 1835).

conspiracy of 1741. With her assistance, 175 people were jailed, 18 blacks and 4 whites were hung, 13 slaves were burned to death, and 70 of them were transported. A disaster of the same magnitude might easily have happened at Livingston; that it did not was the direct result of the committee's decision in Cotton's case, whatever its reasons may have been. The members of the committee of thirteen were not bloodthirsty fiends; it was worse than that. They were ordinary men.⁶⁹

Cotton and Saunders were still kicking at the end of their halts when at Vicksburg events were set in motion that conjured up another bogey to join the ranks of the robbers haunting the imaginations of Mississippians. In this little river town, there were two of the uniformed volunteer-military companies so dear to the hearts of Southern communities, the Blues and Greys each with about twenty men—Vicksburg's answer to the Natchez Fencibles. The Fourth of July was their day to strut. Festivities began with the usual barbecue and with inspirational speeches and ended with a display of martial drill in the town square. On this occasion, the picnic was enlivened by a fight between one of the volunteers and a gambler named Francis Cobler; the latter was hustled from the scene, and that might have ended it, but later he returned to the square with a pistol to continue the altercation. This time the volunteers escorted him to a wood out of town and applied whip, tar, and feathers.

An event that in earlier years might have been applauded as a rousing conclusion to a fine Independence Day celebration turned this time into a purge of gamblers that quickly spread through much of the lower Mississippi Valley. That evening, citizens at a meeting passed resolutions outlawing faro and ordering professional gamblers to leave town

69. *Baltimore American* (1 August 1835); *United States Telegraph* (1 August 1835); Ferenc M. Szasz, "The New York Slave Revolt of 1741: A Re-Examination," *New York History* 48 (July 1967): 215–30. Of course, it might be argued that given the disproportion in populations the disaster at Livingston was nearly of the same magnitude.

within twenty-four hours. On the sixth when the time period had elapsed, the volunteers, accompanied by a large mob, descended upon the Kangaroos district on the waterfront and began breaking up roulette wheels and faro tables. When they reached the Vicksburg Coffee House of Alfred North, they were met with gunfire, and one of the attackers, Hugh Bodley, was killed. Most of the defenders managed to escape out the back, but five, including North, were seized and hung within the hour. Four more were caught, flogged mercilessly, and set adrift naked and bound under the broiling sun in an open boat.⁷⁰

Observers from afar could see little connection between the Vicksburg and Livingston affairs; they seemed to spring from totally different causes. Mississippians knew better; Vicksburg gamblers and Livingston robbers were cut from the same cloth. The Livingston committee promptly commended the citizens of Vicksburg for "arresting and speedily bringing to condign punishment, those inhuman monsters who have been engaged in plotting and maturing such diabolical measures for the destruction of the lives of the innocent and virtuous." Elsewhere in the lower valley, the "gamblers and sowers of sedition among the Negroes" were viewed from the beginning as part of the same conspiracy. This was in part because suspicion fastened on men in all migratory occupations, and gamblers were already seen as a none-too-scrupulous element; *vagrant, rootless, and dishonest* were words readily applied to them. Rumors of a robber-inspired revolt had reached Vicksburg on the fourth of July;

70. For a description of events between 4 and 6 July from the point of view of townfolk, see *Vicksburg Register* (9 July 1835); a description critical of town's action is in *United States Gazette* (29 July 1835), from *Louisiana Advertiser*. Events there can be followed in *Vicksburg Register* for July through September; see also, Foote, *Casket of Reminiscences*, p. 252; G. L. Prentiss, *A Memoir of S. S. Prentiss*, 2 vols. (New York: Charles Scribner, 1856), 1: 162; J. H. Greene, *The Secret Band of Brothers* (Philadelphia: T. B. Peterson, 1858), p. 169. Also *Grand Gulf Advertiser* (14 July 1835); *Arkansas Gazette* (14 July 1835). Cobler was also spelled "Cabler." For the Blues and Greys of Vicksburg and their counterparts in other Southern towns, see John Hope Franklin, *The Militant South, 1800-1816* (Boston: Beacon Press, 1964), pp. 171-92.

to the normal distaste for the large population of sporting men in the Kangaroos was added apprehension. The scourging of Cobler on that day was a catalyst that translated into action already prevalent fears. And Livingston was uppermost in the mind of the mob on 6 July; Ruel Blake was seized in the crowd as he watched the hanging of the five gamblers.⁷¹

Natchez quickly followed the example of Vicksburg and expelled the gamblers from Natchez-under-the-Hill. A spill-over effect was felt immediately; New Orleans was forced to take steps to deal with the "gamblers and swindlers banished from Vicksburg and Natchez." The town of Little Rock became anxious that they would be thrown "on the shores of Arkansas"; even in far-off Norfolk, Virginia, the mayor served notice on Vicksburg gamblers to stay away. They were welcomed nowhere; each expulsion increased the pressure on other towns to take action. Gamblers were banished from towns throughout the lower valley, from Cincinnati to Natchez, from Red River in western Arkansas to Columbus in northeastern Mississippi. Steamboats plying the river were brimming with people ordered from one community or another in search of some place to light. Often, they passed flatboats freighted with similar cargo, including prostitutes who were banished at the same time. Some had been victims of violence; at Grand Gulf, for example, expulsion followed flogging and liberal resort to the tar bucket and feathers. Most found it prudent to emigrate to east Texas or to migrate up the Mississippi to towns north of St. Louis.⁷²

71. *Baltimore American* (28 July 1835), from *New Orleans Bulletin* (12 July 1835); *ibid.* (29 July 1835); *Grand Gulf Advertiser* (14 July 1835); *ibid.* (4 August 1835), from *Vicksburg Register*, resolution dated 13 July 1835; *Vicksburg Register* (9 July 1835, 30 July 1835, 13 August 1835); *Arkansas Gazette* (14 July 1835); *Mississippian* (17 July 1835); *United States Telegraph* (8 August 1835), letter from Tiger Bayou, Miss.

72. *Baltimore American* (28 July 1835), from *New Orleans Bulletin* (13 July 1835); *ibid.* (1 August 1835); *Arkansas Gazette* (14 July 1835); *United States Gazette* (7 August 1835). I have counted eighteen towns that took action against gamblers, including Lexington,

Such a wholesale casting out of demons did not bring immediate relief. Indeed, the affliction spread, although the lower valley remained the focus. Apparent attempts to "tamper" with the slave population were reported in many places. Insurrection plots were uncovered in Georgia, Virginia, Maryland, the District of Columbia, Alabama, Tennessee, Kentucky, and Louisiana; often whites were among those lynched.⁷³

When Murrell tried to escape from the Tennessee penitentiary in October, blame quickly fastened on the clan. The incident was wildly exaggerated: "four or five hundred strangers gradually, and seemingly without concert, appeared in Nashville, but the influx was so great as to excite suspicion, and, eventually, settled down into the belief that they were confederates of the arch fiend Murrell, which suspicion was soon confirmed by an unsuccessful attempt at his liberation. . . . About four hundred were under arrest, and undergoing trial for their participation in the matter." Needless to say, no such wholesale arrests took place. Supposedly, the prison superintendent had informed Murrell that he would be the first person shot if an "assault on the prison" was attempted.⁷⁴

As Christmas approached, apprehensions increased again. In mid-November, the *Vicksburg Register* reported a rumor that the expelled banditti were gathering their forces

Cincinnati, St. Louis, Little Rock, and Grand Gulf. Grimsted, "Myths of Docility," counted twenty-two, but sources make it clear that virtually every town of any size was involved. The story can be followed in newspapers; see *Vicksburg Register* (30 July 1835, 13 August 1835, 24 September 1835); *Arkansas Gazette* (14 July 1835, 28 July 1835, 4 August 1835, 1 September 1835, 8 September 1835); *Baltimore American* (28 July 1835, 29 July 1835); *United States Gazette* (29 July 1835); *Niles' Register* (10 November 1835).

73. *Mississippian* (13 November 1835), from *Georgia Constitutional* (Augusta, Ga.); *United States Telegraph* (12 August 1835, 13 August 1835, 20 August 1835, 28 August 1835); *Arkansas Gazette* (1 September 1835, 8 September 1835); *Western Weekly Review* (13 November 1835); *Randolph Recorder* (4 December 1835); Grimsted, "Myths of Docility," note 14.

74. *United States Telegraph* (10 October 1835); *Western Weekly Review* (2 October 1835).

in the west, determined "to return by force," and on 17 December reminded its readers "that Murrell himself, in his confession, stated, that the 25th of December was the day fixed" for the revolt, and called for an increase in vigilance. Two days later, the Committee of Safety urged the Board of Police to "establish an active and effective patrol to act in concert with the Volunteer Companies." Around Christmas, a plot was uncovered in East Feliciana parish, Louisiana—whites and blacks confessed to a scheme similar to that revealed in Livingston. As a result, two men, one white and one black, were executed, and several blacks were flogged. Louisiana had for some time been in a state of agitation similar to the one experienced in Mississippi, though on a smaller scale. Suspected Murrellites and gamblers had been executed, flogged, or banished; insurrection scares had occurred at Baton Rouge, Point Coupee, and St. Helena parish, in which whites were among those hung.⁷⁵

December brought an end to the immediate crisis; time could be taken to call the roll of victims. But, unfortunately, the precise number will remain a mystery. In Mississippi, committees of safety executed seven white men, and committees in Louisiana and elsewhere perhaps accounted for as many more. At least as many were murdered by mobs. The number of blacks who were killed can only be estimated, but it may have exceeded fifty. In addition, great numbers were subjected to some kind of lynching, whether flogging, tar and feathers, or banishment. How many gamblers were expelled from how many communities was also a matter of pure conjecture. This great purge was the result of the impact of a small pamphlet only eighty-four pages in length. Small wonder Clement Eaton could write, "Not since the day of Cotton Mather's *Memorable Providences*

75. *Vicksburg Register* (19 November 1835, 17 December 1835, 31 December 1835); *Randolph Recorder* (16 February 1835); *Arkansas Gazette* (2 February 1835); Grimsted, "Myths of Docility," pp. 5-6, 8, note 14.

had a book been published in this country that had produced such a wave of fear and popular frenzy.”⁷⁶

The nation seemed locked in a carnival of violence. Taking note of a catalogue of destructive incidents ranging from battles between “‘Corkonians’ and ‘Kerry men’” in Boston to an attack on the post office in Charleston, Hezekiah Niles pronounced “the state of society . . . awful.” Abraham Lincoln, the young Springfield lawyer, thought the hanging of the Vicksburg gamblers further evidence of “the increasing disregard for law which pervades the country; the growing disposition to substitute the wild and furious passions, in lieu of the sober judgment of Courts; and the worse than savage mobs, for the executive ministers of justice.” In England, Sir Robert Peel cited the mob violence in Vicksburg and Livingston as good reason for the Tory party to go slow on electoral reform.⁷⁷

Among the many issues that could stir men to passion and violence none loomed larger than slavery. Antislavery agitation in the North had been a matter of growing concern for Southerners for several years; but abolitionists had had so little success gaining public attention in the North that most considered it a problem of the future. This assessment changed overnight in July 1835. The American Anti-Slavery Society launched its great postal campaign. Before it was over, the antislavery movement had established itself as a force to reckon with, thanks largely to the violence of Southern reactions. In this sense, the first well-financed effort to beard the dragon in its den was a huge success. But it

76. Clement Eaton, *Freedom of Thought in the Old South* (New York: Peter Smith, 1951), p. 96.

77. *Arkansas Gazette* (1 September 1835), from Niles' Register; Bertram Wyatt-Brown, *Lewis Tappan and the Evangelical War Against Slavery* (Cleveland: The Press of Case Western Reserve University, 1969), p. 160; Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 9 vols. (New Brunswick: Rutgers University Press, 1953), 1:109. Lincoln's full "Address Before the Young Men's Lyceum of Springfield, Illinois," 27 January 1838, is on pp. 108-15.

also proved that the South was unanimous in its support of slavery and would never voluntarily relinquish it. All over the region, abolitionists were branded as villains; in the lower valley, especially, they were marched lock step into the ranks of robbers and gamblers who conspired to subject the South to fire and sword. The postal campaign provided the last brick in the legend of John A. Murrell building since July 1834.

Though bankrolled by contributions from Arthur Tappan, a wealthy New York merchant, the campaign was really the brain child of his brother Lewis. At his urging, the executive committee of the American Anti-Slavery Society set aside thirty thousand dollars early in 1835 to publish four monthly journals, one to be issued each week, and mailed to government and community leaders across the land. It was hoped that those sent into the South would reach and help spark the mobilization of latent antislavery opinion there. In time, faced with the growing disapproval of neighbors, surrounded by an already hostile world opinion, slaveholders would recognize the hopelessness of their situation.⁷⁸

This strategy of "moral suasion" was doomed from the start. The South behaved as if it were threatened by military invasion. On 29 July, a mob stormed the post office in Charleston and seized the first shipment of tracts; throughout the region, postmasters impounded the material as it arrived. Torchlight parades, fiery speeches, and petitions registered Southern disapproval. The Tappans, William Lloyd Garrison, and other prominent abolitionists were hung or burned in effigy. State governments formally requested the extradition of Arthur Tappan. "Can . . . a man . . . three feet within the Georgia line . . . shoot at and kill a citizen of South Carolina, and not be amenable to her laws?" asked an incensed Southerner. A movement begun in Charleston to boycott goods from his firm spread rapidly; a few enterprising communities put a price on his head; in New York, he and other abolitionist leaders went in fear of assassination or

78. The best account of the postal campaign is Wyatt-Brown, *Lewis Tappan*, pp. 149-63.

kidnapping. Abolitionist sympathizers and persons caught distributing the hateful literature were mobbed and lynched; committees of safety sprang up to deal with the threat. President Jackson, a slaveholder himself, denounced purveyors of sedition and in December asked Congress for power to ban literature from the mails that could encourage slave insurrection. His postmaster general had already acquiesced in Southern interference with the mail.⁷⁹

Abolitionist leaders were caught off guard by the unanimity of Southern rage. They were aware that the dangers of stirring unrest among the slave population would increase Southern anxieties. The first issue of *Anti-Slavery Record* noted, "the moment we speak of meddling with slavery at all, the 'Horrors of St. Domingo' are held up, and we are warned against the repetition of those dark and bloody atrocities which have stained the soil and the history of that . . . island." To avoid any such imputation, the tracts were directed only at prominent whites, with even free Negroes carefully excluded from the mailings. From the Southern point of view, this was no precaution at all. Extreme reaction stemmed from fear. The great flood of material could not be kept from the knowledge of blacks and must by its very nature create unrest among them. Soon white anti-slavery agents were caught in various places distributing "incendiary tracts" to blacks. The brother of Prudence Crandall was arrested for distributing such literature; he was also accused of writing a letter to a Negro "calling upon him to raise the blacks." An editor in Richmond announced that hereafter "the propagation among us of incendiary doc-

79. *Arkansas Gazette* (1 September 1835), from *Charleston Patriot*; *ibid.*, from *Nashville Republican*; *ibid.* (8 September 1835, 15 September 1835); *ibid.* (22 September 1835), from *True American* (New Orleans, La.); *Western Weekly Review* (28 August 1835), from *New York Evening Star*; *ibid.* (4 September 1835); *Vicksburg Register* (3 September 1835), *Charleston Courier*; *ibid.* (17 September 1835), from *Richmond Whig* (8 August 1835); *United States Telegraph* (13 August 1835, 20 August 1835); *United States Gazette* (28 July 1835); *ibid.* (4 September 1835), from *Charleston Courier*; *ibid.* (5 September 1835); *ibid.* (22 September 1835), from *True American* (New

trines" would be considered "an actual levying of war upon us. . . . We do not mean to wait until the danger becomes too formidable for resistance."⁸⁰

In the lower valley, especially, the mail campaign exacerbated an already tense situation but was in no sense a cause of the crisis in Mississippi. Southerners became aware of it in late July several weeks after the events in Livingston and Vicksburg. The first local newspaper coverage of those events made no mention of abolitionist involvement. However, immediately outside the affected region the ground was prepared for linking the two before news of the campaign broke. An early report from New Orleans noted that "two itinerant abolition preachers"—Cotton and Saunders—had been hung in Livingston for conspiring "to create a revolt among the negroes." With awareness of the postal campaign, linkage followed immediately. For instance, the *New York Journal of Commerce* carried a story that sixty whites had been implicated in the Mississippi conspiracy, disclosure of which was first made possible by "the discovery of several ABOLITION TRACTS" in the possession of the leaders, whose true object, of course, was plunder.⁸¹

In Mississippi, the campaign aroused fears that the danger so recently dealt with was "about to be revived." The selectmen of Clinton passed an ordinance making it unlawful "to print, publish, write, indite, issue, or give, or aid in any manner whatever, in giving circulation to" any literature that might "aggravate, excite, or create feelings of dissatisfaction, or of a rebellious or insurrectionary character among the black population." Expressing similar fears, Woodville asked the state legislature to make the existing law against circulation of incendiary materials a capital offense. The migratory robbers and gamblers so recently sup-

80. *The Anti-Slavery Record*, 1:1 (January 1835), p. 1; *Arkansas Gazette* (1 September 1835), from *Richmond Compiler*; *ibid.* (8 September 1835); *United States Telegraph* (13 August 1835). It was widely believed the tracts were aimed at free Negroes; see *Arkansas Gazette* (1 September 1835).

81. *Clinton Gazette* (11 July 1835); *Baltimore American* (29 July 1835), from *New Orleans American* (13 July 1835); *United States Gazette* (31 July 1835), from *New York Journal of Commerce*.

pressed became "secret agents" of the North; for a while, the word *gambler* was virtually synonymous with *abolitionist*. "Going from state to state, pursuing no honest occupation," they were perfect tools for fanatics who were determined to arouse the slaves to revolt. Memphis petitioned the commandant in the valley, Maj. Gen. Edmund P. Gaines, for troops to clean out the "gamblers and abolitionists from the lower country" who had taken refuge in the morass of eastern Arkansas, Murrell's old stronghold.⁸²

Forty citizens of Clinton wrote to R. G. Williams, the publishing agent of the American Anti-Slavery Society, whose name alone appeared on the tracts. "We know, sir," they said, "that the true object of all this is not to liberate the slaves which you know is wholly impracticable, but it is *plunder!*" They invited the Tappans to Mississippi to "enlighten and humanize the benighted and inhuman South" and promised they would soon "be seized with the *croup*" brought on by the loving embrace of Kentucky hemp. This brutal offer was made in earnest. Two white men found distributing "seditious pamphlets" among slaves in St. Helena parish, Louisiana, were hung in August. Around the same time, Amos Dresser was flogged in Nashville for possessing antislavery tracts.⁸³

Like the citizens of Clinton, most people believed the robbers involved in the Murrell conspiracy and the abolitionists were birds of a feather. Closing his account of the trial and the execution of Angus Donovan, Shackelford wrote, "thus died an ABOLITIONIST, and let his blood be on the heads of those who sent him here." But less hearty logicians assumed the abolitionists were deluded but well-meaning fanatics fishing in troubled waters who were too easily made the dupes of villains. The real victims must inevitably be the blacks. Any attempt at insurrection would result in their

82. *Clinton Gazette* (12 September 1835); *Arkansas Gazette* (1 September 1835, 8 September 1835); *Woodville Republican* (5 December 1835); *Mississippian* (14 August 1835).

83. *United States Gazette* (2 September 1835); *Vicksburg Register* (27 August 1835, 3 September 1835); *United States Telegraph* (25 August 1835, 24 September 1835); Miles, "Mississippi Slave Insurrection Scare," pp. 59-60.

massacre. This was the most moderate opinion expressed, and it was offered as the only lesson worth learning from that bloody summer: the Mississippi insurrection scare ought "to serve as a warning to the abolitionists, not only of their own danger but of the great injury they are doing the slaves themselves, by meddling with them."⁸⁴

It is tempting to conclude that by encouraging morbid fears of insurrection the Murrell conspiracy had a hand in exaggerating Southern response to the postal campaign; this may have been so to a degree. But had Murrell never existed, the South would still have responded much as it did to this perceived threat to its internal security. The abolitionist would still have been seen as "a fiend incarnate" hell bent on drowning the South in blood. The threat of "death, instant and terrible," would in any case have been made against "emissaries . . . found tampering with the slaves" and would have been justified on the grounds that the first law of nature was self-defense. Antislavery agents seeking martyrdom would have been offered "exaltation" with the assistance of good Kentucky hemp.⁸⁵

But without the postal campaign, the Murrell legend would have been incomplete. Abolitionism was the final ingredient. Its presence existed in latent state from the beginning. In the narrative, Murrell was a successful slave stealer because he understood instinctively that slaves hated their masters as well as their condition. Fear of this awful truth ran like a red thread through the story of the Livingston panic. It was reflected in part of the conversation overheard by Mistress Latham: "She wished to God it was all over and done with," the house servant had said, "she was tired of waiting on the *white folks*, and wanted to be her own mistress the balance of her days, and clean up her own house." When Murrell described arguments used to win black converts to his insurrection plot, he stressed social justice and the moral

84. Shackelford, *Proceedings at Livingston*, p. 23; *Arkansas Gazette* (18 August 1835); Prentiss, *Memoir of S. S. Prentiss*, 1:162.

85. *United States Gazette* (28 July 1835); *Vicksburg Register* (17 September 1835); *Arkansas Gazette* (1 September 1835), from *Nashville Republican*.

isolation of the South in terms as uncompromising as any abolitionist tract. The narrative was tailor-made for use against abolitionists when the mail campaign began; either they were villains also out for plunder or they were easy dupes for villains. In either case, they were denied the high moral claims they made for themselves.⁸⁶

86. Shackelford, *Proceedings at Livingston*, p. 3.

Virgil A. Stewart and the Crisis

Matthew Clanton, the vile calumniator of Stewart, will be exhibited in colors dark as midnight—although he boastingly claims for his character that whiteness of the “mountain snow.”—Clinton Gazette (21 November 1835)

According to Foote, Stewart was in the Delta before the crisis. After his narrative reached Mississippi, he “had been received at the capitol of the State and elsewhere in the most enthusiastic manner.” Following events in Livingston and Vicksburg, he was even more the hero of the moment. On a grand tour of Delta towns in late July, he was everywhere acclaimed as the savior of the South and as a great benefactor of the human race, showered with costly presents (including a fine horse), and honored as a distinguished guest by public assemblies and ceremonial dinners. There was even talk of running him for Congress.¹

Stewart’s difficulty with Matthew Clanton continued to be the key to his behavior. He was unable to shake off the accusations of dishonesty that had dogged him since May of the previous year. He traveled about incessantly pressing his claim that events had vindicated him; for a time his efforts were rewarded with success. After a visit to Natchez in Au-

1. H. R. Howard, comp., *The History of Virgil A. Stewart and His Adventure* (New York: Harper, 1836), pp. 269–71; J. F. H. Claiborne, *Life and Correspondence of John A. Quitman*, 2 vols. (New York: Harper, 1860), 1:138, note; Henry S. Foote, *Bench and Bar of the South and Southwest* (St. Louis: Soule, Thomas & Wentworth, 1876), p. 66; Henry S. Foote, *Casket of Reminiscences* (Reprint ed. New York: Negro Universities Press, 1968), p. 251; Samuel A. Hammett, *A Stray Yankee in Texas* (New York: Redfield, 1853), p. 384.

gust, the editor of the *Courier and Journal* announced that his earlier opinion of the Land Pirate narrative as "a catch-penny affair and a bait to catch gulls with" was ill-considered. Other newspapers echoed the same sentiment.²

There was no better evidence of the widespread support he enjoyed than the eagerness to read his narrative. The secretary of the Louisiana Native American Association expressed concern over the "almost total disappearance" of the pamphlet and the belief that it had been "surreptitiously obtained by the secret emissaries" of the clan. Stewart granted permission to print five thousand copies for distribution in New Orleans. At the time, another five thousand copies were in press in Natchez. The tradition that the first printing was eagerly purchased by members of the clan to prevent its circulation almost certainly originated with Stewart himself.³

The Murrell pamphlet began to be noticed in publications with a national readership. *Niles' Register* reprinted a review of its contents from the *Lynchburg Virginian*, "in the truth of which," the editor said, "we placed but little confidence until that romantic narrative had been partially confirmed by recent events." Duff Green also summarized it in the *United States Telegraph*. "The pamphlet is intensely interesting throughout, and will be read by all," he thought. "The recent contemplated insurrection in Mississippi . . . has been hastened by Murel's confinement and the publication of this disclosure."⁴

Yet, Stewart could not fully enjoy this growing celebrity.

2. *Arkansas Gazette* (Little Rock), 18 August 1835; *Mississippian* (Jackson, Miss.), 13 November 1835, from *Georgia Constitutionalist* (Augusta, Ga.). The editor of the *Vicksburg Register* (Miss.), 24 September 1835, expressed regret that "we were among those who did not give credit to the 'Land Pirate' of Virgil A. Stewart."

3. Howard, *History of Virgil A. Stewart*, pp. 204, 272-73; *Mississippian* (7 August 1835); Diary of Robert H. Cartnell, 23 February 1913, vol. 31, manuscript in TSLA; John M. Keating, *History of the City of Memphis and Shelby County, Tennessee*, 2 vols. (Syracuse, N.Y.: D. Mason & Co., 1888), 1:167.

4. *Niles' Register* (Baltimore, Md.), 8 August 1835; *United States Telegraph* (Washington, D.C.), 6 August 1835.

The feud with Clanton continued to rankle. In May, before the outbreak, the Mississippi *Pittsburg Bulletin* carried a statement signed by thirty-seven "respectable" citizens of Yalobusha County. While asserting that Clanton was "a gentleman of high standing in the community," it described Stewart as "a base young man, whose word is entitled to no credit." "He was charged by Mr. Clanton with stealing money and goods from him, while attending to his business, a short time, in the fall of 1833, the truth of which charge none of us entertain a doubt; and nothing but his immediate flight from the country saved him from the lash."⁵

After the crisis, when Stewart was at the height of his popularity and fame, Clanton himself resorted to print. In early August, he published a pamphlet entitled *A Refutation of the Charges Made in the Western Land Pirate Against Matthew Clanton*. He was probably prodded beyond endurance; Stewart's rise in public estimation was inevitably at the expense of Clanton. On 5 July, after the execution of Cotton and Saunders, Capt. Isham Medford was seized by regulators in Attala County. Because he had the misfortune to be among those listed as clansmen in Stewart's narrative, he was flogged until he admitted that Clanton was his confederate. A pamphlet was perhaps the only defense open to him. After 4 July, newspapers began to refuse "to publish any of Matthew Clanton's pieces against Virgil Stewart."⁶

Clanton's pamphlet has not survived and what we know of his case is derived mainly from Stewart or from his friends.

5. Reprinted in *Mississippian* (17 July 1835).

6. Clanton referred in his pamphlet to "the manner in which he would esteem those who avowed themselves the friends of Virgil A. Stewart." A large gathering of citizens in Carroll County passed a resolution formally "announcing to him and the public" that they were "the friends of Virgil A. Stewart." Howard, *History of Virgil A. Stewart*, pp. 210-11. On Medford, Clanton was informed by one of the regulators of the circumstances of this confession: that it "was not made under the lash, but after he was punished." In other words, they stopped the flogging when the victim began to tell them what they wanted to hear. See Howard, *History of Virgil A. Stewart*, pp. 158-64, quote on p. 160. *Western Weekly Review* (Franklin, Tenn.), 18 September 1835, 30 October 1835.

But though it mattered a great deal to Clanton at the time, Stewart's guilt or innocence is scarcely relevant anymore. What is important were the measures he took to clear his name. His determination to silence his critics led to the publication of a second edition of the Land Pirate narrative that updated Stewart's portrayal of Murrell in light of events in the Mississippi crisis. In collecting evidence for this purpose, he resorted to tactics that resulted in public support for Clanton's position that the Murrell narrative was a hoax and Stewart himself a questionable character whose word was not to be credited. This criticism first emerged in Tennessee, where hostility to Stewart existed from the beginning and where the contents of his narrative had met with a measure of skepticism from the time of its appearance.

Stewart was outraged by the appearance of Clanton's pamphlet. "The late insurrectionary movements in this state, are every day confirming my statements; and the sworn associates are hunted up, and brought to confess under the gallows. It is then, astonishing, that the most desperate efforts should be made to destroy the life and character of the man who exposed and defeated their diabolical designs." Clanton, he said, was one of the organized banditti who had placed a price on his head. Having failed to assassinate him to avoid exposure, they were now determined to "destroy all that is valuable to me in this life—my honest fame," by means of "the most shameless and base falsehoods." It was an attempt to avoid exposure by other means; having failed to assassinate his body they would assassinate his character. To thwart their fell purpose, he promised "to exhibit to the public such circumstantial evidence as will fully sustain" his charges against Clanton and announced his intention to embark upon this mission at once.⁷

He had already been provided "with a strong life guard" because of his insistence that he could not "safely travel through the country." So he departed on his quest in style, accompanied by a band of "generous and intrepid warm-

7. *Grand Gulf Advertiser* (Miss.), 4 August 1835; *Western Weekly Review* (16 October 1835).

hearted sons of the South." Their role was to insure that he had "an opportunity of collecting the proof" he sought without "interference." He was not seen again in the Delta for three months as he and his retinue rode through northern Mississippi and western Tennessee in pursuit of "certificates," sworn statements by a multitude of witnesses. News of his progress was followed avidly. In mid-November, he returned with a large stack of papers. "We have examined these documents with some attention," noted the editor of the *Clinton Gazette*, "and regard them as conclusive."⁸

In Jackson, Tennessee, the editor of the *Truth Teller* met the enthusiasm of his Clinton colleague with irony; "we shall see," he said. Feeling against Stewart had been growing in west Tennessee. Sometime during the summer, several prominent citizens in Madison County, including John Read, one of Murrell's former defense attorneys, had announced their belief in Clanton's charges, which they publicized "as an act of justice to some of our neighbors, whose characters we believe to have been foully aspersed in the publication of Virgil A. Stewart." Becoming aware of this new attack shortly before leaving Mississippi, Stewart reacted bitterly.⁹

Is it possible that Madison county can be my enemy! that she can be deluded by the barefaced perjury and slander of murderers and the wire-workers of iniquity? Can any part or portion of Tennessee be my enemy? If so, then I am guilty of the enormous crime of feeling more for a people than they are capable of feeling for themselves; of having more public spirit than is laudable; of doing more than I am thanked for; of inviting dangers, turmoil and destruction, without the pleasing prospect of making one friend; of standing up in defense of a country, single-handed, without its approbation; of enlisting and incurring the never-

8. *Grand Gulf Advertiser* (4 August 1835); *Mississippian* (17 July 1835, 19 February 1836); *Clinton Gazette* (Miss.), 21 November 1835.

9. *Randolph Recorder* (Tenn.), 18 December 1835; *Western Weekly Review* (16 October 1835).

dying vengeance of all the villains in America, to no end but the displeasure of the country I thought I was serving.¹⁰

Stewart's eventual arrival in Jackson with his armed escort was tense and attended by controversy. He posted a public notice announcing the purpose of his visit and denouncing by name several of his old adversaries and critics. He particularly singled out Col. John Read. Neither he nor his swaggering band were well received and indeed were soon "ordered to leave the town," because, according to one account, he was overheard to say that "there were not a dozen honest men in Madison county."¹¹

The *Randolph Recorder* complained that he was "stalking about the country, defended by bullies, hunting certificates defending his own character, and destroying that of others" and suggested that he "pocket silently the silver penny he made out of his Murrel book and mind his business like a prudent man." As a parting shot, he was advised "to go to work and thereby establish his character, if it be now repudiated." Other editors concurred; his Murrell pamphlet had "too much of the 'last words and dying confession' style to receive . . . credence," one thought. Another said his success in Mississippi had "filled his mind with vain and foolish notions, and induced him to pursue a very imprudent course."¹²

The editor of the *Clinton Gazette* had expected his paper to be the medium through which Stewart's new evidence would "be laid before the public." This never came to pass. Stewart all but disappeared from the pages of Mississippi

10. Stewart to editor of *Nashville Whig and Banner* (Tenn.), letter dated 10 September 1835, in *Western Weekly Review* (16 October 1835).

11. According to the *Truth Teller* (Jackson, Tenn.), Stewart was not directly ordered to leave Jackson, but left because "common prudence . . . suggested a departure." See *Randolph Recorder* (18 December 1835). He continued to rail at Milton Brown. See *Western Weekly Review* (9 October 1835, 16 October 1835).

12. *Randolph Recorder* (4 December 1835, 8 January 1835); (25 December 1835), from *West-Tennessean* (Paris, Tenn.); *Mississippian* (19 February 1836).

newspapers in 1836; only veiled references to the crisis of the previous year appeared. He went to New York shortly after his return to Mississippi and there joined forces with a hack writer who knew how to market the Land Pirate narrative in eastern publishing circles. The result was another book. In 1836, Harper and Brothers, the New York-based publishing house, published *The History of Virgil A. Stewart and His Adventure*. By fall, Stewart was back in Mississippi again. The editor of the *Canton Herald* examined the proofs and declared the work to be "convincing" and worthy of "the patronage of the public."¹³

Most of this volume was taken up with the original Land Pirate narrative, although the prose in places was more stilted and "literary," and the Methodist Harper brothers had excised salty expletives such as "d_____." It was now more clearly an answer to Clanton. A brief biographical sketch of Stewart and an account of his relations with Clanton in Mississippi were added to the beginning, and the affidavits collected the previous fall were salted throughout. Clanton had denounced his narrative as a hoax and had

13. *Clinton Gazette* (21 November 1835). Except for the *Canton Herald's* endorsement of the proofs reprinted in the *Mississippian* (9 September 1836), Stewart is rarely if ever mentioned, and the crisis is mentioned in only the most indirect fashion. See, for instance, the inaugural address of Gov. Charles Lynch, 7 January 1836, in the *Clinton Gazette* (16 January 1836). No references to the appearance of Stewart's book were found in other Mississippi newspapers, in *Niles' Register* or in the *United States Telegram*.

The complete title was *The History of Virgil A. Stewart and His Adventure in Capturing and Exposing the Great "Western Land Pirate" and His Gang, in Connection with the Evidence; Also of the Trials, Confessions, and Execution of a Number of Murrell's Associates in the State of Mississippi during the Summer of 1835, and the Execution of Five Professional Gamblers by the Citizens of Vicksburg, on the 6th July, 1835*. According to Joseph Sabin, et al., *Bibliotheca Americana* (New York, 1868-1936), No. 33251, the compiler, H. R. Howard, had earlier ghosted the autobiography of another famous highwayman. See H. R. Howard, *The Life and Adventures of Joseph T. Hare: The Bold Robber and Highwayman* (New York: H. Long and Brothers, n.d.). Details by which publication of Stewart's book was arranged are not available. The records of Harper and Brothers were destroyed in a fire in 1850.

accused him of personal dishonesty. Consequently, the evidence collected with the help of his Mississippi allies fell into two categories: in one, he sought to establish the truth of his Murrell adventure, in the other to discredit Clanton.¹⁴

The evidence fell short on both counts. For the famous journey, there was abundant confirmation but none for the spectacular revelations of Murrell's "confessions." In general, Tennessee witnesses were willing to agree that Stewart had been in the company of Murrell; Bayliss, Champion, and Erwin confirmed that Stewart had told each privately he was pursuing Murrell. Others insisted Stewart was unknown to Murrell before their journey together. But they were at pains not to associate themselves with the enlarged Murrell. This included even the first enlargement in the trial; the Jackson prosecutor implied that Murrell was only indicted for the crime for which he was convicted, although the original indictment had eight counts and probably included murder. On the exaggerations in the narrative—the document under attack, after all—there was little comment. This silence was no accident. The *Jackson Truth Teller* had been quick to condemn the narrative. The Mystic Clan, the list of clan members, and the insurrection plot ran into heavy weather in west Tennessee from the beginning.¹⁵

Stewart failed to win any support in Tennessee for his description of events after the trial. The alleged attempt on his life took place there. The Mystic Clan might have been more convincing had this attempt been confirmed. But not much more; Murrell had brothers and friends who could be

14. The second edition added to the number of verbatim conversations. Their absence in the first edition was explained by Stewart's bad health at the time. A few things were omitted in the second edition. It did not mention the notes taken in shorthand during the journey. Perhaps to compensate, another touch was added, namely, a mail slot cut in the crown of Stewart's hat into which he deposited his handwritten notes. Howard, *History of Virgil A. Stewart*, pp. vi, 81; Augustus Q. Walton, Esq., *A History of the Detection, Conviction, Life and Designs of John A. Murrell, The Great Western Land Pirate* (1835), p. 41.

15. Howard, *History of Virgil A. Stewart*, pp. 44–45, 99–100, 178–79, passim; *Arkansas Gazette* (2 June 1835), from *Truth Teller*.

presumed to have a keen interest in Stewart's future, considering his role in the trial. Evidence from Tennessee suggested the assassination attempt was a hoax. Stewart, of course, claimed he was pursued relentlessly by an early version of Cosa Nostra, that the would-be assassins were contract killers. Yet, the only certificate he collected on the subject was provided by James Moore of Mississippi, who said Stewart convalesced in his home during an unspecified illness. Stewart also told Moore that "he had been hunted and sought after . . . by a numerous band of villains." He never produced the mysterious Walton, who had allegedly delivered him into Moore's care after finding him nearly dead.¹⁶

The promised evidence against Clanton never materialized. At best, Stewart produced documents affirming him to be a person of good character and holding his enemies in low esteem. A few addressed themselves to the goods Clanton had accused him of appropriating, insisting they had been in his possession before he moved from Tennessee to Mississippi.¹⁷

It would be interesting to know the role intimidation played in the collection of affidavits. For an isolated farmer like Champion, for instance, it must have been alarming to have Stewart and the warm-hearted sons of the South, all armed to the teeth, suddenly appear on his doorstep. The *Randolph Recorder's* reference to Stewart's "bullies" implied a measure of intimidation. There is more than a hint of it in one certificate. A signer of the *Pittsburg Bulletin* letter in May found himself host to Stewart and to the gallant band; he hastily denied "ever subscribing his name to any document derogating . . . Virgil A. Stewart."¹⁸

There was more to *The History of Virgil A. Stewart* than the original narrative (somewhat revised) and the supporting evidence. The full account now reflected the events of the previous year. The declared purpose of the first edition had

16. Howard, *History of Virgil A. Stewart*, pp. 201-2; *Randolph Recorder* (25 December 1835), from *National Banner* (Nashville, Tenn.).

17. Howard, *History of Virgil A. Stewart*, pp. 166-70, *passim*.

18. *Ibid.*, p. 209.

been "to amuse and entertain the reader"; the "only object" of the second "was to arouse the people . . . to a sense of their danger." Shackelford's "Proceedings at Livingston" and a newspaper account of the execution of the Vicksburg gamblers were added as appendixes. Abolitionists now moved through a narrative from which they had formerly been absent. Murrell was supposedly in close communication with "an English lecturer on slavery"—presumably George Thompson, whose presence in the country the previous year had aroused Southern ire—and was himself now revealed as openly antislavery in opinion. If Southern "cities . . . were destroyed, and their banks plundered of all the specie, thousands of eastern capitalists would suffer great loss," he now told Stewart. With the "banking institutions and credit" of the South "sunk into disrepute with the commercial world, it would be an easy matter to effect the total abolition of slavery."¹⁹

By updating the narrative to bring it in line with events in the summer of 1835, the publication of *The History of Virgil A. Stewart* closed the circle of the legend of John A. Murrell. It was complete in all its constituent elements: highwayman and murderer, counterfeiter, horse thief, and slave stealer, master of disguises, master spirit behind the consolidation of criminal gangs in the South, author of an insurrection plot, and now an abolitionist.

19. Walton, *History of John A. Murel*, p. 3; Howard, *History of Virgil A. Stewart*, pp. vi, 58-59, 90. Murrell's views on slavery are placed in Thompson's mouth in *The Life and Adventures of John A. Murrell, the Great Western Land Pirate* (New York: H. Long & Brother, 1847), p. 48. In the Howard account, these views are grafted to the narrative without explanation, making them anomalous in the story as a whole.

Murrell's Head

Murrel . . . exterminated . . . would seem cause for unalloyed gratulation, and is such to all except those who think that in new countries, where the wolves are killed off, the foxes increase.—Herman Melville, The Confidence-Man: His Masquerade (New York: New American Library, Signet Classic, 1964), p. 10.

The skill with which Stewart shaped his materials and the success of his handiwork entitled this strangely obscure man to a position in the first rank of mythmakers. His work has survived. Writing in the *Dictionary of American Biography*, the author of the Murrell article expressed reservations about the “stilted dialogue, the melodramatic style” of Stewart’s narrative but relied upon it nevertheless. In a more recent reference work, Richard M. Brown cast doubt on the authenticity of the insurrection conspiracy but believed “Murrell was the leader in the creation of an interstate organized-crime combine.” Only one or two amateur historians in Tennessee have denounced the narrative as spurious.¹

But the literary history of the legend is not to be followed in the work of scholars, which apart from short articles in reference works hardly exists. The legend has been perpetuated by popularizers and novelists. This is too sad a tale to dwell on for long; Murrell seemed to bring out the worst

1. Dumas Malone, ed., *Dictionary of American Biography*, 10 vols. (New York: Charles Scribner’s Sons, 1927–1936), 7:369–70. The author was Oliver W. Holmes, possibly the celebrated associate justice of the U.S. Supreme Court. Richard Maxwell Brown, “John A. Murrell,” in *The Reader’s Encyclopedia of the American West*, ed. Howard W. Lamar (New York: Thomas Y. Crowell, 1977), pp. 783–84.

in such writers. In the most recent novel based on his career, the girl invented to serve as Stewart's love-interest was horribly mutilated, her naked breasts first smeared with raw meat then devoured by starving dogs. Generally, such books were best left for the edification of the whip and handcuff crowd. But a brief look at the progress of the legend in popular literature is instructive.²

In the beginning, there was something of a blackout. Stewart's new revelations were eagerly awaited in December 1835; yet *The History of Virgil A. Stewart* was received virtually without comment when it appeared a few months later. For the Southern press, at least, this was apparently a return to the normal policy of avoiding public discussion of the dangers of slave rebellion. Even at the height of the crisis in the summer, the subject was seldom discussed openly. Significantly, the general public was kept abreast of events through the vehicle of letters written to friends, published in newspapers outside of Mississippi. Once the panic subsided, this source dried up and silence prevailed. As for Stewart himself, his obituary in 1846 occupied only two lines in a Tennessee newspaper; his death was apparently ignored by the Mississippi press.³

Southern reluctance to discuss rebellion combined with moral ambivalence on the subject of slavery to shape the first fictional treatments of the Murrell legend. The antebellum South's most important novelist W. Gilmore Simms made use of a truncated version of the legend in two early novels that were published in 1838 and 1840. Although the action of the second of these books, *Border Beagles*, occurred mainly in the Livingston-Beattie's Bluff vicinity, Simms shied away from the subject of slavery. Slave insurrection

2. Gary Jennings, *Sow the Seeds of Hemp* (New York: W. W. Norton, 1976).

3. "The Galveston News says that Virginia [*sic*] A. Stewart who exposed the notorious Murrell, was assassinated recently in western Texas." *Western Weekly Review* (Franklin, Tenn.), 3 April 1846. I was unable to find this story in the *Galveston News*, but many issues have not survived. According to tradition, Stewart was killed in a common brawl. See Jay Guy Cisco, "Biographical Sketch," manuscript in TSLA.

played no part in either; instead, attention fastened on a vast but nonspecific criminal conspiracy. In the hands of Simms, the legend was shorn of its most distinctive characteristics. He, nevertheless, insisted the novels were based on actual events. In the introduction to the 1857 edition of *Richard Hurdis*, Simms asserted that his knowledge of those events came from "several conferences" with Stewart held "prior to the publication of his [Land Pirate] narrative."⁴

Reluctance to grasp the nettle of slave insurrection was no measure of the legend's general popularity. *The History of Virgil A. Stewart* went into three printings between 1836 and 1842. But the legend reached the largest audience in the pages of the *National Police Gazette*. Murrell's story appeared as the first of a series entitled "The Lives of the Felons"; through most of 1846 and 1847, it was serialized, then published separately as *The Life and Adventures of John A. Murrell*. Murrell now entered directly into the penny-dreadful genre that in the decades after the 1840s did so much to formulate the mythology of the American frontier before the era of the motion picture. This was the full-blown legend. The skeleton of Stewart's narrative was fleshed out with imagination and verve, but the spirit of the original was retained. The additional information, said to be based partly on interviews with prisoners in the Tennessee penitentiary who had known Murrell, but clearly fictional, ran on an unresisting course to merge with the mainstream of the outlaw's biography.⁵

In time, popular interest declined. By 1900, Murrell had become a minor figure in the folklore of the Old Southwest. Then, a little less than a century after the famous journey, the legend entered an expansionist phase. This began in

4. W. Gilmore Simms, Esq., *Border Beagles: A Tale of Mississippi* (Reprint ed. New York: AMS Press, 1970), and W. Gilmore Simms, *Richard Hurdis: A Tale of Alabama* (Reprint ed. New York: AMS Press, 1971).

5. *National Police Gazette*, eds., *The Life and Adventures of John A. Murrell, the Great Western Land Pirate* (New York: H. Long & Brother, 1847); Frank Luther Mott, *The History of American Magazines*, 5 vols. (Cambridge, Mass.: Harvard University Press, 1938), 2:326.

1930 with the publication of *The Outlaw Years*, by Robert Coates.

Coates was a young writer fresh from the Paris of Ernest Hemingway and Gertrude Stein, the author of a small and largely unread illusionist novel in the Dada vein, when he began to write "the history of the land pirates of the Natchez Trace" at the suggestion of his friend Malcolm Cowley. His book was quite successful; in fact, it became the foundation of a minor literary career. It was selected by the Literary Guild, did a brisk sale in bookstores, and is still in print today, having been reissued many times. Immensely readable, it quickly assumed some of the characteristics of the standard work. Roughly 40 percent of the text dealt with John A. Murrell. Coates relied heavily on the Stewart narrative, which he treated in a straightforward and unvarnished way as the gospel truth; however, he allowed himself all the latitude of the novelist and where Stewart left gaps Coates filled them without hesitation. *The Outlaw Years* strongly influenced all subsequent accounts.⁶

A detailed description of the ramification of the Murrell legend since Coates put his shoulder to the wheel is unnecessary. One example is at once illustrative and representative: the treatment of Murrell's family. Consider the father, for example. "I was born in middle Tennessee," Murrell had confided to Stewart. "My parents had not much property; but they were intelligent people; and my father was an honest man I expect, and tried to raise me honest; but I think

6. Robert M. Coates, *The Outlaw Years: The History of the Land Pirates of the Natchez Trace* (New York: The Macaulay Co., 1930). So far as Murrell is concerned, this title is misleading. As a commercial artery, the trace had declined in importance by the early 1830s, and may no longer have been continuous in places. Murrell's connections with it are tenuous. For two authors who followed Coates's lead, see Paul Wellman, *Spawn of Evil: The Invincible Empire of Soulless Men which for a Generation Held the Nation in a Spell of Terror* (Garden City, N.Y.: Doubleday & Co., 1964), a title that reveals everything about the book's approach; and Ross Phares, *Reverend Devil: A Biography of John A. Murrell* (New Orleans: Pelican Publishing Co., 1941). See also, Malcolm Cowley, *And I Worked at the Writer's Trade* (New York: Viking Press, 1978); and Cowley to Author, 11 May 1978.

none the better of him for that." This is the sole reference to Jeffrey in the narrative. Yet, because Stewart's Murrell had said that his first "good haul" was some merchandise stolen from a peddler who had "lodged" in his father's house, Coates dubbed the old gentleman "the proprietor of a small wayside tavern" or inn on the Natchez Trace, which for good measure he located near Columbia in Maury County, Tennessee. He also decided unilaterally that the older Murrell left the management of this establishment to his wife.⁷

Coates became for his successors what Stewart had been for him, a starting point; his example soon developed into a tradition as each subsequent writer felt compelled to make a contribution before passing along the basket. Paul Wellman, for instance, explained Jeffrey's inattention to business by putting him on the road most of the time as an "itinerant preacher." More recently, Jonathan Daniels suggested that it was either travel and preach the gospel or remain at home and be after his luscious wife "all the time like a boar during the rutting season."⁸

What for the father seemed irresponsible for the mother became egregious, each new account more titillating than its predecessor. "My mother was of the pure grit," said Stewart's Murrell, "she learnt me and all her children to steal so soon as we could walk, and would hide for us whenever she could." To this single sentence in the narrative concerned with Zilpha, Coates contributed an element of sexual delinquency. "Later, being clever and adroit, his mother made him her chief aide in her exploits: she herself, it would seem, was complaisant enough to linger occasionally in the traveler's chamber after lighting him to his room and after she had left and the exhausted guest was sleeping the son would come: he had developed a certain skill in opening

7. Augustus Q. Walton, Esq., *A History of the Detection, Conviction, Life and Designs of John A. Murel, The Great Western Land Pirate* (1835), p. 34; Coates, *The Outlaw Years*, p. 206.

8. Wellman, *Spawn of Evil*, p. 142. He also rechristened Jeffrey "William." Jonathan Daniels, *The Devil's Backbone* (New York: McGraw Hill, 1962), p. 240. Daniels enclosed his rutting boar in quotations, but it is not clear from which source it was extracted.

locks." This insight was apparently drawn from the fictionalized account of the *National Police Gazette*, in which the woman dubbed "Mom Murrell" by later authors was described as "coarse," "immodest," and "licentious."⁹

From this slim beginning, Murrell's early home became a tavern on the Natchez Trace, part-brothel and part-thieves' market. There is no reason to believe that Zilpha was a candidate for sainthood. It was even possible that Murrell characterized his mother in the manner described by Stewart. The fact that she was assaulted by regulators in 1824 suggested that her neighbors held her in no high regard. Then, there were the activities of her son Jeffrey G. Murrell in 1828. He was convicted of running a bawdy house. But where except in the overwrought imaginations of heavily breathing novelists and popular historians is the evidence for describing her as "an expert in the secret arts of love, possessing a facile amorousness that caused men to forget everything else when she was in bed with them"? And why must we find her "walking as she did, hips swinging and breasts undulating, and long thighs molding themselves against her skirt with each step"?¹⁰

Perhaps the decent thing is to draw a veil over the subject with the final observation that beginning with the spare statement in Stewart's narrative that Murrell's mother

9. Walton, *History of John A. Murel*, p. 34. The phrase "pure grit" has been the cause of some confusion. True to form, Coates misspelled it as "girt." The *Oxford English Dictionary* gives one usage as "to be the grit," that is, the right sort or the genuine article. Wellman incorrectly identified it as a purely "underworld expression." The quote from Coates is in *The Outlaw Years*, p. 207. The narrative makes no reference to matronly lust in this incident. "The first good haul I made was from a pedlar, who lodged at my father's house one night. I had several trunk keys, and in the night I unlocked one of his trunks, and took a bolt of linen and several other things, and then locked the trunk. The pedlar went off before he discovered the trick. I thought that was not a bad figure I had made." Walton, *History of John A. Murel*, p. 34. Compare *National Police Gazette*, eds., *Life and Adventures of John A. Murrell*, p. 5.

10. Daniels, *Devil's Backbone*, pp. 174, 240. Daniels enclosed his description of hips, breasts, and thighs in quotations, but again the source is unclear. See also, Wellman, *Spawn of Evil*, p. 142.

taught him to steal, with each new account she became progressively more libidinous.

The popularizers were the legitimate descendants of the enterprising gentlemen who put Murrell's stinking head on display for ten cents a peep. As for the old villain himself, he continued to be worth more dead than he ever earned while alive. The sardonic Herman Melville knew his natural history: when the wolves are killed off, the foxes increase.¹¹

11. Herman Melville, *The Confidence-Man: His Masquerade* (New York: New American Library, Signet Classic, 1964), p. 10.

A Notorious Scamp

In allusion to . . . the revelations of one Virgil A. Stewart, a notorious scamp . . . he is now known to have been an impostor.—J. F. H. Claiborne, Life and Correspondence of John A. Quitman (New York: Harper, 1860), I:138, note.

Legendary outlaws are part of the cultural currency. Jesse James and “Pretty Boy” Floyd, for instance, are names known to every schoolboy. Legend grew up around them because their careers were perceived to represent significant social tensions in some way. To the state, they were merely criminals, but among their own people they were heroes, champions, or avengers. As legendary heroes, they attacked the exploiters and rescued the victimized. The popular support and admiration for “Pretty Boy” Floyd among the poor dirt farmers of Oklahoma were expressed in Woodie Guthrie’s ballad. Floyd’s victims, bankers who foreclosed mortgages, were their enemies.

Now as through this world I ramble,
I see lots of funny men.
Some will rob you with a six gun,
Some with a fountain pen.
But as through your life you travel,
And as through your life you roam,
You will never see an outlaw
Drive a family from their home.¹

John A. Murrell has no such firm purchase on the collective memory. Even among professional historians, not one

1. Ballad entitled “Pretty Boy Floyd,” from “Woodie Guthrie,” phonograph album by Archive of Folk Music, an Everest Records Production.

in five would recognize his name today. His legend also developed because it had social content, but the image of the robber-abolitionist could not outlast slavery and indeed lost much of its utility after the original panic subsided. A pale reflection of it has survived in the work of a handful of Murrell's popularizers in this century, all of whom have managed to convey considerable indignation at the thought of unscrupulous criminals leading gullible blacks to destruction at the hands of respectable whites forced to use brutal means to defend themselves. The "wave of hysterical fury" that "swept over the white people" of Mississippi in 1835, lamented Paul Wellman, was "scarcely to be wondered at." Scholars have divided over whether the insurrection scare had any basis in reality but have shown little interest in Stewart's pamphlet. As a result, Murrell has survived as a kind of curiosity, ignored by scholars, breathlessly promoted by popularizers. In this fashion, the legend has languished but stubbornly refused to expire altogether.²

Murrell's memory has faded in the collective consciousness in part because he lacked the constituency that is an essential ingredient of every social bandit legend. Needless to say, he never became a black folk hero. He came in the guise of an abolitionist, but in the end there was no mistaking him for the genuine article. Among the actors in this farce, only Alonzo Phelps had some of the elements of the primitive rebel. This friend of widows and orphans with his "poor and helpless" acquaintances was at least an avowed enemy of the oligarchy, members of which enforced order in regulator bands. Phelps self-consciously attempted to associate himself with the Robin Hood tradition.³

The legendary Land Pirate hated respectability and struck at the social order indirectly through counterfeiting

2. Paul Wellman, *Spawn of Evil: The Invincible Empire of Soulless Men which for a Generation Held the Nation in a Spell of Terror* (Garden City, N.Y.: Doubleday & Co., 1964), p. 253.

3. Governor's File, Alonzo Phelps to Hiram Runnels, 11 March 1834, manuscript in MDAH. For discussions of bandits as primitive rebels, see Eric Hobsbawm, *Bandits* (New York: Dell Publishing Co., 1969), and Eric Hobsbawm, *Primitive Rebels* (New York: W. W. Norton, 1965).

and other crimes and directly by plotting rebellion. But the properties that moved Murrell in the direction of the social bandit tradition really belonged to Stewart. It was he who talked about "long-faced" hypocrites, those who robbed with a pen rather than a gun. Murrell's hatred and contempt for the social order were expressions of Stewart's malice. Stewart was a marginal man, one of those left behind in the race for success. He told us that by right he should have been something more. When only a boy, his father died; before he reached manhood, "his slender patrimony was squandered" by others. He was left impoverished, embittered, envious, and ambitious. He poured his rage and disappointment into the hollowness at the center of the outlaw's nondescript thievery; in the process, these emotions were occasionally translated into satirical commentary on society and conventional morality. "What is it that constitutes character, popularity and power in the United States?" he asked Murrell, and answered his own question: "It is property; strip a man of his property in this country, and he is a ruined man indeed—you see his friends forsake him; and he may have been raised in the highest circles of society, yet he is neglected and treated with contempt."⁴

Yet, by no stretch of the imagination was Stewart a satirist. Anger is an essential element of satire, and anger gave an edge to his narrative missing in its later imitators; but satire without compassion is merely cynicism. Stewart's feelings were the frustrations of the little man who blamed his failures on everything but his own failings. In his pitiless view, all men acted from selfish motives. Conventional morality was another name for the rules of the game established by respectable men to advance their own position while keeping those beneath them in their place. What chance did the little man have against such entrenched power if he played by those rules? Stewart allowed free play to this cynicism in the narrative. The rascal Murrell and Stewart in the guise of

4. H. R. Howard, comp., *The History of Virgil A. Stewart and His Adventure* (New York: Harper, 1836), p. 7; Augustus Q. Walton, Esq., *A History of the Detection, Conviction, Life and Designs of John A. Murel, The Great Western Land Pirate* (1835), p. 13.

pretended rascal judged social institutions in the cold light of its standard. Stewart's Murrell realistically appraised slavery—wealth in this country, he said, was the product of slave labor—and cynically employed the arguments of abolitionists, but without ever expressing pity for the slave's lot. Instead, there was only the self-pity of one who must make his way in a dog-eat-dog world. By placing such views in the mouth of Murrell, and his own alter ego "Hues," Stewart allowed this bitterness free rein.⁵

He was not an admirable man; he twisted the truth to suit his purposes and bore his share of responsibility for the innocent blood that was shed as a result. But he had this advantage over his later imitators and exploiters: his work sprang from genuine if confused emotions. He tells us something of the rage and frustration of the man left behind in a rapidly expanding democratic society that formally allowed most men to compete but denied them any excuse for failure. Blame could attach to individual weakness or to forces beyond individual control, but blame there must be. "My doctrine," said Stewart, "is, let the hardest fend off."⁶

These are tensions in Stewart revealed in his narrative, but they do not explain his motive for writing it. Reduced to simplest terms, there are only three possible motives: (1) he was mentally deranged; (2) he was telling the truth; or (3) he distorted the truth and manufactured other "facts," for practical reasons of his own.

Stewart's statements and actions seem to fit one or another of the categories of paranoid psychopathology. He was rigid, suspicious, egotistical, embittered, and intolerant of

5. In Arkansas with Murrell, Stewart addressed the Grand Council of the clan, posing as its newest recruit: "I consider that the members of this conspiracy are absolved from every other power of obligation to either God or man; we found ourselves placed in the world, surrounded with everything needful for our comfort and enjoyment; and shall we stand supinely by, and see others enjoy, and make no provision for ourselves; because an established religious and moral custom, which we neither believe or [*sic*] respect, forbids us from choosing the mode of providing." Walton, *History of John A. Murel*, pp. 43-44.

6. *Ibid.*, p. 13.

criticism. Some of his words might be interpreted as evidence of delusions of grandiosity: at times he seemed to believe he was invulnerable; the central delusion was of persecution. He claimed to be pursued by every villain in America. When this claim was endorsed in Mississippi, he accepted the accolade of a grateful people with regal dignity. When it was met with derision in west Tennessee, his tone became injured and accusatory. "Could my conduct have been examined before a noble Senate of ancient Rome," he complained, "my name and memory would have been sacred." Instead, he was judged by "a big-headed aristocratic hierarchy" that hid its association with Murrell behind a facade of respectability. He seemed to have only two postures: puffed up self-importance in the presence of praise; when criticized an equally exaggerated conviction that every man's hand was against him.⁷

A stronger case for psychopathology might be made by carefully selecting damaging passages, but it would be a meaningless exercise. Stewart was an obscure man. The only records he left were the two editions of the narrative and letters written in the heat of controversy to justify or to defend himself against attack. Once the truth of his assertions is denied, they appear to be strident and paranoid. But the key to his behavior was not a paranoid personality disorder or psychosis. There is no reason to think that his "delusions" were sincerely held convictions. Rather, they represented carefully fortified positions consciously constructed to defend a line of march on which he had embarked.⁸

The Land Pirate narrative told a true story, up to a point. Many details of Murrell's biography were consistent with known facts. Indeed, the narrative was as full of facts as an egg of meat, but, to change the metaphor, cunningly woven

7. *Western Weekly Review* (Franklin, Tenn.), 16 October 1835. See also *Western Weekly Review* (9 October 1835); *Mississippian* (Jackson, Miss.), 27 November 1835, 19 February 1835.

8. For a profile of paranoid pathology, see O. Spurgeon English and Stuart M. Finch, *Introduction to Psychiatry* (New York: W. W. Norton, 1964), pp. 420-35.

with strands of fiction to produce a fabric of illusion. It was conjured up by Stewart's response to events. Murrell's legend grew by stages: (1) the time period immediately after Murrell's arrest in February 1834; (2) the interlude between May and the trial in July; (3) the span of time between the trial and the narrative's publication; and (4) the months immediately after the crisis in Mississippi.

1. Murrell was first arrested in connection with the theft of Henning's slaves, but the state's case was seriously weakened by the failure in subsequent weeks to find the missing blacks. Questions were also raised about the background and conduct of the chief witness. A conviction on this charge was by no means certain, even after Murrell's brief escape in May.

2. Events took a new turn in May when Clanton accused Stewart of stealing. He fled to Jackson, but the charge followed him. With Murrell still at large, and his own reputation in tatters, he was on the verge of moving on again when the outlaw was recaptured. Between this time and the trial, the charges were expanded to eight counts, including murder. For Stewart, conviction of Murrell had become a means for diverting questions raised about his own character, and the state had no objection to strengthening a weak case. In the trial, he portrayed Murrell as the leader of an interstate gang of slave stealers, seeking to fix responsibility for the criminal activity known to center in the morass entirely on his shoulders.

3. Despite the partial success of the strategy of enlargement—Murrell, after all, went to prison—the outcome of the trial was a fiasco personally for Stewart; most of his testimony was not believed. Publication of the narrative was an extension of the original enlargement strategy. Monetary reward was probably always a secondary consideration. The real purpose was to lay suspicions to rest by launching a broad-based counterattack against his critics. The morass bunch became the Mystic Clan of the Confederacy with agents scattered from Maryland to Louisiana, many of them apparently respectable like Stewart's traducers. A list of clan membership included not only the names of known or suspected criminals but also those of many of his critics. The slave-stealing ring of the trial became a shadowy

organization dedicated to revolt and plunder in the narrative, its members bent on Stewart's destruction from the time they became aware that Murrell had given him their names.

4. The unforeseen consequence of publication, the Mississippi crisis, and the coincidence of the postal campaign were occasions for the final enlargement. The distrust that always surrounded him had refused to go away. Riding a crest of popularity in Mississippi, he set out to gather evidence that would silence his enemies once and for all. The result was publication of a second edition of the narrative in which the "ruffians and robbers" scheming to lay waste to "cities and villages" of the first edition became agents of "a poisonous swarm from the 'great northern hive' of fanatics and incendiaries."⁹

Although Stewart never succeeded in dispelling the suspicions that followed him everywhere, indeed in time even his admirers in Mississippi had second thoughts as the epigraph at the beginning of this chapter illustrates, the Murrell legend was firmly launched. The recipe for tiger soup begins, "first catch a tiger." Stewart improved upon the formula. He caught a mangy alley cat and stewed it in a broth of his own seasoning. Believing it was tiger soup, many have sung his praises. This alone rescued him from total failure; he never fooled all of the people all of the time, but of some of the people some of the time there is no question. He was, when all is said, a successful humbug.

9. Howard, *History of Virgil A. Stewart*, p. 90.

Essay on Sources

The records, manuscripts, and printed materials used in preparing this book for publication are listed in the footnotes. It would be needlessly repetitious to repeat them all here. But some materials would obviously benefit from further discussion in a bibliographical context.

County records were important sources. Wills, deeds, marriage bonds, county and circuit-court minutes, and other records of county administration and justice were searched (where relevant) for every middle and western Tennessee county. Much of this material is on microfilm in the Tennessee State Library and Archive in Nashville. In many cases, for various reasons, records had not survived. The most useful were those for Williamson, Maury, and Madison counties.

Although I found a good deal of scattered material on the Murrell family, I also learned there was a reason the outlaw had remained obscure for so long. Many hours of digging had produced a small hoard. Prospects improved only when I left Nashville and its library behind. In the little town of Franklin, stored in the "Old Jail," I found the miscellaneous records of the county and circuit courts for Williamson County. This was the raw material of county justice, stored in boxes, never classified or microfilmed, and possibly never before examined by a scholar. It included depositions, bills of cost, warrants, charges, grand jury indictments, and the details of civil suits. It was full of material on the Murrells and Crenshaws from the earliest days of the county. In the basement of the courthouse were other records, including docket and judgment books, missed by the microfilmers. The Franklin material made possible the reconstruction of Murrell's career found in Chapter One.

Another satisfying discovery was of certain Madison County records missing in the Nashville archive. In the back

room of the Jackson, Tennessee, police station, stored among retired traffic signs and other constabulary "junk," I found records of the Madison County Circuit Court that previously had been thought to be lost or destroyed. Across the street in the basement of the building housing the Western Division of Tennessee's supreme court were the records of Murrell's two appeals. These discoveries enabled me to reconstruct the circumstances of Murrell's two trials in Madison County.

The search in Mississippi for material on the insurrection scare produced no surprises comparable to the search in Tennessee.

I have no doubt that professional folklorists will conclude that I have often taken the name *folklore* in vain. In my investigations in rural Tennessee, I made no use of the tape recorder and other paraphernalia of the science. I conversed with many people, including farmers, storekeepers, authors of county histories, local librarians, and genealogists. I remember this as the most enjoyable part of my research. But I made only summary notes of things that, at the time, struck me as interesting.

I make no apology for this contemptible procedure. I was not writing a book about Murrell folklore. It was in fact tangential to the study as a whole. If no oral tradition had survived, my conclusions about the Stewart pamphlet would have been the same. They were based on internal analysis of the narrative and on the written sources.

But there was another reason, too. Oral tradition about Murrell is divided into three groupings: (1) those skeptical of the Stewart account; (2) those that accept it without serious misgivings; and (3) anecdotes that could belong to either of the first two groupings. However, the first two are all but extinct as oral traditions. Stewart is no longer a household word in Tennessee. His narrative is all but forgotten. The opinions of those who once believed in its authenticity must be sought in the reminiscences of an earlier generation. Typical of such works is Joseph S. Williams, *Old Times in West Tennessee: Reminiscences . . . by a Descendant of One of the First Settlers* (Memphis, Tenn.: W. G. Cheeny, Printer & Pub-

lisher, 1873). Williams was a contemporary of Murrell. See also Charles M. Williams, *The Old Town Speaks* (Houston, Tex.: Anson Jones Press, 1951).

The skeptical point of view had a somewhat longer life. Earlier in this century, Stewart's memory was still green. Preserved in the Tennessee State Library and Archive, there is a letter written by John L. Jordan in response to a brief note in *Collier's Weekly* (20 March 1937) that had described the "Murel Gang" as the "largest band of criminals in the history of the United States," which when captured was about to invade New Orleans. The letter is full of material reflecting a view of Murrell still extant then in parts of his home county. "My grandfather John King was born in Williamson County in 1808 and died there in 1897," Jordan wrote, in part. "During my youth I read the Virgil A. Stewart life of 'Murel' in his library. When I sought to discuss the book with him, he stated that, it was full of errors and that Murrell was only a thief, who stole horses and negroes, and that his operations were not extensive. That some one came to his home selling this book and he bought it and he discussed it shortly afterward at Franklin, with several men who knew both Murrell and his father, and all agreed the book greatly exaggerated Murrell's deeds. That many regarded John A. Murrell as lacking in physical courage, and he was never regarded as a highway robber."

These voices have fallen silent, and for that reason most of the folklore actually used in this study was that which found its way into written sources, such as newspapers, diaries, memoirs, and other memorabilia, all of which is cited at appropriate places in the text.

The third grouping of folklore still thrives. One could easily spend many months visiting caves where the outlaw allegedly cached stolen horses, springs and natural bridges where one or another of the brothers claimed a victim, churches where John preached, and so on. Stories that claim Murrell reversed the shoes on horses to elude pursuit still live. Most such tales are about horse stealing; ones that center on slave stealing are rare. Very little of such material found its way into this book, which, when all is said, is not about Murrell anyway but about the evolution of his legend.

Scholars have discussed the Mississippi insurrection scare in a variety of contexts, ranging from a few lines to several pages; the longest is article length. Some writers have accepted the reality of the insurrection. See Joseph Carroll, *Slave Insurrections in the United States, 1800-1865* (Boston: Chapman & Grimes, Inc., 1938); Herbert Aptheker, *American Negro Slave Revolts* (New York: Columbia University Press, 1943); Harvey Wish, "American Slave Insurrections Before 1861," *Journal of Negro History* 22 (July 1937):299-320; Marion D. Kilson, "Towards Freedom: An Analysis of Slave Revolts in the United States," *Phylon* 25 (Summer, 1964):175-87; Davidson B. McKibben, "Negro Slave Insurrections in Mississippi, 1800-1865," *Journal of Negro History* 34 (January 1949):73-90. Other writers have tended to beg the question. See Edwin A. Miles, "The Mississippi Slave Insurrection Scare of 1835," *Journal of Negro History* 42 (January 1957):48-60; Richard Maxwell Brown, *Strain of Violence* (New York: Oxford University Press, 1975), pp. 105-6. Eugene D. Genovese, *From Rebellion to Revolution* (Baton Rouge and London: Louisiana State University Press, 1979), apparently belongs in this category of fence sitters, but should have one to himself. He claimed the whites who were hung in Livingston were trying to protect the blacks who were hung. Clement Eaton was skeptical of the insurrection scare, which he called a white "hallucination," in *Freedom of Thought in the Old South* (Reprint ed. New York: Peter Smith, 1951). Two so-far unpublished papers deserve mention because of the research that went into them. Laurence Shore, "Making Mississippi Safe for Slavery: The Insurrection Panic of 1835," and David Grimsted, "Myths of Docility, Fantasies of Violence: The Mississippi Slave Insurrection Panic, 1835." Grimsted is the only one of these authors to probe very deeply into the relationship between the panic and Stewart's narrative.

Philip Jordan's work, *Frontier Law and Order* (Lincoln: University of Nebraska Press, 1970), is the best history of crime and violence in the Mississippi Valley in the pre-Civil War era; indeed, there is nothing close to it in reliability and usefulness. Nevertheless, the reasoning in Jordan's account of the Mississippi panic is weak. The relevant chapter is

entitled "Lincoln and Mob Rule," in which he takes Lincoln to task for being against.

In a famous "Address Before the Young Men's Lyceum of Springfield, Illinois" on 27 January 1838 (see p. 151), Abraham Lincoln said of the Mississippi crisis: "In the Mississippi case, they first commenced by hanging the regular gamblers: a set of men, certainly not following for a livelihood, a very useful, or very honest occupation; but one which, so far from being forbidden by the laws, was actually licensed by an act of the Legislature, passed but a single year before. Next, negroes, suspected of conspiring to raise an insurrection, were caught up and hanged in all parts of the State: then, white men, supposed to be leagued with the negroes; and finally, strangers, from neighboring States, going thither on business, were, in many instances subjected to the same fate. Thus went on this process of hanging, from gamblers to negroes, from negroes to white citizens, and from these to strangers; till, dead men were seen literally dangling from the boughs of trees upon every road side; and in numbers almost sufficient, to rival the native Spanish moss of the country, as a drapery of the forest."

Jordan ignored most of Lincoln's indictment; he concentrated solely on the hanging of the Vicksburg gamblers. He chided Lincoln for missing the point; for failing to understand that the gamblers were a numerous and dangerous element who "supported tippling houses, roamed the streets in armed groups [who did not go armed in Vicksburg?], disturbed public meetings, insulted citizens, and defied civil authority." They were not hung, Jordan said, because they were gamblers, but for shooting Bodley. This is a curious conclusion. Bodley was shot by men being attacked because they were gamblers. Jordan also thought that Lincoln failed to understand the utility of mob violence: "It was necessary to utilize violent and illegal methods in order to achieve peace and social stability." In this tough-minded stance, Jordan may have discouraged carping critics tempted to call him a mealymouthed liberal. But Lincoln need not haul down his colors. His judgment that the Mississippi events were "dangerous in example, and revolting to humanity" still holds the field.

In this matter, Jordan's work is close to Richard Brown, *Strain of Violence* (New York: Oxford University Press, 1975). Both historians believe that large and numerous criminal bands constituted a genuine threat to the culture and material well-being of established society, a threat the courts and police were quite incapable of containing. At the very least, this is questionable. The killings in Mississippi resulted from an illusion of danger rather than a genuine threat. The work of both men, but especially Jordan's, illustrates the problems that arise when historians rely too heavily on evidence derived from the regulators themselves or from their sympathizers. These were people necessarily engaged in self-justification. The Vicksburg hangings are a case in point. The newspaper of that little river town presented a very one-sided case. But the running account in the *Vicksburg Register* is not the only description of what happened. That of two eyewitnesses, first published in the *Louisiana Advertiser*, and reprinted in the *United States Gazette* (29 July 1835), throws a somewhat different light on the hangings.

Some difficulty arose at the public dinner given in celebration of the 4th of July, between Mr. Fisher, who belonged to the volunteer company, and Mr. Francis Cobler. From words they proceeded to blows. Mr. C. having drawn a knife upon his opponent, the company, taking the part of their comrade, seized him, bound him to a tree, and inflicted thirty two lashes on his person!

Not considering this sufficient they tarred and feathered him, alleging that he was a gambler; he entreated them to shoot him rather than disgrace him in that manner, and begged of them not to let the tar fall into his eyes as they poured it over his head; but the person he addressed, instead of complying with his request struck him violently with a stick across the eyes. He was then released and ordered to quit the city in 24 hours.

The next day, in order to appear consistent, & continue their work of civilization (as they called it) they went forth armed, in military array, to pull down, tear out, and demolish every thing appertaining to gam-

bling, and to tar and feather any who should oppose them!—law, or no law, notwithstanding! Some wished to protect their property, but their hearts failed them, when they saw the state of excitement of the volunteers. One at length determined to stay in Mr. North's house to protect himself from being tarred, and to secure the house and grocery from destruction. He had fastened the doors, but on Dr. Bodley's kicking one of them open, some shots were exchanged; the consequence of which was, that the doctor was killed upon the spot and one of the inmates of the house, a person named Cul-lum, or as we have heard since, Helms, was so wounded as to have been totally insensible to the subsequent punishment inflicted on his body, whilst suspended with the rest upon the gallows. He was hauled upon a dray and thrown upon the scaffold disfigured as he was and covered with blood.

Three more individuals were taken in the house, the bar-keeper, called Dutch Bill, Mr. Samuel Smith, and Mr. McCall. North, who had previously quitted it, and was endeavoring to make his escape by water, was arrested about a mile from the city and brought back; his hands were tied behind him, and he was obliged to walk with the rest, who had been similarly bound; each having a rope around his neck, which was frequently jerked so violently as nearly to choke them! In this manner they were conducted to the scaffold, which is a permanent building, and executed without further interruption! No cap, nor other covering was used, and the unfortunate sufferers presented such a horrible appearance, that the passers-by were moved even to tears! Some of them endeavored to interfere, but were threatened with a similar punishment, and obliged to desist!

These unfortunate men claimed to the last the privilege of *American citizens*; the trial by jury, and professed themselves willing to submit to any thing their country would legally inflict upon them, but we are sorry to say, their petition was in vain! The black musicians were ordered to strike up, and the voices of the supplicants were drowned by the fife and drum. Mr. Riddell, the cashier of the Planters' Bank, ordered them to play Yankee Doodle! a tune which, we believe, has

never been so prostituted before—and we trust will never be again. The unhappy sufferers frequently implored a drink of water; they were refused! Mr. North seems to have had some presentiment of the violence to which they would proceed, as he requested a friend of his, Mr. Mitchell, to protect his family if any thing happened to him.

Dr. Bodley's brother, or Mr. Hest, his brother-in-law, is stated to have cut the rope, by which four of the unfortunate men were launched into eternity. Mr. Winfield threw the nearly lifeless body of Helms (or Cullum) from the scaffold, which presented a sight shocking to humanity!

The company consisted of 30 or 40 persons, commanded by Captain Baumgard, and armed by the United States for a very different purpose, that of protecting their fellow citizens, and maintaining the supremacy of the laws. Such conduct would disgrace Algiers, and could hardly have occurred in a barbarous state.

The wife of one of the sufferers, half distracted at the cruel treatment and murder of her husband, trembling for her own safety, in tears begged permission to inter her husband's body—it was refused!—She was afterwards compelled to fly, with her orphan child, in an open skiff, for her personal security.

The same fate was threatened to any person who should dare to cut down the bodies before the expiration of the twenty-four hours. At eleven o'clock the next day they were cut down and thrown together into a hole which had been dug near the gallows, without coffins or any other preparations, except a box in which one of them was put.

There are differences of detail in this account, of course; there are discrepancies in all the newspaper stories. The writers may or may not have been part of the gambling fraternity. But their account makes it difficult to be categorical in one's conclusion that the gamblers were the chief threat to order in the community. It closed with the statement: "We understand the magistrates attempted to interfere, but were cautioned at their peril not to intermeddle in

the affair." Jordan and Brown are correct in their belief that the police and courts were unable to deal with the threat to public order, but it is valid to wonder if the regulators were a greater threat than the criminals.

Brown's *Strain of Violence* is a reliable history of the regulator movement in America, and a useful demonstration of how conservative impulses can have radical results. But the book is flawed by a half-baked historical Lamarckism and the use of analogies drawn from the work of Konrad Lorenz and sociobiology. He believes, for instance, that "repeated episodes of violence . . . have imprinted upon our citizenry a propensity to violence." Nor do I have much confidence in his apparent assumption that America is a uniquely violent society.

In Chapter Seven, books about Murrell were selected for discussion because of the role they played in advancing or perpetuating the legend. About the only thing left out that might have been included in this regard was Samuel A. Hammett (Philip Paxton, pseudonym), *A Stray Yankee in Texas* (New York: Redfield. 1853), and his "Uses and Abuses of Lynch Law," *American Whig Review* 12 (November 1850):494-501; 13 (March 1851):213-19. Apparently, many of those scattered in the purge of 1835 migrated to Texas. Whether they were members of Murrell's clan, as Hammett supposed, is another question. Hammett also had Murrell dashing to Texas in pursuit of Stewart after his release from prison. His is one of a variety of tall tales that claimed Murrell resumed his criminal career, rather than coughing out his life in Pikeville.

Among those writers who have approached the legend with a grain of salt, local and often amateur historians have the best record. Park Marshall, whose article is cited in the Introduction, is a good example. Skepticism has the upper hand in Emma Inman Williams, *Historic Madison* (Jackson, Tenn.: Madison County Historical Society, 1946). Against overwhelming odds, skepticism struggles to surface in James Phelan, *A History of Tennessee* (Boston: Houghton-Mifflin, 1888). For thorough scholarship, see Larry D. Ball, "Murrell in Arkansas: An Outlaw Gang in History and Tradition," *Mid-South Folklore* 6:3 (Winter 1978):65-75.

Representative of other authors who like Coates swallowed Stewart whole are Martha McCulloch-Williams, "John Murrell and His Clan," *Harper's New Monthly Magazine* 94 (January 1897):302-8; John M. Keating, *History of the City of Memphis and Shelby County, Tennessee*, 2 vols. (Syracuse, N.Y.: D. Mason & Co., 1888); James R. Aswell, "America's Worst Badman," *American Mercury* 77 (October 1953):68-73; and Russell B. Nye, *A Baker's Dozen: Thirteen Unusual Americans* (East Lansing, Mich.: Michigan State University Press, 1956).

Two novels in which Murrell figures as a central character are Vaughn Kester, *The Prodigal Judge* (New York: Grosset & Dunlap, 1911) and Harry H. Kroll, *Rogue's Company* (Indianapolis: Bobbs Merrill Co., 1943).

There is little point in a comprehensive list. A good deal of mediocre material has been written about Murrell. The extensive writing to be found in newspapers from the 1830s to the present would be too cumbersome.

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