

## A CENTURY OF REMINISCENCES

By William M. Dubard, as  
related to his grandson,  
William A. Lomax

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Born on November 8, 1847 and writing these memoirs in 1943, it has been my privilege during my life time to witness three great periods or eras in the history of my native Mississippi.

As a child and boy I remember something of the life of the old South before the War between the States; as a youth I participated briefly in that war and in the succeeding period of Reconstruction,--a time when our people had to change from the old to a new form of life; as a matured and then aged man I have witnessed the modern age of invention and great physical development of the country.

My boyhood days were spent on the family plantation, about two miles south of Dubard Station in what is now Grenada County, Mississippi. The old house at home! I can see it now. A great rambling house with wide halls and galleries, set back some three hundred yards from the meandering public road leading to Grenada, some eight miles away. Clustered about is a beautiful grove of hickory and oak where I played and gamboled as a child. There is the old fashioned dining room, the pride of Aunt Martha, one of our negro slaves. Under the old house is the big cellar in which is stowed away from 400 to 600 bushes of sweet potatoes, while another cellar contains barrels of molasses, sugar, lard and flour. Just north of the old kitchen is the fattening pen for some twenty chickens selected from the drove of several hundred that rove about the grove and not far away is the dairy with jar after jar of milk and butter that Aunty Lucy has put away.

South of the big house and connected by a portico and broad brick walk is a two room structure known as the "preacher's house," the especial home of the circuit rider and other goodly company which come this way. About the yard are shrubbery and fruit trees among them the old fashioned quince and damson plum. Westward is a great hewn log room,



some twenty feet square, where the laundering is done, and close by is the "smoke house." Now we stroll across the road to the garden, past the strawberry bed and the raspberry bushes which surround it. Looking over the garden palings we see the orchard containing several acres of splendid fruit trees of various kinds. Near the garden gate is the carriage and buggy house, while about 200 yards north are the lot, barn and stables. The two splendid grays you see are the carriage and buggy horses, while the two fat beautifully matched mules are Polly and Fan, which my brothers Landon and Green ride. That little clay bank horse is Henry. All of us learned to ride on him and we who are small ride him still. Near the lot is the workshop, and then begin the row of negro cabins where the slaves live. More remote are the fields which are cultivated in cotton, corn or produce. Generally, we only cultivated the richer lands located along the creeks and branches.

Our home was not the typical old mansion house that supposedly symbolizes the south "before the War", with its beautiful drive-way sweeping up to majestic stone columns such as Natchez or Charleston boasted but it was commodious and livable.

My father was of tall and noble frame, possessed of a stern and sober mien and a tender, gentle and loving disposition. I always felt that my father understood, sympathized with and trusted his boy, and that fact was my anchor in the years which tried my early young manhood, years that were so full of difficulties. Whatever I may have accomplished in this life are due to him and his trust in me. My frail sweet mother who was so good to us all; how I regret that I ever lost an opportunity to sweeten and give joy to her life! To her children and servants she was a veritable angel of mercy. Earth was too poor to give her proper reward, but if the pure white soul can attain it, she has found it in the bright beautiful beyond.

Our community was known as Spring Hill and in that period it was a fine and prosperous neighborhood. In that generation Mississippi possessed several grades of society; the aristocrats and large slave owners; many plain and straightforward people who owned some slaves; illiterate white people who possessed little or nothing and the negro slaves. Only one of our neighbors did not own a slave and slaveownership fixed one's status in the community.

Seven years old and off I went to school. The school house was a one room log cabin located near the church at Spring Hill, some three miles away. No Uncle Tom in immaculate livery drove us behind a fine team nor did the district provide busses; we walked to and fro each day. I attended three ten months schools and my formal education was over. The teacher was hired for a term and all the surrounding neighbors contributed as each was able toward his salary. He instructed in everything from ABC's to philosophy and made his home with various neighbor families, living a month here and a month there.

Text books long since forgotten except in story and fiction were used. McGuffey's Reader, the Blue Back Speller, and Smith's Grammar were standard in the early grades. Grammar was learned by heart and quoted: "What is a noun"; "a verb must agree"; "the pronoun them should not be used in place of these or those".

The attending scholars were a heterogeneous group. Little tots of five sat side by side with gangling youths of 21. All the students had copy books practicing the writing put at the top of the page by the teacher.

I recall my three teachers. One came from Pennsylvania while another was a Southern man. Best of all do I remember Mr. Gilbert from Vermont. He made me think for myself; he was unconcerned about a pupil learning by heart the language of the text book but preferred recitations in one's own words because then one understood. At the close of the term Mr. Gilbert went back to Vermont and joined the Union Army.

With the coming of war, we had no more school and the mothers of the community tried to instruct their children as best they could. At the close of the war I attended school for a short time near Coffeeville, Mississippi. Mr. Miller, the teacher, instructed a large crowd of men, women and children and in pleasant weather recitations were held in the open under large shade trees. The last two months I heard classes for him and assisted in teaching.

As a boy I did a great deal of promiscuous reading. Every family possessed a few books and I went from house to house borrowing and reading everything each family had. Contents did not matter: fiction whether wild west stories or Dickens, poetry, history, all

were devoured with equal fascination.

Grenada was then a small village but it was the trading center of people for miles around. Its name was probably derived from the old Spanish town in "the Last of the Moors". The trip to town could not conveniently be made in a day's travel for many country people and frequently whole families from adjacent communities would stop off at our house to spend the night. On such occasions we utilized the "preacher's house", if available, or provided rooms and food. Our table was a bounteous one in those days.

Public travel was almost entirely done by stage coach. The line ran from Grenada out through Jefferson and on to Carrollton and Lexington. Stations were located several miles apart where the horses could be changed. The first railroad into Grenada was the Mississippi Central, from New Orleans to Jackson, Tennessee, which was built about 1855. The railroad from Grenada to Memphis was built just prior to the War, and the two roads crossed over the Yalobusha River on two separate trestles. Soon they were combined and were known as the Miss. and Tenn. Railroad. We had telegraph service at the time and the lines ran from tree to tree through boxes.

Spring Hill community provided two churches. The Methodist Church was erected first and later came the Presbyterian, about two miles distant. While our family were Methodists, services were held on alternate Sundays in one of the churches and we attended both, as well as both Sunday Schools. The first Methodist Church building on the site that I remember was a one room structure although it was the second one constructed. The men and women sat on opposite sides of the building, which was in accordance with the Methodist Discipline of the day. Not until 1870 did the Methodist Church approve family sittings. The darkies sat in the back of the church, with small doors across the aisle separating the two races. After the white people had communion, the negroes went to the communion rail and were served.

Looking back at the church people of the day, in many ways I regard the old Presbyterians as our most intelligent and cultured citizens. I recall that their protracted meetings were generally staid and sober, while the Methodists shouted like the Holy Rollers

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of today. So many Methodists practiced the doctrine of backsliding, repenting and starting anew.

Regeneration, Conversion, Repentance and Sanctification were the subjects of sermons of the period with our preachers. Oftentimes the preachers made their home with us in the preacher's house and in the evenings they talked and taught as we children sat by in respectful audience. Secession, State's Rights, the Constitution-- these were the topics about which the conversation ebbed and flowed in those days. I'm glad to have heard those discussions and conversations as a boy. These days I hear my grandchildren and other young people talking about football games, movies and funny papers. Civilization does not always bring progress.

When I was a little chap, I remember seeing my first fair in Grenada. Living in our community were two young women, famed for their beauty and their ability as horseback riders. I recall they rode in a parade at the fair, sidesaddle fashion, with long flowing skirts covering their ankles. Some of the older ladies criticized the girls for appearing in the parade, calling it fast and practically immoral. I thought <sup>those</sup> girls were the prettiest things at the fair.

As a child, many of my most pleasant recollections centered around the darkies on the place. I remember crippled old Uncle Peter, a slave on the adjoining Nason place, and Aunt Eva, who cared for the children, white and black, on our place. When they got married, all the negroes from both places gathered and decorated up the ironing house for the ceremony. The white folks were there too, both Nasons and Dubards. I recall old Aunt Lucy, who used to milk the cows every day over on the slope of the hill. Each morning when she went out to milk she called all the little children about her for morning prayers at the foot of an old oak tree. Beyond this big and broad oak was the cabin of Uncle Ed and Aunt Melindy, where on many nights I listened to most entertaining ghost stories, and afterwards crept into bed shivering with fear.

Before the war there was considerable entertainment among the young people of the community. At some houses they danced, while other homes disapproved. I recall a big storm party, as we called them, at our home. We had killed a beef and had a large

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crowd present. The early part of the evening Father came in and greeted the guests. He announced that we were in the habit of having evening prayers and had one of the boys read a chapter from the Bible. Following the reading, he wished all present a happy time and departed. Of course, at most places the young folks came as close to dancing as possible, without actually doing it, carrying on with "Old Sister Phoebe", which consisted of a march and song.

In those days I dreamed about what I was going to do. I desired to be a lawyer but felt that a college education was necessary. I read Blackstone's Commentaries and could have lived on the farm, practiced law and made a living. Like so many people, I found life so much more pleasant and comfortable by taking the easiest course and drifting and consequently never attempted the legal profession.

My advice to the young people of today would be: Go to school. Get the best education you can. If you can't even get the fundamentals, get hold of yourself and you can compete anywhere. I have seen a great many commonplace people in high places; so often the dullards go up and the boys with opportunities go down. Too few of us remember the old adage, which I consider the paramount law: "Unto him that hath shall be given and to him that hath not shall be taken away even that which he hath". Unless I use my hand, it will wither away and the same is true of the mind and every bodily organ. Use what you have, otherwise you lose even that.

I sometimes feel that the world is getting too organized against independent thought and investigation. Our legislatures are insisting too much on formal education as a prerequisite to some of the professions. Our schools are insisting on a set curriculum of just certain subjects and some of the best talent in the land is being lost by too much regimentation.

The Civil War broke out when I was a boy. Four companies were organized from Grenada. The first was the Grenada Rifles, Captain Statum commanding. I had a half brother in that Company, Harmon Dubard, then about twenty-two years old, a fine and handsome man. He died in the camp at Corinth, the first casualty from the County. A committee of soldiers came home on the train with his body, and I never hear a train whistling for Grenada that I don't think of that train bringing Harmon home. He was buried in the old cemetery

at Spring Hill Church.

About the same time a company was organized in Coffeeville, of which Aldrodgo was Captain and Walthall first lieutenant. The old Grenada Rifles and the Coffeeville Company were consolidated in the famous 15th Mississippi Regiment with Statum as Colonel and Walthall as Lt. Colonel, and before the war was over both were generals.

The second company organized locally was Stanford's Battery, an artillery unit. My half brother Adam Fletcher was in that company as sergoant and commanded a gun in the battlo. Of course during all this period we at home had little to read and knew less about what was going on. Somewhæt later the Memphis Commerical Appeal left Memphis when the Fedorals captured it and came to Grenada. The paper kept ahead of the Union Armies during most of the war. Later the Yankees took Grenada, burned the railroad bridge and the Appeal began its travels again.

The third Company organized in Grenada was Rayburn's Wig-fall Guards, under Captain Rayburn, the fourth company was organized in 1863 and was made up largely of boys and some old men. It was first a unit of the state militia under the command of J.Z. George and operated in North Mississippi and Tennessee. Reorgan-ized early in 1864, it became a part of the regular Confererate army. I was the youngest boy in the crowd and we participated in various forays around Memphis, Jackson, Tenn., and Corinth. We were a calvary unit, first Company G, then Company K of the Third Miss. Regiment, with McGurk as Colonel and Turner Captain of the Company. My brother John T. Dubard was 1st lieutenant and John Griffis was 3rd lieutenant, Each of us furnished his own horse and equipment and we finally surrendered with Gen. Wirt Adams Bri-gade in 1865 at Greensboro, Alabama.

In that City I had met one of its residents, a Dr. Washing-ton, formerly of Grenada County. John Griffis and I spent the night after the surrender at his home and the next day both of us were down with the measles. After recovering, we came home on the train by way of Jackson and Canton at the expense of the Government.

I got home to find the darkies playing and frolicing. Many of the negroes on our Delta place had left when General Grant's

fleet came down the Goldwater and Tallahatchie Rivers to Fort Pemberton, but most of those on the home place in Grenada County (then Yalobusha) were still there. After the war retraining farmers generally started using the sharecropping arrangement with their former slaves. My father refused to use the system and hired them by the day. He said he had sunk pretty low, but not low enough to go into partnership with his slaves.

It is an awful thing for a family, community or country to go from wealth to poverty overnight. Our slaves were free, our best people slain on the battlefield, and martial law was the order of the day. The whole situation made for radicalism.

That year we made a little crop but it took it all to pay the negroes. The entire picture of life before the war was changing rapidly. People in the country began to move to town. Honest people began to use the bankruptcy law. People lost their farms, although some managed to save part of their places. The slaves were free and that made the difference between prosperity and the lack of prosperity. People had to mortgage their crops, which had never been customary. The old ways of banking and doing business generally were radically changed.

Based on my personal experience and recollections, much that was written of the Reconstruction period was untrue. I belonged to the old Ku Klux Klan and all we ever did was to ride out and scare a few negroes. They would crowd up to vote at the polls and voted their way, but under all the conditions they behaved fairly well locally. We had four negroes and one white man on the Board of Supervisors in this County and also had a negro legislator. Federal Troops were stationed in Grenada College for a while. One Pennypacker was in command and one morning several dead troopers were found, murdered during the night.

Of course after the Civil War most people wanted to keep things as much as possible as they had been before. We wanted to have our slaves in everything except name. The preachers of the period used as a frequent text: "Servants be obedient to your Masters" and declared that slavery had been the Lord's method of bringing these people from Africa in order to improve and civilize them.



During the War we had some 200 bales of cotton, then worth 50 cents a pound, stored in a shed at our Gold Fob plantation in what is now Quitman County. General Chalmers of the Union Army had issued orders that all cotton be burned, so we moved and hid our cotton. Later when the Fleet came down en route to Fort Pemberton, it was discovered and carried away. We later discovered that some of it had gotten into possession of private parties and Father filed suit and the case was tried in Springfield, Ill. before Judge Davis, who, I think was later on the U.S. Supreme Bench. My father was placed on the stand and opposing counsel inquired as to whether he had been loyal to the Union during the War. Judge Davis rebuked the lawyer and instructed Father to disregard the question, as the suit was purely a property matter. Father was represented by Stuart, Edwards and Frown, and we compromised the case for \$2,700.00 about 1867. I remember Father came home thinking more of the Yankees because of the Court's fair attitude.

My father died when I was 18. We possessed little then beyond a few worn-out mules and a good deal of poor land. The property was gone and my dreams of going to college and becoming a lawyer were over. It was necessary to make a living. Although only 18 under the law I could serve as executor of the estate. My mother was named as co-executor but her health was poor and she declined. I made a \$3,000 bond with Mr. Peacock and an older half-brother signing as sureties. Coffeeville was the county seat and Judge Gray was the Probate Judge. He was a kindly and great man and I revere his memory. He was most thoughtful and helpful to a bewildered boy in the long ago.

Through the years any success that I may have achieved financially has been due, in a large measure to the cooperation and assistance of negroes. I never had a white overseer or manager on any of my farms. In many cases the negroes would divide up the corn and the cotton and turn over my share and I don't believe I was ever cheated one penny. Many of them I remember most pleasantly and affectionately. Some of them became prosperous working with me, such as Lynn Clark, Payne Reid, Miles Epperson and Walter Johnson. Payne came to me with nothing and died with \$3,000 in

the bank.

Particularly do I remember John Brown, who came to me in 1878. He was one of the best Christian men I have ever known. Always a good worker, he was honest and straight-forward. Sometimes during a holiday period, or in the idle months when his debts were paid, he would get drunk and on many occasions I had to get him out of the calaboose. One morning he came to the house and said he had gotten religion and was joining the Church. After that he never drank.

John loved me and I loved him. He was the only man to whom I ever sold part of my home place. He wanted to buy and I gave him a deed to a parcel of land. Later he moved to Meridian and I bought his mules and gave him a fair price for everything. Next summer he got off the train at Dubard, money all gone, robbed by his kin folks, ready to start farming again. One day when we were getting along in years he met me at the station and took my bag over to the store. As we walked along he told me we were both growing old. He said: "Mr. William 'fore long one of us is going to cross over the River Jordan and rest in the shade of the trees. If you get there before I do, lay out the plantation, build the big house, and leave a little patch of ground next door for old John's cabin when he gets there." As I once told John, if I could plant people all around me, I'd plant him in the first row.

We had an agreement that whichever of us died first, the other would have the privilege of "saying some things" at the funeral. Some ten years ago at his services, I told a thing of George R. Stuart's;

In Dale County, Georgia lived a very wealthy man. One night as he was dreaming he heard a voice saying: "The richest man in Dale County will die tonight". Again and yet again he heard the voice and was greatly disturbed because he was considered the richest man in the county. The next morning a caller at the gate advised him that old Tom Smith, his tenant, had passed away during the night. Then he understood his dream because Tom Smith was a good and kindly man, greatly beloved by all who knew him."

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I told the group at John Brown's funeral that in my judgment they were burying the richest man in Grenada County. John was full of the contentment and human happiness of life.

About four years ago I assisted in winding up the estate of a negro, Reuben Donnelly. When I was 18, Reuben's father, Jack Donnelly, came to me and wanted to move out to himself. We had some old worn-out land which he wanted to buy and I sold it to him on credit under a verbal contract. A few weeks later, riding by the place I heard the sound of axes and observed one-armed Jack and two of his boys clearing ground. Later he came to me and said he had cleared some land, and built a house but needed a mule, which I sold him on credit. He went to work, shortly paid me for the land and mule and in a few years he was a prosperous man.

On his death bed he asked me to "fix up his business", and showed me a will prepared by a lawyer and asked my opinion of it. I told him it was a good will, proper and legal, but in my judgment could be more simple. I said he had a good boy in Reuben and should leave him in charge. So I wrote him a new will.

One night about 1937 I had a call from the Grenada Hospital that Reuben was seriously ill and wanted to see me. On my arrival he told me that he was dying and wanted to get his affairs in shape and requested me to draw his will as I had for his father. I explained that I was an old man now and would prefer that a lawyer handle it. So I brought a lawyer out and we prepared the will as Reuben wanted it. The will contained a provision that his children consult with me about all business matters, or if I was dead that they go to my two sons for advice. After his death, I helped the children divide up the property fairly. Reuben left over \$25,000 in cash in Grenada and Greenwood Banks and had some 800 acres of good land. Total court costs and fees were less than \$100.00.

In my opinion there is no such thing as fair history. The historian is rarely dispassionate and bias of one sort or another always colors history. If the historian writes many years after the period he is covering, he is compelled to rely on accounts and stories which were biased. Mass opinion is generally not worthy of trust. In my judgment we have crucified some of the best men we ever had in Mississippi.

Take Governor Brown. When he was 21 he was elected to the Mississippi / legislature. Then he served as Circuit Judge, two terms in Congress and at 33, the earliest possible age, was elected Governor. He was serving as U.S. Senator from Mississippi when the state left the Union and he and Jeff Davis resigned and came home. Before going into active service in the Confederate Army, he was elected Congressman to the Congress of the Confederate States and when the war ended he was a member of the Confederate Senate. Then he took the unpopular stand. He said: "The War is over, we have been beaten. Our slaves are gone and we must learn to live in a new world. Let us get our state legislature together, rescind the ordinance of secession and make new laws to fit the new conditions. Sentiment is going strongly against us in the North and we must hurry to Washington, make the best terms possible and get back in the Union."

Immediately the cry was raised: "He's joined the Yankees". Sentiment was against him. People were bitter and sullen and wanted to continue the fighting in spirit, without actual combat. It is said that Brown, once the most popular man in the State, died of a broken heart. Individuals, communities and even governments all go wild on occasion.

Governor Alcorn of Mississippi had the same ideas as Brown and the people tired to slaughter him later. It couldn't be done fully, as he was too big. I consider him the greatest governor the State has ever had.

Of course I am an old man now and prone to live in the past, but it seems to me that we had much greater speakers in the past, that we have today. I heard a great number of them on many occasions, men such as Ethel Barksdale, J.Z. George, Jeff Davis, Chalmers, Hooker, Walthall, and Wm. R. Barksdale. Senator George was not an orator but he was the most logical speaker I have ever heard. Self-made, self-educated, he was a brilliant man. Every word that he used was polished and complete and could not be replaced by another word without damaging the sentence structure and meaning.

Up until the past few years I continued my childhood habits of tremendous reading of both poetry and prose, although I never read the so-called modern novel and must confess that I never read

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a funny paper or comic strip, which appear so popular today. I think that the works I remember best at the present time are these: Victor Hugo's "Los Miserables", Milton's "Paradise Lost", Bulwer Lytton's "Lucille", Moore's poems, "Lalla Rook", Edward Bellamy's "Looking Backward," Ignatius Donnelly's "Caesar's Column", and Scott's "Lay of the Last Minstrel". True, its rather of a motley collection, some long forgotten, but I recall them very vividly.

The opinions of an old man now past 96, unable to read much more than the headlines of the newspapers and nursing the little life that he has left are worth but little, but in my judgment the worst thing that ever happened in this country was the third term election of Franklin Delano Roosevelt. George Washington refused to accept a third term and warned the nation against any one man serving too long. An unwritten law was smashed. No matter how good a man is or how good his intentions, it is too easy to build up a vast political machine and establish a virtual dictatorship. No one man is so indispensable. I believe the Constitution should be amended to prevent a possible recurrence of a third term. I can not refrain from adding that it was a sorry day for this country when Franklin Delano Roosevelt and his crew first took over the executive, the judicial and the legislative branches of our government. The old system of check and balances devised by our forefathers has been flaunted and destroyed. Yes, I've been a Democrat but I place good citizenship above party.

So, for almost a century I have lived here in Grenada County, Mississippi, as a boy, farmer and business man, and as an onlooker and spectator of the scene of life. I have observed an interesting period and must confess I would like to have an opportunity to see the New World which is generally anticipated after the present war. May it bring a greater degree of love, hope and kindness to the masses of the world.



# J. Doak Claimed By Death



Death claimed one of Grenada's most prominent citizens in the passing of Leroy John Doak, 68, Thursday evening, March 27, 1958, at Grenada Hospital. Services were conducted Saturday at 11 o'clock from All Saints' Episcopal Church with the rector, Rev. M. T. Engle officiating. Burial was in the family plot in Odd Fellows Cemetery with Garner Brothers Funeral Home in charge of arrangements.

Mr. Doak, a native of Grenada County, was the son of the late Mr. Robert Doak and Mrs. Pauline Gerard Doak. Born September 3, 1889, he was graduated from Grenada Schools and finished his education at a Business College at Poughkeepsie, New York. He served in the U. S. Navy in World War I. After the war he assumed the management of Doak Hardware Co., founded by his father in 1870. He later purchased the other heirs interest, and several years ago sold to Grenada Hardware. Since that time he managed his farm and raised cattle.

He was a devout Episcopalian, having served as Vestryman, when a young man, and for many years served faithfully as Senior Warden at All Saints' Episcopal Church. In the past he served on several diocesan committees and was ever alert and faithful in his church duties. He was prominent in civic affairs and in agriculture committee work, having served as chairman of Grenada County Soil Conservation District Commissioners, and was vice president of Grenada County Co-Op. He was a director of the Standard Life Insurance Co., and was a member of the Newcomer Society of North Carolina. He was a Shriner, member of the Wahahki Lodge, No. 100, and was also a director of the Grenada County Farm Bureau and a director of Grenada Bank. He was a charter member of Grenada Rotary Club and served as president one term.

Soon after World War I he married Miss Armarie Ellison, and they have both been esteemed members of the social, as well as business life of Grenada, and of Mississippi.

He belonged to the "old school" of southern gentlemen, and the dignity Mr. Doak acquired came most naturally to a man of his good breeding, his honor and courtly manners. He counted his friends among the elite and among the less fortunate and certainly among his many good colored friends.

An outstanding characteristic of Mr. Doak was his devotion to his family, his wife and his sisters. In recent years he lost two of his sisters, Mrs. John S. King and Miss Juliette Doak, and his devotion to them throughout the years of their illness was wonderful.

With the passing of Mr. Doak in Grenada we recall the historical facts concerning his great grandfather, who was the famed William M. Doak, who acquired the vast empire of Mississippi land through the Treaty of Doak's Creek over a century ago, during the administration of President

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L. J. DOAK  
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Andrew Jackson. Personal friend of Mr. Jackson, Mr. Doak entertained the president at his home, then located on The Natchez Trace, north of Jackson. The empire spoken of above, extended from Kosciusko across to Yazoo City, southward to Gulf of Mexico, and almost to the Alabama line and northward.

After his death this vast undeveloped empire slipped through the fingers of his widow and remained on historical maps of Mississippi. The Doaks Treaty of Doak's Creek is clearly marked.

Mr. Doak was a good citizen, one who served faithfully as a churchman, as a splendid business man and as an advisor for local and state civic groups. He will be greatly missed.

He is survived by his wife; two sisters, Miss Robbie Doak of Grenada and Mrs. J. P. Fisher of Jonestown, Miss. Also several nephews and a niece and some great-nieces and nephews.

Pallbearers were Messrs Frank and William Gerard of Winona, Bob Roy Fisher of Glen Allen, F. Fisher, Jr. of Indianola, Robert Handrahan of Birmingham, Gerard, Jr. of Memphis, John C. of Bude and Dr. R. B. Townes of Grenada.

Honorary pallbearers were Messrs J. H. Oliver, W. E. Jackson, A. M. Carothers, Fred Dally, Bob Hall, Walter Doty, H. L. Honeycutt, J. B. Perry, T. H. Meek, Dr. Gaines Cooke, Dr. Sam Caruthers, Dr. J. K. Avent, Sr., Dr. F. S. Hill, Lewis Marascalco, Walter Murphy, L. D. Boone, Jack Martin, Donald B. Theisman, J. L. Townes and E. J. Anderson, Jr.





Davis, David (b. Sassafras Neck, Md., 9 Mar. 1815; d. Bloomington, Ill., 26 Jun. 1886; interred Evergreen Cemetery, Bloomington), associate justice, 1862-1877. The son of a physician and plantation owner, Davis was born on the Eastern Shore of Maryland in 1815. As a boy Davis attended New Ark Academy for two years, where he read Cicero and Horace in Latin. At thirteen Davis entered Kenyon College in Ohio. After graduation he studied law and clerked for two years in the office of Henry W. Bishop in Lenox, Massachusetts. It was here that he met his first wife, Sarah Woodruff Walker, whom he married in 1838. (Sarah died in 1879.) In an effort to advance his career, Davis in 1835 entered the New Haven Law School, which had a tenuous association with Yale Law School. Davis studied at New Haven for less than a year.

Davis then headed west and opened a law office in Pekin, Illinois, in 1835. He was soon induced by a friend, Jesse W. Fell, to purchase Fell's legal practice in Bloomington, Illinois, where he moved in the fall of 1836 and remained a resident for the rest of his life. It was during this period that Davis met another Illinois attorney, Abraham \*Lincoln, whose friendship and political association would profoundly impact his life and career.

Davis had an abiding interest in politics and ran unsuccessfully for the state senate in 1840. In 1844, running as a Whig, Davis won a seat in the Illinois house. Three years later Davis was elected to the Illinois constitutional convention, where he championed the cause of judicial reform. Elected circuit judge in 1848, Davis served on the Illinois bench until his appointment to the U.S. Supreme Court in 1862.

In Illinois Davis and Lincoln were members of an itinerant bar that held court in several counties in the central part of the state during the late 1840s and early 1850s. The association between the two grew closer when Davis actively supported Lincoln's 1854 bid to become a U.S. senator. When Lincoln secured the Republican presidential nomination in 1860, his tireless campaign manager was David Davis. In 1862 Lincoln appointed Davis to the Supreme Court.

Davis's tenure on the Supreme Court was made notable by his majority opinion in *Ex parte \*Milligan* (1866). In *Milligan*, the Court held that the military trial and conviction of a man found guilty of paramilitary activity in support of the



David Davis

Confederacy was illegal, in part because Indiana, the place of Milligan's activities, was not the site of war and civil courts were available to try the case. Davis took pride in the Court's decision not to acquiesce to the interests of the executive and legislative branches.

In 1877 Davis resigned from the Supreme Court and served one term in the U.S. Senate, where from 1881 to 1883 he served as president pro tem. A loyal friend and trusted adviser to Lincoln, Davis was an industrious, pragmatic, and independent lawyer and judge. His significance should be measured not only by his carefully drafted opinion in *Milligan* but perhaps more by his contribution to the election of President Lincoln.

□ Willard L. King, *Lincoln's Manager David Davis* (1960).  
Gregory, Leyh

Jesse W. Fell -

Quaker parents

born near Phila., PA

great-grandfather of Adlai E. Stevenson (Gov. of IL) -



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# Sen. Jeffords Defects From GOP, Creating Era of 'Tripartisanship'

By DAVID ROGERS  
Staff Reporter of THE WALL STREET JOURNAL  
WASHINGTON—Vermont Sen. James Jeffords, a lifelong Republican and prominent Senate chairman, announced he would leave the GOP and help reshape a Senate under Democratic control for the first time since 1994.

Ending weeks of speculation, the 67-year-old lawmaker said he will become an independent but caucus with the Senate's 50 Democrats behind Sen. Tom Daschle of South Dakota, the future majority leader. The transition is expected to take effect June 5 after the Memorial Day recess, but the political fallout is immediate for a disappointed Republican leadership and President Bush.

"The historic 50-50 Senate now becomes history itself," said Mr. Daschle, promising to seek "principled compromise" with the White House in what he smilingly called a new era of "tripartisanship."

In a sign of good faith, Democrats allowed floor debate and a final 51-47 vote confirming Theodore Olson as solicitor general after his nomination had been deadlocked in the Senate Judiciary Committee. But the transfer of power still will be contentious next month when Democratic chairmen take charge and committees are reorganized with a one-vote majority.

Beyond Mr. Olson, the president has 15 federal-judgeship appointments pending in the Judiciary Committee, and conservatives are demanding that Democrats promise fair, nonpartisan consideration of these and other nominees. That is a flash point, given the GOP's own delay of scores of judgeships backed by the Clinton admin-

istration, but there already were threats yesterday to filibuster the reorganization resolution until some settlement is reached.

The sheer mechanics of shifting seats and staff will consume precious time for the administration, which is anxious to move ahead with its agenda. Until now, the Senate has been governed by a unique power-sharing resolution adopted this winter that will partially dissolve once Mr. Jeffords's decision takes effect.

Democrats will become chairmen, but the committees will revert to the same membership that they had when the last Congress ended in December. That means none of the freshmen—including Democratic freshmen—will have assignments for the moment, and the ratio of Democrats to Republicans on the various committees are a patchwork quilt, with Democrats in the majority in some cases and in the minority in others.

A new resolution must be passed to reconfigure the distribution of seats, and for all sides there is reason for quick action—but also the opportunity for political mischief. Republican Leader Trent Lott of Mississippi joked that Mr. Daschle may find being in the majority harder than being the minority. Sen. Larry Craig (R., Idaho), a member of the leadership and also a former

barbershop-quartet member with Mr. Lott, Mr. Jeffords and Attorney General John Ashcroft, did little joking at all. "I will not sing with Jeffords again," he said.

Mr. Jeffords, who had flown home to Vermont Wednesday night, made his announcement before supporters at a news conference in Burlington. He was most emotional in describing the hurt he had caused fellow GOP moderates, who will now lose chairmanships. But his remarks were an implicit indictment of the White House for not doing more—in his judgment—to foster diversity in the party.

"Given the changing nature of the national party, it has become a struggle for our leaders to deal with me and for me to deal with them," said Mr. Jeffords, adding, "In the past, without the presidency, the various wings of the Republican Party in Congress have had some freedom to argue and influence and ultimately shape the party's agenda. The election of President Bush changed that dramatically."

"It is only natural to expect that people like myself, who have been honored with positions of leadership, will largely support the president's agenda. And yet, more and more, I find I cannot."

What makes Mr. Jeffords's defection so unique is that it not only alters the balance of power of an already sitting Senate but goes against a sitting president of his own party. In the past, such independents have usually helped to stabilize power, such as in the 83rd Congress, when Oregon Sen. Wayne Morse, an independent, helped the GOP main-

tain control after the death of Majority Leader Robert Taft.

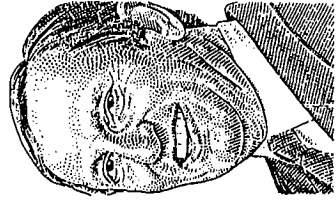
The closest parallel to today may be the 47th Congress in 1881, when the Senate began with 37 Democrats, 37 Republicans and two declared independents. But even then, the vote swapping broke down in a way that finally preserved power—rather than changed it.

One of the independents., Illinois Sen. David Davis, already had enjoyed a remarkable career as a Supreme Court justice and close ally of President Lincoln, but he chose nonetheless to vote with the Democrats in part to protest what he saw as the GOP's corrupt abuses of patronage. The second, William Mahone of Virginia, a high-ranking Confederate officer at the end of the Civil War, was a more natural Democrat but resented the landed powers in his party and led a populist "Readjuster" movement in his state.

President Garfield's White House sent flowers and also promised patronage to help Mr. Mahone try to build his base at home. When the Virginian stunned Democrats and voted to give the GOP effective control of the Senate—with Vice President Chester Arthur presiding—the freshman Sen. Mahone also was awarded the chairmanship of the Senate Agriculture Committee.

—Gary Fields  
contributed to this article.

**Journal Link:** Control of the Senate swings to the Democrats.  
Read the full text of Sen. Jeffords' announcement, in the online Journal at [WSJ.com/JournalLinks](http://WSJ.com/JournalLinks).



James Jeffords

