

THE GREAT HANGING

AT GAINESVILLE

THOMAS BARRETT

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THE GREAT HANGING  
AT GAINESVILLE

A REPRINT BY  
THE TEXAS STATE HISTORICAL ASSOCIATION



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Austin, 1961  
The Texas State Historical Association

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## PREFACE

As early as January, 1861, a unionist plan to dismember Texas was proposed in the *Southern Intelligencer*. This plan initially was to be operative in Cooke, Wise, Grayson, Collin, Denton, and other counties of North Texas if the state attempted to secede from the Union. There were no immediate results, but beginning in September, 1861, a secret "Peace Party" was organized in the North Texas area. The *Great Hanging* pamphlet is a participant's account of events in the fall of 1862, which verged on a reign of terror following the discovery by Confederate officials in Texas of the unionist sympathizers, their activities, and plans.

Traditionally the annual meeting program of the Texas State Historical Association contains a documentary item of particular historical interest in the Texana field. Thomas Barrett's *Great Hanging at Gainesville* was first reproduced as a part of the printed program for 1961. This account was suggested by Cooper K. Ragan, a member of the Publications Committee, an advanced collector on the Civil War, and a leading light in the Houston Civil War Round-Table program. Seymour V. Connor, Roger Conger, Walter Long, and Herbert Gambrell added strong insistence. This is the first separate reprinting of this remarkable account.

The offering, on this centenary of the beginning of the War for Southern Independence, is unquestionably timely. This publication and that of the program were made possible in a quite real way through the cooperation of that independent and constructive-thinking entrepreneur of The Steck Company, R. H. Porter.

The *Great Hanging at Gainesville* pamphlet, which is here reproduced, is one of the choicest titles of Texana and, perhaps, one of the rarest. Earl Vandale, the great Khan of Texana, probably suffered more in acquiring this item than with any other single one. Vandale ran advertisements for years in the North Texas newspapers and actually made lots of house-to-house calls in the countryside about Gainesville seeking a copy of this work. His persistency was finally rewarded when he located and purchased in the countryside east of Gainesville the copy here reproduced.

When Vandale finally acquired the *Great Hanging* pamphlet, he did one of the things he was much wont to do. He dispatched a telegram. This one was to Herbert Fletcher, bookseller and Texana-finder de luxe at Houston. The telegram read, "Have *Great Hanging*. Come see it." Naturally Fletcher had been seeking the item for Vandale throughout many years. The telegram was all that Fletcher needed. He got together hurriedly Matt Weeks, Dr. Henry Maresh, and Louis Lenz. The party set out by automobile immediately for Amarillo. Upon arrival in Amarillo the occasion called for a party in honor of the *Great Hanging* which was given by Bishop Laurence J. FitzSimon at the Amarillo Country Club. Following the party, Herbert Fletcher sat up the rest of the night reading the *Great Hanging*, after which he and his group returned immediately to Houston.

*The University of Texas acquired its first copy of the pamphlet in the Earl Vandale Collection of Texana. Within the past several months another copy has been acquired by the University from the Frank Caldwell Collection of Texana. Frank Caldwell also suffered mightily in acquiring, after searching for more than twenty years, one copy of the Great Hanging. Caldwell traded for his copy a brace of the finest pistols he ever owned. Sometime after 1936 the Library of Congress acquired a copy. These three represent all the known copies extant.*

*The printer who set the type for the original of The Great Hanging in 1885 apparently ran short of periods and also of some letters, for spaces exist in a few words and at the end of some sentences. These omissions have been corrected for the sake of clarity. They are the only editorial changes in the reprint.*

*The pamphlet is much in the folklore of Gainesville, Cooke County, and surrounding North Texas. Mostly the stories tell that in the post Civil War times it was unsafe to possess a copy. When the venerable C. N. Jones was approaching octogenarian standing, he told me that although he had been interested in Gainesville history through a long life, it had been only a few years before blindness overtook him that a lifetime friend took him to an attic, uncovered a Great Hanging pamphlet, and let him read it.*

*Although the pamphlet was "bad medicine" for years it is a valuable document of local history and of the Civil War. It tells its own behind-the-lines story and is probably as challenging in 1961 as the day it was published.*

*H. Bailey Carroll*

*Austin  
October 1, 1961*

—THE—  
GREAT HANGING

—AT—  
GAINESVILLE, COOKE COUNTY, TEXAS

OCTOBER, A. D. 1862.

—BY—  
THOMAS BARRETT,

One of the Jurors empaneled to investigate and decide  
on what was to be done with those men, in which  
a history of that whole affair is given in  
detail with the consequences  
resulting from it.

GAINESVILLE, TEXAS:  
JANUARY, 1885.

Title page of the Vandale copy of *The Great Hanging*

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## Introduction.

When a writer endeavors to write a history of any event, it is expected that he will give his reasons for so doing.

I shall give some of the reasons for writing the following pages:

In the first place, there is not one person in every thousand in the United States who understand this thing, and I will add that very few of the citizens of Gainesville and Texas understand much about it. The universal idea (almost) is that these men were hung because they were union men, which is not the fact, which the following pages will abundantly show. Do not be startled, reader, at this statement, for facts are stubborn things and never yield to opinions formed from uncertain rumor.

It being thought by many, very many, persons whose heads are level that the world should know the whole truth of this affair; and I being the only man who could give it in detail, I have been strongly urged for years to write this history. For reasons satisfactory to myself, I have refused till now. But I consider the time has come when it is not only prudent but necessary that a history in detail of this whole thing should be published to the world. And inasmuch as I was on that jury and a public man, being a doctor and a preacher, madam rumor with her thousand false tongues has represented me as being the very ringleader in that affair, when I was opposed to all that hanging from the beginning to the end. And here I would notify the reader that I shall often refer to the course I pursued in opposition to violence, for the reason that I did nearly all the speaking in opposition to violent measures.

There are several important circumstances which took place which cannot be fairly stated without telling what I said and did. This is my apology for telling my own course. No individual need be uneasy for fear his name should come out in an unfavorable way. I shall state circumstances and avoid calling names, that my history may leave every man where he is now.

To the people of the United States, this history is respectfully dedicated by the Author.

Gainesville, Texas, January 5th, 1885.

# THE GREAT HANGING

—AT—

Gainesville, Cooke Co., Texas

## CHAPTER I

The Great Hanging at Gainesville, Cooke County, October, A. D. 1862.

I want every reader of the following pages to read the introduction first as that will give him a fair introduction to the subject.

The war between the states, north and south, having existed more than a year; the war fever having risen to boiling heat; the Confederate congress passed the conscript-law. This law was very offensive to many and particularly to those who were afterwards members of the organization for which they were hung. In riding through the country I called at a steam mill and found about a dozen men; the mill was not running, so we had a good chance to talk. Some one named the conscript-law; its effect was like a spark lighting on powder; all was in a blaze of opposition as deep and as fierce as it was possible for it to exist in the human mind was plainly manifested.

After much talk and hard things being said, one man, who seemed to be a leader, boldly declared he was ready to head a company to resist the conscript-law. Up to this time I had said but little, but now I thought it was my time as I had their confidence and was the family physician of some of them. I called his attention to the fact that in the event that he attempted to carry out his plans, he could not expect anything but an awful failure and that he and all those who were in arms would be killed, and after saying all I could to dissuade him from taking that course, I left him, but he abandoned the idea and made a speech to a crowd, confessing that he had proposed to head a company to resist the conscript-law, but he said he abandoned the idea.

This man afterward went overboard. This was no doubt the entering wedge to the organization which is yet to be named.

For some time after, there was strong and mysterious things said which were not understood by the great mass of people. I heard them and others heard them; we could form no idea what could be up. We could hear war news frequently before it got into our newspapers. There was so much of this going on that I became convinced that there was some kind of organization in the country, and others came to the same conclusion. We afterwards learned that the members of the organization yet to be named had regular mails to and from Kansas jayhawkers, which will be stated in full in its proper place.

At this period Texas had been laid off in military districts, and all the officers appointed to completely organize the militia. And now I come to the point in my history to give an account of the organization alluded to above.

## How the Organization Was Found Out

The mail-carrier, who carried the mail from Gainesville south, was staying all night at a hotel in Gainesville, and a man who was a member of the organization was there also. This man was considerably under the influence of liquor. This man told the mail-carrier enough about this organization to excite his curiosity and his suspicion, so he asked a number of questions about it; the intoxicated man told him to go to a certain man and that man would initiate him and tell him all about it. The mail-carrier said nothing about what he had heard, but started south with the mail next morning. By the time he got into Denton county he had thought so much of the strange mysterious affair, that he came to the settled conclusion that there was something very dangerous to the community on hand, and the people unapprised and unprepared for it.

That it might come upon them at the midnight hour, with all the horrors of a savage massacre, and he was not far wrong as the sequel will prove by the confessions of the members of the organization which I am approaching in my history.

This mail-carrier came to the conclusion that he would inform the military authority of what he had heard at Gainesville, and did so, through a military officer, who gave information to the military at Gainesville, as that was headquarters of this division of the military.

When this mail-carrier came back to Gainesville, the military questioned him and after learning all they could from him, he was sent to be initiated. He went and took the oath of secrecy and took what will be known in this history as the first degree, though the members of this organization did not so call it. After taking this first degree he was told if he would take another oath he would be informed of the whole thing. But he refused to go any further, and when he reported to the military, there being nothing in this first degree to make a fuss about, the anxiety was great to know what was in what I shall call the second degree.

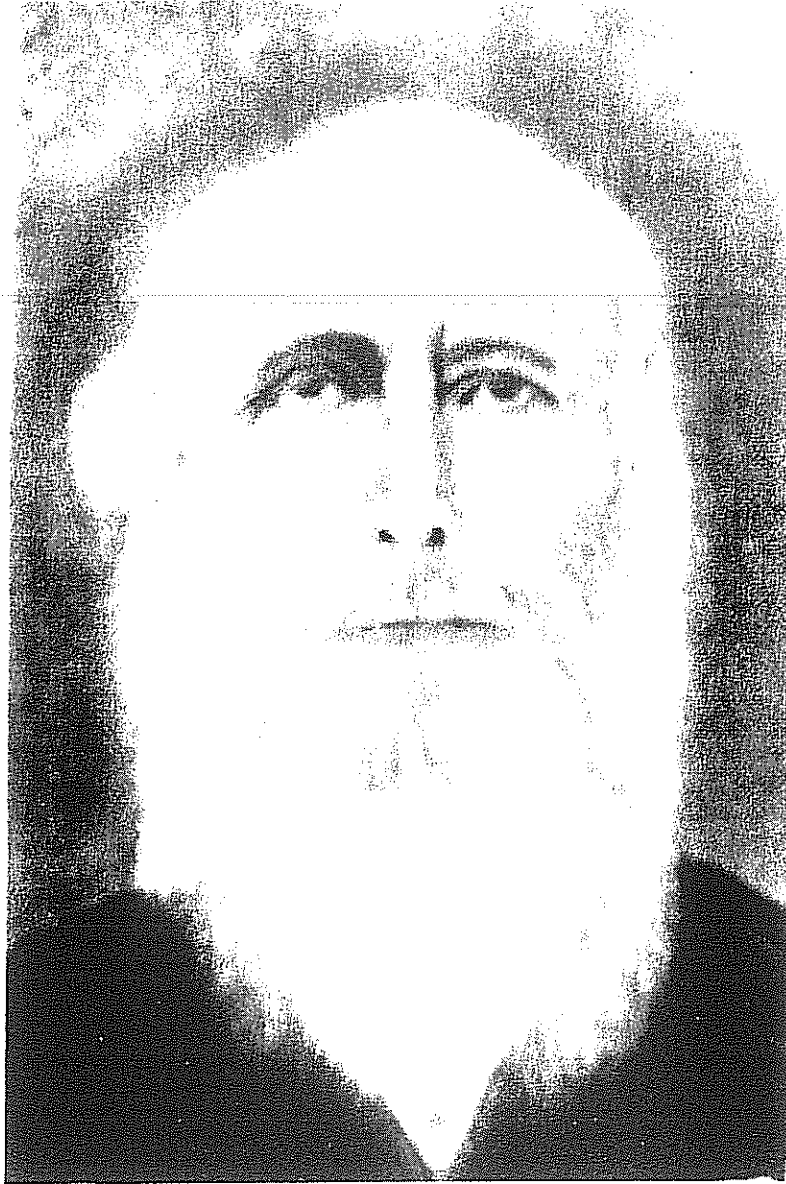
The military selected a man who had been connected with the Confederate army to go and be carried clear through if the road was one-hundred miles through, and a better man for this business would be hard to find.

This man went to this initiator and wormed himself into his favor, about in this way (I heard him tell it more than once). He spoke of having been connected with the Confederate army in a manner which was well calculated to convey the idea that he was not sound in the faith.

This caused the initiator to ask him how he was pleased with the condition of things. The man seeking to be initiated answered, not very well, and remarked if you had been where I have been and seen and heard what I have, you would not be pleased yourself. This was a precious morsel for the initiator; he bent forward with a smile and was in this way thrown completely off of his guard. And the organization, about which I am writing was named, and the man wishing to be initiated, not only nibbled at it, but he bit heavy, swallowing the hook bait and all. So he took both degrees, saying it was the very thing for the times.

The man that was initiated asked the initiator to give him the names of some of the members that he might know who to approach, and he got quite a number of names. This man then asked the initiator to initiate another man, but he objected; saying that the man was a strong southern man. He was, said the other, but I have worked on him and he is all right now. So the agreement was that the other man was to be initiated next day. They met next day and the man was put through. The two men questioned the initiator till they found out much of the intentions of the members of the organization, but not all, for those leaders generally kept some of the most objectionable things back till they proved a man. But these men found out enough to know that if this thing was carried out it would devastate and ruin the country.

Don't be surprised at the strength of the language at the conclusion of the above



**THOMAS BARRETT**

From A. Morton Smith, *The First 100  
Years in Cooke County*. San Antonio  
(The Naylor Company), 1955.

sentence, for the truth must come, and when you hear, you will say the language is not stronger than the case demands.

The next thing to be done, was, for these men to report to the military at Gainesville. The men lived near each other, but in going to report at Gainesville they went different routes. This was done to guard against suspicion. I tell you they were old ones.

When they met in Gainesville, they went to the headquarters of the military, where counsellors met. I do not know how many composed that counsel, but they formed their plans well.

## CHAPTER II

After the men spoken of in the previous chapter had finished their report, the military sent out orders for all the militia of Cooke county to report at Gainesville, armed and equipped for service at the earliest practical hour next day. Those over age were pressed into the service. I was exempt in three cases, and a special order was dispatched to me in the night to be in Gainesville early next morning. One company was ordered from Wise, Denton and Grayson counties each; one company was asked for and sent from Fort Washita.

The night before these soldiers were to report in the morning, squads of men were sent out in different parts of the county, and directed to watch and not let the men whose names they had, leave in the night, and as soon as it was light enough in the morning, to close in and arrest the men. In this way, it was said, twenty were arrested the first grab. The arresting continued for about thirteen days and nights. How many were arrested, I have no means of knowing, having kept no account at the time, but I suppose there was not less than one hundred and fifty, and perhaps more.

There was a good many arrested who had connection with the organization.

There were squads of men in every part of the country, and they arrested every man that they suspicioned, and in this way a good many innocent men were arrested.

I must tell of one case: One of the squads came up with a man at his home, that they did not suspicion. They told him he must go with them and help arrest those men. He very readily agreed to do so, for it was dangerous to refuse in this high state of excitement; for I never saw such a state of excitement before, nor since, and hope never to see its equal again. But the man fell in with them, but he had no gun, and all the men except the prisoners had guns. When the squads arrived at the prison, and put them in, this man failed to go in, and some of the men knowing he had been with them and seeing he had no gun, ordered him in, and being a green case, he went in, and stayed in one or two days if I recollect right. I had been acquainted with him in Titus county, so he sent me word in reference to his case. I had him brought before the jury and being no evidence against him he was set at liberty.

But I must return from this digression.

Although I was notified to report early in the morning at Gainesville, being exempt from military duty and having an urgent professional call before morning, I visited a patient that morning before going to town. My patient was in a neighborhood where there had been several men arrested, and I began to learn something of the matter, and dispatched my business as speedily as possible, and I got to Gainesville about eleven o'clock.

When I arrived near town, there were crowds in sight in every direction, armed, pressing forward prisoners under guard. The deepest and most intense excitement that I ever saw prevailed. Reason had left its throne. The mind of almost every man I saw seemd to be unhinged, and wild excitement reigned supreme. When I arrived on the square, there were perhaps three or four hundred armed men in town and in sight.

These with the unarmed, constituted a crowd whose words and actions seemed to indicate an upheaving of the most dangerous character, because it was known that the members of that clan were sworn to go to the assistance of any member who was arrested. Aside the sequel will show that nothing but the overpowering numbers in arms prevented desperate fighting the next night.

The supposition at that time was, that the clan was strong enough to make a desperate fight.

Soon after I arrived on the square I heard hanging spoken of. I found the tree had been selected, that same old historic elm, with its long and bending limbs, which was afterwards used for that purpose.

The crowd seemed to be settling down on beginning to hang.

I opposed it with all the power within me. Others also opposed it, and about the time we were in the heat of contention, the church bell rang for a meeting of the crowd for consultation. The ringing of this bell put an end to all plans, in order to see what would be the result of that meeting. This was a military move, sanctioned by soldiers and citizens.

The meeting was called to order and a chairman appointed. A motion was made and carried for the chair to appoint five men to select a jury to decide upon the course to be pursued with these men. This committee selected twelve men, and my name was reported as one of them. My first thought was, not to serve as one of them, when I took the situation under consideration; I at once saw that unless there was considerable influence in that jury against extreme violence, there was great danger of awful work, so I consented to serve, intending to oppose all extreme violence, which I did. And here I will state the excitement was so great that every man found it necessary to exercise much caution in reference to what he said or did. This condition of things had its influence with me in deciding this question.

The jury was instructed to go into a fair examination and bring accused and witnesses face to face and decide, and they would abide by their decision.

The meeting adjourned, and the jury met and organized, and night came on. The militia and others had been coming in all day, and after dark they continued to come.

Squads of men were sent to different parts of the county to ascertain what was going on, for an attack was expected, which would cause desperate fighting. A double line of sentinels were put around the town.

One squad that was out came up with a company of men who belonged to this clan, supposed to be about seventy. The lieutenant of the squad knew the captain of the company composing the men of the organization about which I am writing, and made an attempt to talk to him. The captain objected and ordered him to hush but the lieutenant insisted on having a talk. The captain again ordered him to hush, and ordered his men to be ready, and when the lieutenant heard the ticking of the triggers of the guns, and knowing that he was not able with his little squad to contend against so many, he took his squad off in the brush and directed them to keep out of danger, and watch as well as they could; and having seen the company file off in the direction of Gainesville, he concluded they were going there to make an attack. The lieutenant, as a good spy, set out to beat the company to town. He run his horse so hard and in such haste that he found it necessary to stop on the way and get a fresh horse.

He arrived at Gainesville, gave the alarm, and immediately the men were paraded and placed in order of battle on the streets with orders to lie on their arms all night.

About fifteen or twenty men had gone about half a mile from the square to stay all night; I was one of the men. We were ordered to the square. When we got there I walked around and to see how the thing was going on. The soldiers were in line of battle and some in the houses making cartridges, others moving to and fro as is always the case in times of great excitement, everyone expecting a desperate fight before morning, for the clan was supposed to be stronger than they were. In reference to their strength, I may as well state what I learned from a man whom I sent word to

to leave the country and stay away till the war ended, which he did. He told me when we met after the war closed that the organization was about seventeen hundred strong, including Cooke, Wise, Denton, Grayson and Collin counties.

But I must return to the thread of my narrative.

After seeing how everything was going on, and not having a gun and not having any desire to be in the fight, I went into a friend's house and asked the lady for a pillow and turning a chair down on the carpet slept till morning. There was no attack, consequently no fighting.

Here I must record what was going on in another part of the county as we learned in the jury-room from a man who was one of the clan. This man stated that he came to Gainesville the day that the first arrests were made; not having been arrested, stayed till evening, and learned all he could, and knowing that the clan were to meet at a certain place in the cross-timbers, he wanted to carry news to them. He applied for a pass to leave town, but was refused, and he having turned his horse in a pasture, he worked his way to the pasture, got his horse and went to the meeting. He said he found twenty-seven men armed and equipped; having appointed their captain and sent a courier to the company which has been named. He also stated that they were noisy to be led on to the assistance of their friends. He said he told them that he had been there most of the day and had come to inform them that it would be madness to go to attack the armed men in Gainesville, as there was such an overwhelming force there, that they would be marching to certain death. He said when he told them the condition at town, some said they would go and surrender; others said they would bushwhack, but they finally appointed a meeting the next night, but we learned that only three attended the meeting.

It can be plainly seen from what has been stated, that nothing but the overpowering numbers at Gainesville prevented one of those bloody massacres which sometimes take place in war.

But the second morning came and no attack was made, but the intense excitement was almost universal.

There was some talk of taking the prisoners out and hanging or shooting all of them, but it was not done.

I have no language adequate to convey to the mind of the reader a full idea of the deep and dangerous condition of the excitement up to this time. Those opposed to extreme punishment found it necessary to be extremely cautious if they made a remark in favor of mercy.

While the multitude did not at this time know the full intention of the clan, enough was known to give the idea that if the clan carried out its designs, the country would be thrown into a bloody war, with neighbor against neighbor, and in some cases the brother against brother, and in some cases the father against the son and the son against the father, and a man's foes would be of his own household.

The second day dawned and no attack being made, the jury met.

And now comes the tug of war. I would here remind the reader of what I have said in the introduction; I shall not call names and tell what they said and did. I shall tell what was done so as to leave every man as near as possible where he stands now.

I shall tell the course I pursued, inasmuch as my course has been misrepresented far and near, as far as I am known. I being a public man, a doctor and a preacher, some will object to the course I am pursuing in regard to myself. Let them object, I have weighed the consequences and am prepared to meet them.

I shall tell more of this in reference to this as I proceed in this history.

The jury met and passed an order that a majority should rule. I opposed this, and wanted it unanimous, or at any rate, two-thirds, but the majority rule was adopted. As far as could be done the leaders were tried first.

Right here, before proceeding further, it is important to give a detailed account of the course pursued in influencing individuals to become members of the organiza-

tion, also signs, pass-words, grips and oaths. They would approach a man, talk some about the war and remark that there was something up. And when asked what it was, the answer was a peace party and a party to keep down jayhawking and to protect the families of those men who were in the war, and if their property was taken from them to make those who took it give it up, and bring about peace, and protect the soldiers when they came home from the army, even if they desired to persuade them to go back and do better.

They told them that if they would take the oath of secrecy they would give the sign, pass-word and grip.

If the individuals agreed to take the oath, after taking it they were told when they met up with a man, the situation admitted, to pass the fingers of the right hand slowly over the right ear; the answer to this was for the man to pass the finger of the left hand slowly over the left ear, but to guard against all mistakes when they approached a man and gave him the sign and he seemed to answer it, to be sure he understood and answered the sign, he was to be asked: where he got his horse or any article about him. If he said in Arizona, he was all right and could be approached.

The grip to distinguish in a crowd or in the dark this: consisted in the common shake of the hand with the end of the forefinger pressing tolerably hard on the inside of the wrist.

They sometimes gave this sign, pass-word and grip to their friends, telling them that if there was any uprising to give them and they would save themselves and property. Telling nothing more.

They also stated that this organization existed in both northern and southern armies, and if they became sufficiently numerous they would stop the fighting and restore the constitution and union.

Here it is proper to state all of this was not told to all of the men, but all of this came up in the various confessions.

This constituted what I shall call the first degree, though they did not so call it. When they got through with this first degree, they would tell the man that if he would take another oath, they would tell him all they intended to do, if he consented. They swore him to secrecy and to do all he could for the north and to do all he could against the south, to reinstate the constitution and go to the relief of any member who should be arrested, and if a member betrayed them and their plans, they were to kill him if they had to follow him to the end of the earth, and no death was too bad for him to die. If he did not flinch, they then told the plan. They told the favored few all their plans, but to the great mass they only told part of their plans; all being sworn to obey their leaders.

The confederate government had a large amount of ammunition at Sherman which was guarded day and night. Cooke county had about four hundred pounds of powder and other ammunition to suit it.

Their plans were to rise in the night, take all the ammunition at Sherman and Gainesville and throw the country without ammunition and take the country and hold its property and all, and no man's person or property was to be respected, unless he had their sign, pass-word and grip. This and other things will appear when I come to speak particularly of the confessions.

#### Their Confessions

There were a few who seemed to know nothing but what was in the first degree. But an overwhelming majority confessed that they knew of this uprising in the night and taking the ammunition, as before stated. The most confessed that they had a monthly mail to the Kansas Jayhawkers and these Kansas Jayhawkers had promised to come to their assistance as soon as it rained there, having been a long dry spell. They said one of their clan was at that time in a two horse wagon to carry and bring the monthly mail, giving out that he was going to St. Louis on business. This man was



arrested on his way home. They said some of the men who guarded the ammunition at Sherman belonged to their clan, and they had been down there and got a supply of ammunition. Here I will state that these men had more ammunition and guns in better order than any men in the county, and some of them slept with their guns under their pillows.

But to return. These men, when asked what they intended to do if they took the ammunition and failed to take the country and hold it, said that they intended to take all they could carry with them and blow the balance up, and retreat in a body to Gen'l Blount's division of the northern army. One man, after making all the confessions about rising in the night, taking the powder, taking the country and holding, and in case of failure, retreating to General Bount's division of the northern army, wound up by saying that when that uprising took place, no man's person or property would be respected if he did not have their sign, pass-word and grip.

When he had concluded this fearful statement, Col. William Young (whom some of the clan killed about ten days afterwards, which will come up in its proper place) said to the man since you and some others who are members of this clan have lived near me, I have been very kind to you all. What was to become of me and my property, for I did not have your sign, pass-word and grip. The man looked at Col. Young for a few seconds and then said, Col. I often thought of you and intended to give you the sign, pass-word and grip before the uprising, that you might save your person and property. But he failed to do so, for the first night to rise had already passed, the heaviest rain I ever saw fall, fell the evening before, and that night, as I shall state when I arrive at that point in my history.

I must give some more confessions. One or two men, after making the confession named in my history, in place of saying as many had done that no man's person or property would be respected who did not have their sign, pass-word and grip, (which was the usual expression), said when that uprising took place, men, women and children of the secession party were to be killed and the property taken and kept.

I was informed by two reliable men that one man said under the gallows (I would not see the hanging) that he was glad this thing had been found out, for if the designs of the clan had been carried out, it would have ruined the country, for the intention was to murder men, women and children of the secession party, and take the property, and he did not want his children raised up under the state of things that this course would bring about. One of my informers told me he wrote this confession down at the time it was made.

By this time we see what the expression that no man's person or property was to be respected who did not have their sign, pass-word and grip meant, particularly with the leaders.

Right here candor and faithfulness as a historian, compel me to state that I am fully and completely satisfied that many of those who were duped, imposed on, and got into this organization, never would have gone into this clan if they had known the dark and bloody intentions of the leaders.

But these men were sworn to obey their leaders if the uprising had taken place. These men would have been with the clan, and the dark designs would have been carried out. Men, women and children would have been killed, and every man in the crowd would have been committed; if they then left the uprisers, they would be killed, and their only chance to escape death would have been to stay with those men. Here I will state about one fourth of these men, claimed to be southern men.

Inasmuch as I have often alluded to uprising in the night, the night having passed and no move having been made, I will here give an account of that night. It was at the breaking up of one of those long dry spells, which is not uncommon in Texas. I had been sending medicine to a case of sickness several days, and about twelve o'clock the man whose wife was sick, came after me, requesting me to go, prepared to stay all night, which I did. It had commenced raining, and by the time we got to the man's

house, a distance of about five miles, it was raining very hard and continued to rain till about ten o'clock next day. This was the hardest rain I ever saw fall. This man was one of the clan.

We learned in the jury-room that this night was the night appointed for the rising, and this great and merciful rain, doubtless sent in great mercy came to frustrate the wicked and abominable designs. This night passed before there was any arrests made, or anything known of the existence of the organization by the great mass of the people who were totally unprepared for it.

Here the mind will naturally try to conjecture what the consequences would have been if the rising had taken place that night. How many families would have been made desolate. What wailing and lamentations would have gone up that night. How many who lay down that night with a feeling of security, would have been roused from their sweet slumbers, and before they were fully apprised of their danger, would have been passed into the long sleep of death from which there is no waking, till Gabriel shall give that loud, long and shrill blast which shall reach the great charnel house of death and rouse the nations under ground.

Some may conclude the picture is too highly drawn, but no man can tell what will take place when the blood-thirsty spirit of war rises to boiling heat. Those men would no doubt have fought a dreadful fight, knowing as they would have known that their lives depended on success or a safe retreat. They would have known that no quarters would be given. Some will say they belong to that clan and they never heard of their horrible intentions. You may not have heard it, for I am satisfied there were a good many of the clan who never heard of all these plans, and had no intentions of killing women and children, but knew of the intention to get possession of the ammunition, take the country and hold it, and that could mean nothing but fight, which was proven the first night after the first arrests by those armed men wanting to be led to relieve their friends, and to cap the climax, the members of the clan confessed that they intended to do these things or they would not have told a falsehood which was so much against themselves.

Here I must record a case which occurred when one of the clan was initiating a man: he took the first oath and the first degree, and called for the second degree. The initiator went on to tell him that he must take an oath to do all he could for the north and all he could against the south, he was to endeavor to reinstate the constitution and union, and kill any member who should betray them. Somewhere along here the man who was being initiated, got so mad that he broke loose on the man who was initiating him, and cursed him all over, from the crown of the head to the sole of the foot, and came very near patting it in, and they had a big blow-up, and before they parted, the initiator told him if he told it he would be killed.

While arresting, a squad of men surrounded a house in which there were two men and their wives; the men were supposed to be members of the clan. They ordered a light to be raised in the house, which the inmates refused to do. The squad of men were afraid to go into the house, and the men inside refused to come out and surrender. While the squad of men were maneuvering to arrest the men in the house, there being two doors to the house, each of the men on the inside put a feather-bed on his back and ran out at the door and the squad of men shot at them as they ran. I never learned whether they wounded them or not, for both the men made their escape, and were not arrested afterwards.

I concluded that I ought to give the whole designs of this clan, as they acknowledged themselves, before giving any of the doings of the jury, that the readers might have the whole thing before them, and be more able to form correct conclusions. I suppose no one will now endorse or justify the designs and intentions of these men, as acknowledged by themselves. The only thing to decide is whether or not they ought to have been hung.

In coming to a conclusion in reference to this thing, it would be well to take into

consideration that a dreadful war was going on, and like all feuds it brought about an excitement well calculated to impair the mind, dethrone reason, and cause men to do things that in after life, when the excitement had passed away, they will greatly regret.

I have no doubt but both sides regretted much of this thing. Poor old human nature when acting under great excitement is to be pittied. I have heard men say when the war between the states came up, and they went into it, and got the war excitement up, they did things they could not have believed that they ever would have done, but war excitement mastered them.

### CHAPTER III

I now begin with the jury, as before stated; the jury met the second day and decided that a majority should rule. Some others and I insisted that it should be unanimous or two-thirds, but the majority rule was established. The excitement had increased. It was terrible with the crowd outside, and no less so in the jury-room. One man, known to be a leader, was brought in and proven to be guilty, he being the man who initiated the two men who had been initiated, and reported to the military. This man was condemned and hung; another was brought and was disposed of the same way, and this was continued till seven were doomed to die likewise. A number of others and I were opposing it with all our powers; I did all the speaking (nearly) but had as well tried to build a dam across Red River in a time of high water with straw, as to resist and control the excitement in the jury-room, and the crowd of soldiers on duty pushed on by influential men. There were eight hundred or a thousand armed men in town by the time the jury condemned seven men.

The crowd were threatening to take the prisoners out and kill all of them. There was a trial made to have me taken off of the jury, because I took the lead in opposing these violent measures. We who opposed hanging insisted to turn the men over to the civil or military authorities instead of hanging, and those not very deep in the thing, to set them at liberty.

The eighth man was tried; he was only slightly in it, but the excitement was so great that he was condemned as readily as the others.

When this was done I concluded that I would stand it no longer; I was determined that I would have a change or leave the jury-room. I rose to my feet and addressed the jury as near as I can recollect as follows: Gentlemen: You are as reckless of human life as though it was a matter of little importance. I am not acquainted with this man, I never saw him till I saw him in the jury-room, consequently my course is not influenced by any particular feelings of partiality. But if you intend to hang all who are no further in this thing than this man is, it is not necessary to do more than bring a man before you and prove him to be slightly connected with this organization and hang him, so you had better pass sentence of death on every man in the prison, for if you continue to carry out the course you have pursued since you came into this jury-room, you will hang all, so you had better dispatch them at once and adjourn. Gentlemen, I have stood this thing as long as I intend to; if there is not a change I will leave. I see in the future the wives of these men in their widowhood, sitting by their fires in the long and lonesome winter nights; the little ones playing around them, the wife looking with a feeling of deep sadness, and casts her eyes on a chair by her side; it is vacant! her eyes are swimming with tears, she is thinking of the dear one, her beloved, the father of her children, and says to herself, where is he? Answer, gone, gone, sleeping the long, long sleep of death, to return to me and my children no more forever. She utters a heavy groan and the sobs of distress escape her lips, ruined, ruined forever, while a flood of tears pour down her cheeks.

And here the tears gushed from my eyes, my heart almost bled. I took my seat. As soon as I was seated, one of the jurors who had stood shoulder to shoulder with me in opposing the hanging of these men, rose to his feet, took up his hat, and said, he was no longer a member of the jury, and said good bye, and started to the head of the stairs, (we were in an upper room). At this instant two men came rushing to me, one of them caught me by both arms and gave me one of those honest and friendly shakes, which is an indication of deep interest. When this took place the man who had bid the jury good bye, halted. The man who had me by the arms said, for God sake don't break this jury. I asked him why. He said if you break this jury, every man in that prison will be killed before the setting of the sun. The other man who came with him sanctioned what he said. He went on to state that the only chance to save these men, was for the jury to save them, and said he, you can save some. I told them that I knew that the outside proff was strong, but I was not apprised that it was so strong. They told me that I would find it as they had represented it.

I perhaps did as much thinking and planning in a few seconds as I ever did. I knew that if a general slaughter was gone into, unless I made good use of my legs I would go up with the rest, as my course in opposing this wholesale hanging had given great offence. The excitement in the jury-room was of that still and deep character which some times takes place every one waiting in silence to see what would be done.

I said to the two men that approached me: Gentlemen, I yield to your judgment, I will try and arrange this thing.

I then went to the man who had told the jury good bye, and told him what these men had told me, and after a short consultation, we agreed to go back and if the jury would adopt the two-thirds rule, we would act with them, but unless the two-thirds was adopted we would leave. The jury readily adopted the two-thirds rule.

We then gave the man who had been condemned to hang, the benefit of the two-third rule and reversed the sentence of death, by deciding to turn him over to the military authority.

Reader, how does this sound when compared with the ugly tales you have heard about Barrett, in connection with this thing?

If what I have written about my course is disputed, I am prepared to prove all I have said or may say in reference to my course in this thing.

I must now turn to other things which were going on. After we got all that we ever got in reference to the intentions of this clan, it was thought there was something more that had been kept back, and supposing this to be the case, there was considerable anxiety to find it out. A man who was very active against those men came into the jury-room and told us he had a proposition to make. He was told to make it. He referred to a man who was prominent amongst the prisoners, observing that if there was anything kept back, this man knew it, so he proposed to the jury to bring him and tell him if he would reveal every thing, that the jury would release him and release him according to promise, and he would attend to him before he got home. The chairman said, gentlemen, you hear the proposition, have you anything to say?

I waited a short time, and none of the jurors seemed to be disposed to say anything. I rose to my feet and remarked, that I understood the gentleman to mean that in the event we set the man at liberty, he would kill him before he got home, for I could not understand the remark he would attend to him before he got home to mean anything else than that he would kill him before he got home. I paused, and looked at him, for him to correct me if I was wrong. He remained silent, and thus admitted I had came to a correct conclusion.

I asked him if he supposed we were a set of savages, and did he suppose we would accept and agree to his abominable proposition? Then putting my left hand on my right arm between the shoulder and elbow, I told him I would suffer amputation there, rather than agree to such an abominable thing. He then said he withdrew his proposition.

I tell you we had old and hot times.

But I must return.

After we adopted the two-thirds rule, we had some hot contentions in the jury-room, but we either set the men at liberty or decided to send them to the headquarters of the military authorities. When the hanging ceased, and the men were turned over to the military authorities, to be sent there after the jury had completed their work. The excitement increased outside, to give some idea of the excitement, I will state some things that occurred:

There was a man in jail who was charged with being a deserter from the southern army, and a horse thief. As the jury failed to furnish any men to hang, the blood-thirsty men outside took that man and hung him.

As the jury were furnishing none to hang, there was such a strong desire for blood, that the outsiders determined to take all the men in the prison and shoot them. So one evening after supper I was going to the jury-room, and in passing a hotel, a strange man asked me if I was on that jury. I told him I was. He said, you will have nothing to do after to-night. I asked him why? He said all the men in the prison will be taken out to-night and shot. I told him to use his influence to prevent it, as there were men in that prison that the people would not hurt if they knew what I did.

He said it would be done. I went on, and when the jury met, I told them what this man had told me. I said to the jury, we all know that there are men in the prison that it will do to set at liberty, and proposed to them to call up these cases and get as many out as possible, and save as many as we could. They all agreed to my proposition.

So we had a long session that night, and set at liberty about twelve or fifteen.

That same night there were two attempts made to take the men out of the prison and shoot them. The first attempt came very near succeeding. The men formed a line and the head of it marched to the door of the prison and told the door-keeper the jury called for all the men in that room, and all the prisoners but about six were in that room. The door-keeper not suspecting anything wrong unlocked the door and ordered the prisoners to prepare to go to the jury-room. At this time, some of the men seemed as though they were not disposed to carry the thing out, according to the plan adopted, and the leader bawled out with an oath, if you are going to do anything, why don't you be ready.

The door-keeper, supposing what their intentions were, closed the door and locked it. A number of men interposed and persuaded them to relinquish their designs.

The second attempt was made the same night, as I learned from the door-keeper himself, who is as reliable as any man in the country. A larger number of men marched up to the door of the prison house and demanded the key, but he refused, and they threatened to break the door down. The door-keeper drew his pistol and told them that if they went into that prison, they would go in over his dead body. This brought them to a halt, and after considerable talk and hard words, the men left.

Here the decision of one noble man saved many lives. This man will read this, and remember that awful night. He knows some of my hard places.

I had influenced the jury to adopt the two-thirds rule, which stopped the hanging for a while, consequently the ambition of those who were in favor of hanging, centered on me.

One day I was walking a street alone, and saw a man coming towards me, and on meeting, I readily recognized him to be a desperate character, and a man of influence, a leader in opposition to the prisoners, and I also knew that he had been trying to have me removed from the jury, he having heard me make the speech that I have already named, which speech was made in reference to the eighth man, which caused the jury to adopt the two-thirds rule, and stopped the hanging. I am willing to admit that I would have preferred being in some other place, but I was afraid to turn to another street, considering that I might be shot, for he had a pistol and I had nothing.

We met, and as we met he turned on his heels and pointing to the prison said:

Every man in that prison believes that you are on their side, and are trying to prevent them from being hung, and the people believe it, and they are talking very hard against you; and he told me in an indirect way that if I did not quit, there was danger of me having to go to the elm limb. I acknowledged that I had rather have been in more comfortable quarters. But making a virtue of necessity, and not knowing what this thing would bring about, I became very brave. As a matter of necessity, I tell you reader, I would have made good use of my legs and ran out of it if I could have ran out.

When the jury met that afternoon I laid the case before them, stating the people hearing me speak against hanging, it was calling down a prejudice on me, which I desired to stop, my life being threatened.

I proposed to allow every one who wished to hear all the testimony, but when it came to speaking and voting, to clear the room. This was agreed to and I got along better.

After encountering that man as just named, I was constantly on my guard, and lay every night locked up in a room, as a man and his wife now living in Gainesville will testify if called on.

We must now go back to the jury after we adopted the two-thirds rule: Seven had been hung. When we commenced under the two-thirds rule, we had considerable contention till it was found that this rule would prevent hanging. After that was ascertained we got along quietly and speedily till we got through with all the prisoners on hand, and turned some of them over to the military authorities, the rest being set at liberty.

This brought Saturday evening, and the soldiers were beginning to leave. As the excitement had greatly moderated in the jury-room, we thought it was moderating the same outside, and in order to give it time to moderate still more, we agreed to adjourn for a week and come together the next Saturday and let our decision be known, and I was to make a speech to the people to influence them to abide by our decision, for we were fearful of a mob. Our decision was to be kept secret till the next Saturday. Secrecy was enjoined on all, and we were ready to adjourn.

Some person betrayed us, and told the crowd outside of our decision, and a mob rose and sent two men into the jury-room with word that if we did not give up twenty more to be hung, they would kill every man in the prison.

When this demand came, one of the jurors who acted with me, asked what will you do now? I said the Lord only knows what I ought to do; I have risked my life for six or eight days, and gone as far as I dared to go to prevent hanging. I could contend in the jury-room as I pleased, but cannot war against a regiment of men. I oppose it, but if they take them, they will have to do so, I am not going to say a word.

When I failed to oppose the taking of the men, there was no objection.

I thought when the military failed to protect us and suffered a mob to rise and take these men and hang them, contrary to the decision of the jury, I say, when I thought all this over, I concluded that it was in vain for me to raise my voice against it, so I remained silent. I knew my doom if wholesale killing commenced.

One of these men called for a list of the names of the prisoners. Our clerk handed it to him, and he went over it; took such men as he chose and wrote their names down, then handed the list back to the clerk, and called over the names he had and our clerk marked them out. He then counted his names and he had fourteen. He said as he rose from his seat: I reckon this will satisfy them.

These two men went into the prison, called these fourteen men out, put them in a separate room, and notified them that they must hang next day, which was Sunday.

As soon as these men were gone, I said to the jury: Delay, breeds danger if we undertake to send these men to the headquarters of the military they will not get there, they will be killed. I propose that we meet next Saturday to set all the remaining prisoners at liberty. I told them I did not believe they would be molested, as we had set a good many at liberty, and none of them had been molested.

To this they readily agreed, and passed an order to that effect. I was to make a speech to influence the people to abide by our decision. The jury then adjourned, to meet the next Saturday morning.

I went home that evening, having been absent twelve days and nights. When I arrived at home my wife met me at the gate and asked the news. I attempted to tell her, but my feelings overcame me so, that I choked up and commenced crying. I said I would tell her after I became quiet. And here I will say that no tongue can tell or pen detail what I suffered during those twelve days and nights just closed; not that I had any sympathy for the plans and designs of the organization, for I abhorred and detested their designs. But I considered that it was war times, and as the organization was broken up, all that was necessary was to send them to the military, as the jury at Sherman did, and the county would be relieved.

But I must call the readers attention back to that dreadful Sunday, the day of the hanging of the fourteen men which the mob took from the jury the evening before.

A little after day-light a man road up to my gate and called for me. I at once knew him to be the brother of one of the men to be hung that day. He told me that his brother wanted to see me religiously before he was hung. Reader, this don't look like I had any hand in hanging him. I had been preaching at this man's house.

I told this man to come in, and as soon as we got breakfast I would go with him. He came into the house to wait for breakfast.

Now I am going to depart from my rule adopted not to call names. My reason for breaking this rule is this: There has been more hard things said against me about the hanging of this man than any one that was hung, particularly in his neighborhood. He was a man of good standing in his neighborhood, and was entitled to it, but unfortunately became entangled with this organization, and being a prominent man, the mob in picking these fourteen men picked him.

I was engaged in the practice of medicine, and I did I suppose one-hundred and fifty dollars worth of practice in the families of those men that were hung, and never made a charge. I ate at their tables, and slept in their beds with a feeling of perfect security. I also rode with some of their families in the night. Those near me knew I opposed all that hanging, consequently they had no prejudice against me.

## CHAPTER IV

I must now return to the prison. The time for hanging arrived, and I left the prison. I took my seat in a porch at the northeast corner of the square, for I knew that the men would be hauled in a wagon down California street to that old historic tree, which is now dead and lies as still where it has been hauled as the bodies of the men who were hung on its long limbs lie in the grave.

I had not been there long, till I saw the death wagon coming with two of the prisoners. I saw men with guns on each side of the wagon guarding, to prevent escape, and see that the hanging was done, and this was continued till late in the evening before the last one was hung.

As I have nothing to record that took place at the hanging, for I saw no man hung on this or any other day, I will tell some of my reflections as I sat and looked on: I thought of the evening before, when the mob sent and took the men from the jury. I remembered that, though I and others were opposed to letting the men go, we considered the situation too hopeless and fearful to oppose it. But I now saw that we were not apprised of the extent of our fearful surroundings; I saw that the military authorities had detailed men to carry out the designs of the mob. I had expected this thing would be carried out, without regular details. I opened my eyes; I cast about in mind, to unravel this mystery; I thought of the two mobs which rose before in the same night, and both

were suppressed by proper exertions, and now the military were carrying out the abominable designs of the mob.

I asked the question: Can it be possible that the military authorities knew that these men were taken from the jury and are being hung, contrary to their decision, or are they in with the mob?

This mystery I could not solve then, and I cannot solve it yet.

Is it not strange that I should have been blamed for not saving these men, when I would have had to contend against such fearful odds, and backed only by the few faithful men (God bless them) who stood firm with me in the jury-room against all hanging? I suppose there were about four or five hundred soldiers in Gainesville at that time. We did all we could to save these men, but that mob defeated us.

There was an order passed that women should not be permitted to be present at the hanging. The women were not noisy, but the signs of deep despair was manifested by the heaving breast, the falling tears, the heavy groans as though the heart was breaking, and all the vitals of life were giving way. I believe all these men were the heads of a families. The sun set that night on fourteen widowed families, and thirteen families of orphans, for if I recollect right, all these men had children but one.

Language is totally incompetent to express the deep sorrow of that night. Wailing, moaning, weeping and lamentation existed in these families on that dark and fatal night. Tears fell like the rain drop, as tears fall from my eyes at even this distant day, while penning these lines. When the little ones who were just beginning to talk, would say: Ma where is pa? Pa come home, O, ma, go after him. How these words went like a dagger to the heart of that disconsolate wife. He was her husband, she loved him! Let the world say what they may.

I do thank God that I am not guilty of the death of any of those whose death I have just recorded. Neither is the jury, for as I have before stated, the jury had decided to send them to the headquarters of the military authorities in Texas, but that mob took them and hung them. As I have already stated the jury had decided to adjourn for a week, when they came together the next Saturday to set the remaining prisoners at liberty.

During this week of adjournment, I went to town every day, and the excitement was moderating, and everything bidding fair for a favorable condition on the next Saturday, the day the jury was to meet.

About the middle of the week, when I got into town I was met with the startling news that a man by the name of Dickson, who was a citizen of Gainesville, had been killed in the brakes of Red River by a squad of men belonging to that organization. This revived the excitement to a flame. I walked in amongst the soldiers; I could hear threats of clearing up the prison that night.

Several, including myself, commenced persuading them not to do that, for there were men in the prison that were only slightly in this thing, and we continued to persuade all day, but seemingly to little effect. Late in the evening the talk was that they would clear the prison that night.

I went home that evening with a gloomy feeling, and during the night when I awoke, I listened for the report of guns, but heard none. I was up next morning very early, and went to town, and learned that the prisoners had not been interrupted, but heard the horrible news that Col. Young had been killed by that clan.

The excitement was fearful. Men were swearing they would kill every man in the prison that night. I availed myself of every opportunity that presented itself to persuade them not to murder the prisoners, but I was compelled to be very humble, in order to effect anything, and finally came down to hard begging.

Late that evening I went home, feeling the prisoners would be murdered that night, and I expected any minute to hear the horrifying report of the death warning guns, but that awful sound failed to reach my ears. When I arrived in town next morning, learned to my great satisfaction, that the prisoners had not been molested.



Here I must state that all the time that this thing was going on, occasionally men who were in this clan, were coming in and surrendering, and some of them had been hung.

I had frequently sent word to those men who were on the dodge, to leave the country and stay away till the war closed, and things settled down, and not come to Gainesville, for we had too many already.

A number had taken my advice and left the country, but some were still lying in the brush, bent on mischief, and they killed Dickson and Young, and no doubt would have killed more if they could. Although I opposed the hanging, I was then and am now bitterly opposed to the designs of that clan. But I thought then and yet think that to extend mercy, after breaking up that organization, was the best course to pursue, and I am proud to record that some of the men who were in this organization who were set at liberty, are good, peaceable and quiet citizens.

I must now give the particulars of the killing of Dickson and Young, as I learned from them the men who were by their sides when they were killed.

Dickson and two other men were in the brakes of Red River hunting deer, when they saw a man on horseback at the edge of a thicket. This man rode into the thicket. They followed him, Dickson and one man riding beside each other and the other man about one-hundred yards behind. When Dickson and the other man got to the edge of the thicket, Dickson was shot and fell from his horse, and the other man thought he was shot at and missed. When this occurred, the man who was riding by Dickson's side turned his horse, rode to the other man and told him to go to Gainesville and report what had taken place, and said he would go to the settlement on the river and get assistance and come to Dickson's relief. The man who went to the settlement on the river, went to Col. Young's and told him what had occurred and told him to gather all the men he could, telling Young where to find Dickson. This man gathered a small squad of men and went to where Dickson fell and found him dead and lying on his back with his arms lying across his breast and his gun lying across him, showing that the men who killed him had been there. He was taken to his family.

We now turn to Col. Young and his squad. They went in search of Dickson, but failed to find him. They went down a hill which placed them in a position to be seen from a flat at the foot of the hill. When they got to the foot of the hill, in crossing a ravine they were out of sight from the flat a short distance, but in crossing a ridge Young was a little before the man who was riding by his side. When he got so he could see over the flat, he spoke out, saying: Here they are boys, supposing that they had found the men who had gone to Dickson, when he saw men; at that instant he was shot, the ball entering his head above the right eye. He, in falling, held to his bridle reins, which suddenly turned his horse around and pushed the horse on which the man by his side was riding into a gully out of sight. This perhaps saved the life of that man.

The men dismounted, expecting a fight, but after waiting awhile and no attack being made, they crowded to the top of the small ridge and looked over the flat and saw no enemy. They sent for a wagon to take Young home and he died before they got him there.

Two men had been killed the same day, and no one knew how many were in the brush nor to what extent this thing would be carried.

The excitement boiled over. Our horizon, in reference to this matter was dark and gloomy; the situation was fearful; I could discern the signs of the gathering storm by the expressions of the crowd, such as the following:

The fight has commenced and every one we turned loose is adding that much to the strength of that clan.

Others would say with an oath that every one of them ought to be hung. We will clean them up to-night.

The condition was like the sound of many waters or the fearful mutterings of the

gathering storm. No man knew but what he might be the next victim. No man knows to what extent the excitement went, unless he went amongst the crowd for days as I did, and heard them talk. I considered the situation such that I had better quit begging for these men, so I spent my time in walking through the crowd and hearing them talk, expecting every night the prison would be cleared, but it was not.

Saturday morning came, the day for the jury to meet, and when the roll was called, two of the jurors who had opposed the hanging were absent, and their places filled with men who failed to act on the moderate side.

The first thing the jury did, was to reconsider the decision of the jury to set these men at liberty when they met this morning.

This decision was rejected, which placed the prisoners on trial the same as though they had not been tried.

The excitement had reached the jury-room. I and a few others saw the situation at once. The testimony against the men on which they had been tried was all written down, consequently there was nothing to be done but read it, and take the vote. One was put on trial the vote taken and he condemned to hang; a second was disposed of in the same manner. I made a trial to stop the course of things, but I saw that it was useless to make any attempt to save the men by a vote. I then proposed a compromise: I proposed to allow them to select six of the worst ones and hang them, and set the rest at liberty. I saw they were going to hang a good many more than that, and I was striving to save as many as possible, but the jury rejected my proposition. When they rejected it, hope fled, and I took my seat to watch the course of events. I sat sad and silent till six were condemned and not one set at liberty, for it was hang or set at liberty.

The seventh one was put on trial, his was quite a moderate case, and some defended him. While they were talking on his case, they would look at me as though they wanted to say: help us. I thought now is the time to effect something.

I rose to my feet and addressed the jury about in these words: Gentlemen, I have remained silent, and suffered you to take your own course without interruption, but in this moderate case, I would with due respect, ask the question, if it would not be better to set these moderate cases at liberty, and if you must have blood, take the worst cases? We took the vote and set the man at liberty.

I saw that a reaction, to some extent, was taking place in the minds of some of the jury, and right here the day's fight commenced.

I did all I could to save the men, and those with whom I voted came up nobly to the work, and our side gained regularly. After we commenced setting some at liberty, we succeeded in saving about two-thirds.

This was the hardest day's work I ever did, or ever saw done. A portion of the men with whom I acted, contended manfully against all hanging, while others sometimes voted against the men.

This condition of things caused the fight to be fierce, each party striving to get those who sometimes voted for the men, who held the balance of power, and the party that got them, carried their point.

The present condition of things was well calculated to cause the contention to be of the fiercest character. Everything was done and said by each party that it was thought would cause them to succeed. As for myself, I know that I never exerted myself to the same extent as I did that day.

In speaking against the hanging, I said everything I could think of, that I thought would prevent hanging.

I can give substantially any speeches that day. I told the jury what I had often said to them before, that they were laboring under an excitement which had unhinged their minds. You think you are doing right, but said I, when the war closes and the excitement passes away, and you calmly look back on the course you are now pursuing, for you are bound to come to these sober hours of reflection, you will be astonished that you were so excited as to think that you were doing right. When you come to this,

you will then say Barrett was right. All of those jurors that I talked with afterwards came to this sober conclusion.

Reader, the writer, who opposed this hanging, is the man whom you have so often heard was one of the leaders in this hanging. Most of the things I have written can be proven by living witnesses.

Now let us come to the result of this day's work.

There were nineteen men condemned to be hung; the balance, about fifty or sixty, were set at liberty.

These nineteen men were hung in consequence of the killing of Dickson and Young. If they had not been killed, all of these men would have been set at liberty that Saturday morning.

The prisoners condemned, were notified that they were to hang next day.

## CHAPTER V

Here I must notice the joy and sadness of that Saturday. The jury had decided the Saturday before to set all these men at liberty this Saturday. This decision was known by the wives and friends of the prisoners, and they came that morning with glad hearts, prepared to take their loved ones home with them.

But ahl what must have been the feelings of that wife, when she was informed that her husband had to stand another trial, and at last, late in evening, the horrible news revealed to her, that after all, he had been one of those unfortunate victims, condemned to hang the next day. Others had to await the decision of the jury. But I was told that when one was set at liberty, the wife or friends, or both, took them and left Gainesville in haste, rejoicing, while those who got news that the husband was to be hung, were following or before, weeping, while wailing and lamentations burst from their lips.

In some houses, sadness and deep sorrow reigned supreme. None but those who experienced that dreadful night can fully realize the deep sorrow of loving and disconsolate hearts.

But that dreadful Sunday dawned, and I went to Gainesville, not to see the men hung, for I would not see any of those men hung; but I went to see how the things which were going on would terminate. I took my seat in the same porch at the north-east corner of the square, where I sat when the fourteen men passed which the mob took from the jury and hung.

The hanging did not commence very early, and when the last one was hung, the sun was low.

When I started home, my nearest way was to go so as to pass within twenty feet of the tree on which the men were hung, but I took the next street north, to keep from seeing any man hanging.

This day closed this thing, which had caused such an upheaving and excitement for the last twenty or twenty-five days.

There were forty hung, and two who broke from the guard were shot and killed, making forty-two deaths.

If I was to stop my history here, I am apprised that the reader would be disappointed, and desire to know what were the consequences resulting from this dreadful affair. This desire shall be gratified, as far as a statement of facts will do it.

This organization having been broken up, everything seemed to quiet down, but there was fears that the friends of those men might seek revenge, consequently every man connected with this thing was on the lookout day and night. But no revenge was taken.

I remained at my home, three miles east of Gainesville, about one year. I was in danger all the time from two sources, first, from a few persons who entertained a

deadly hatred against me for assisting to set so many of these men at liberty. I dreaded them. Second, I dreaded the families and friends of those who were hung, being ignorant of my course, so I was between two axes. Some of the families of those who were hung treated me with a birth of friendship, surpassing what they had done before.

While this was the situation, the military authorities formed a frontier regiment, and the most of these men were going into it.

I said to my wife, when these get together in the army, there will be a great deal more danger than now.

I determined to leave the county, and in a hurried manner, moved to Mt. Vernon, Titus county, now the county town of the new county of Franklin. I shall continue my case after awhile.

When the war closed and the civil courts were established under Governor Hamilton, the grand-jury found a bill against all the jurors.

But before the grand-jury found the bill, the Federal soldiers came in and such running and taking to the brush, had never been in Cooke county; not only the jury, but a good many others who had taken an active part in that hanging.

But when the jurors who were in Cooke county learned that they could be tried by the civil authorities, they came in and surrendered. Some of the jurors were not in the county. I, for one, was not here.

These men were all tried and acquitted, but their lawyers fees were heavy, particularly when the hush-money was added to it. Perhaps some of my readers may ask what does hush-money mean? It means money paid to lawyers to prevent them from appearing against the persons on trial in court. I state this, as I received it from some of the men who paid the hush-money. This, the hush-money business, was named to me when my trial was pending. I remarked that I did not intend to pay any hush-money, and if any lawyer appeared against me because I would not pay him hush-money I would make him sick and tired of it before he was done with it. But none appeared.

I am apprised that in this last sentence I am anticipating, but as the hush-money business had come up, I would finish it here, and drop back to the thread of my history.

My own case must now come up in detail, and particularly so because nearly every man in any way connected with that thing had been lost sight of but me, and in many cases people in Gainesville were prejudiced against me, and thought I was the ring leader in that thing, and they did not know the name of any other juror or any other person connected with it. This I found out by asking them if they knew who else beside me was on that jury; their answer was, they did not know the name of any other jurors. This will all be explained in its proper place.

As I have already stated I moved to Mt. Vernon in about a year after the hanging, which was in the fall of 1863. I remained there till June 1865, when I moved to Bell county. The war having ended, everything was in a foment and I became satisfied the federal soldiers would come in to arrest men. I knew they would get my name as one of the jury at Gainesville, for I had many acquaintances in Bell and Williamson counties who knew I was on that jury, but did not know whether I was opposed to that hanging or not.

Being satisfied my name would be given as one to be arrested, I went to see the county judge, as I knew he would control the arrests. I had a long private interview with him and told him my situation. He told me that the federal soldiers were coming in to arrest men, and if they got my name as one of the jurors in the Gainesville affair, they would arrest me. But he promised me that he would not report me. I told him if they got my name and were aiming to arrest me, to give them this proposition from me:

That, if the proper officer would bind himself officially, that I should have a fair trial at Gainesville, and, also bind himself that when we got to Gainesville that if I wanted a witness who was on the dodge, he would permit me to send for such witnesses and the witnesses should be secure from arrest for twenty-four hours after concluding his testimony, I could meet him at Gainesville any day he might appoint, but I would

not be arrested; and if he was not willing to take my word, he might draw a bond for one-hundred thousand dollars and I would get signers enough to make it a good bond; but I never heard of this any more. And from an interview I had with the judge afterwards I was satisfied I would be reported.

I commenced making every preparation to meet the storm when it came. I put out my sentinels in order or know what was going on, expecting every day to have to take the brush to prepare for leaving the country, and I had but ten dollars to travel on.

At this time of distress Chilton A. Andrews, whom I had known almost from his cradle, came to my house, and when I told him that I was expecting to have to leave the country, he asked me if I had money to travel on? I told him I had ten dollars only, and I had been trying to sell property for money, but could not, but if I had to leave the country, when my money gave out I would sell my horse and take it afoot.

He handed me thirty dollars, for which I feel grateful while writing these lines.

Not long after this, one of my sentinels came to my house one night after dark; he told me he left Belton late that evening and he stated that about two o'clock that evening fifty federals came into Belton, and late in the evening forty of them put on their overcoats and got on their horses and rode out of town. He went into where the others were and asked where those men were? They said they did not know. When he received this answer he was satisfied that they were going to arrest men, so he came to let me know what was on hand.

When he was done, I said to my wife: this is enough, bring me some blankets. She brought them and I made for a thicket about one-quarter of a mile from the house that it was difficult for a man to walk through. I selected my place and made my bed, but I needed no bed because I could not sleep.

I employed my time in listening for the tramp of horse's feet, and standing in the edge of the thicket to hear anything in the road, which was but a short distance from me. I heard the dogs bark at a house not far from mine; I supposed the soldiers were there, and I learned afterwards that they were there at that time.

In a short space of time I heard the barking of dogs at a house on a hill not far off. I afterwards learned that the soldiers surrounded this house while the man was asleep, roused him up and took him a prisoner.

Morning came, and my son came and told me that there had not been any soldiers at my house. I told him to keep a sharp lookout and if nothing occurred to prevent, I would be in for breakfast.

This was my first night in the brush, but not the last by a good many.

I went near enough to the house to see everything, and went in for breakfast. After breakfast I went into a thicket and slept till dinner, after dinner I sent one of my sons to Belton to get the news. He returned and brought news that the federal soldiers had arrested seven men the night before. This made me feel quite skittish. I told my son to bring our horses to a certain place in the brush and I would go to Brooksville, in Williamson county and he could stop at Salado, as he had business there next day.

We started, and, worked our way to Salado, evading the public road as much as possible, and arrived there about midnight. I had a good friend keeping hotel in Salado whom I wanted to consult.

We waked him up, and when I told him my plans, he told me I had too many acquaintances there, but to go back home and wait till he brought me word, and he would arrange a safe place for me.

While we were planning, my son went out, but returned immediately and informed me that a squad of soldiers were coming. Not to be out done my plans were arranged. I took a stand in the dining room door, which led to the kitchen; intending if they came in, to go into the horse lot and get after Dick for not putting up our horses; they were hitched at the fence and the moon shining bright, and when I got in the lot, to leap the fence and make for the brush.

But I saw them ride by and go to another tavern. I then went into the brush, leaving word so my son could find me.

In about an hour, the soldiers having left, he came to me and I directed him to bring my horse and to meet me at a noted live oak tree in a thicket the next day and bring me some provision, for I would have nothing to eat till he came.

But here I must turn my attention to what was going on at home.

The soldiers came to my house the night I was at Salado. Two of them rode up to the gate and got off their horses. We had some fierce dogs. My wife went to the door, drove the dogs off and the men came near the door and asked if that was where Dr. Barrett lived? She told them it was. They said they were sent to arrest him. She told them I was not at home. They said their orders were to search the house. She told them to come in, and lighting a candle, took them into every room. When they had finished their search, they took seats before the fire, and by this time others had rode up to the gate. She walked out and invited them to come in and warm. She asked the men if they had met with their supper? They said they had. She told them if they had any inclination to eat, she could soon cook it.

They thanked her and left, and they never came to my house any more.

Let us now return to Salado.

My son brought me my horse and started back for the brush, near home, a distance of a nine miles. I arrived within about a quarter of a mile of home, stripped my horse and turned him loose, knowing he would go up for his feed. He went up, and then my son came home, about twelve o'clock, and relieved my family.

About two o'clock my son brought me provision and appointed the time and place for the next meeting and left. I had settled down on the plan not to go into my house and I never went into that house any more.

That evening after my son left, it clouded and had the appearance of rain; I gathered a quantity of chunks to make a place to stand on in the event it should rain. I knew that by standing on my chunks under an uncommon large fork of the tree with a blanket I could keep from getting much wet.

About dark it commenced raining slowly. I heard a noise as I thought like something scraping the leaves. I looked in the direction of the noise and I could see a dark spot. I began to think I knew there were catamounts and panthers in these thickets. I supposed it was a panther, I thought of moving, but I was satisfied if it was a panther, that it would follow me and I did not like to give up my good shelter from the rain. I was satisfied that if it was a wild animal, a fight was inevitable. I concluded that I would rather bring on the fight than wait to be attacked; so I felt about amongst my chunks for as sound a one as I could find and walked slowly till I got within about five steps of my panther and I made a charge and struck with all my power, when lo and behold I hit an old stump. Right there I took a hearty laugh, and I sometimes laugh yet when I think of this circumstance.

After my encounter with my panther (stump), on examination I discovered the noise in the leaves was caused by the water falling from a tree that had lodged in falling. The rain ceased and it snowed a little. I began to feel drowsy. I warmed up by jumping up and down till sufficiently warm. I lay down on the chunks and used the root of the tree for my pillow, and in this way I got several hours sleep. I had matches with me, but was afraid to make a fire. I had started in to beat the federal soldiers, and I adopted the plan to run no risk that I could avoid.

This was the first of January, 1866, pretty cold weather to lay in the brush without fire. The soldiers were scouring the country, and I was in a strange country and did not know who to trust and I had to depend on myself, and one old-time friend who was of great service to me.

I passed my time as well as I could in my situation. I built a fire two nights, but I became fearful that the fires might lead to my arrest, and I built no more fires, as the weather was not very cold.

The time arrived for the meeting with my son. We met in one of those dense thickets, so common in that region. He brought me plenty of provisions and a bottle of wine made out of the Mustang grape. I made a hearty meal, and sat down to wait for night to go where I intended to camp.

The sun set, and as soon as it began to get dark, I worked my way to a fence not far off, which was my guide to the hollow I intended to camp in. I walked in the trail by the fence, almost afraid of the noise of my own shoes, while I stepped the light and cautious step of the savage. When I got to the corner of the fence, there was a very public settlement road run near the corner of the fence—this road I had to cross to reach the timber in the hollow that I intended to camp in. It was open prairie from the corner of the fence to the timber.

I stood at the corner of that fence a short time, and concluded to run across the road to the timber. When I got to the road, I looked to my right and saw a squad of soldiers. I knew it to be soldiers, by a white horse, which I had understood one rode. When I saw this, I was running at about half speed and knew they could cut me off from the brush, but I could reach the fence before they could catch me; so I turned and made for the fence, and as this was no place for half speed, I called up my strength and let loose all my running gear and did the best running of my life till I reached the fence. After I got over the fence I ran some distance and stopped to look back and listen; and as I could not see or hear anything, I sat down to take a rest. I have no means of knowing whether they saw me or not. But this I do know, they gave me an awful scare. By the time I got rested, I was very thirsty, and having no disposition to go over the ground where I had been in such a tight place, I concluded to go to the Leon river which was near the other side of the field which I was in to get water-melon and wait for the moon to rise. I worked my way to the river, got water, walked to the root of a large tree near the road, and sat down to wait for the moon to rise. While sitting there, my thoughts were busy. I thought of having to leave Cooke county in consequence of being in danger from a few who were hostile at me for preventing so many of those men from being hung; and also from those who were hostile against me for the hanging of these men, who did not know that I opposed that hanging.

Thus, having been run by both sides, I was now being chased by the federals, and being certain that if the federal authorities knew the truth of this matter, they would bless me. I thought it very hard to be chased by both parties.

While thus engaged, a man came riding along the road, singing merrily. I thought, happy man. What would I give to be as happy as you seem to be, with no storm-cloud hanging over you with its threatening dark and dangerous mutterings. But the future in my case was dark and gloomy, uncertain and unsettled.

While thus musing, I went into a sound sleep. Sweet messenger of temporary peace when the mind is relieved of anxiety, care, and forebodings of danger.

When I roused up the moon was about two hours high. Having adopted the rule to avoid being near roads in day-light, I now worked my way to as safe a place as I could. I remained there until my old-time friend sent the word to come to his tanyard, in Williamson county; about twenty-five miles from my house. I had lain in the brush night and day near my house for ten or twelve days and nights, and had a fire two nights. The federals still scouring the country and arresting and sending the prisoners to Austin, and putting them in a loathsome, lousy, dirty prison. If I could have been assured that I would have a trial before the civil authorities, I would have surrendered at once. But the intention of the authorities at Austin was to try all who were taken there by a military court.

I was determined that I would not be tried by a court martial, composed of men, some of whom would not stay away from a bottle of whisky an hour longer than usual to save a man's life.

The intention to try everything by a court martial will come up more fully in the progress of my history.

The time to get to my friend came, and my son and I started in the night with one horse to keep down suspicion. We expected to get there before day, but we failed, and arrived there early next morning. There were two tan-yards, one shoe-shop and a saddler shop, situated at the edge of a level piece of ground of about eight acres, with two branches running through it and surrounded by hills and as good a thicket as heart could wish to hide in. I got into the thicket without any one knowing it but my friend.

Here I will state why I went there.

We became suspicious that my house was watched, so I went to my friend and my son to put out the report that I was gone to Mexico. During the time I remained here I had as good a time as I could have expected, under the circumstances. All the annoyances I had were from wood rats and pole-cats. They came so near me some times that they would wake me, and I had to knock the bushes to drive them off. At last I made the discovery that the bones which were brought in my meat and dropped near where I slept, drew them. I gathered all the bones and took them about thirty steps, and kept a regular bone-yard and was relieved. My old-time friend was called off on business, and he got one of his hands to attend to me. This was the only man that knew I was there.

My heart swells with gratitude to these men while I write, and if they should ever read these lines, I want them to know that I have not forgotten them, and as long as I retain my senses all the ravages of time can never erase the pleasing recollection of their every kindness.

After I had been there some time, I learned that preparations were being made to try every man that had done any thing during the war, by a court martial. When I heard this, I decided to leave the state and not return until the civil authority gained the ascendancy.

I sent word to my son to come to me and bring only one horse, to avoid suspicion. He came, and my good wife sent me plenty of provision, such as biscuit, pound-cake, beef, and a bottle of wine. My two friends came with him in the night to where I was. We had a general talk; and when we counted the time, we made out that I had been there in the brush eighteen days and nights, and was at the fire one time. I also learned from my old-time friend that there were seventy-four men in prison at Austin and they were still bringing them in. They were all to be tried by courts martial.

Here I must digress for awhile from the regular thread of my history, and tell what I learned from undoubted authority. There was an extensive monied arrangement on hand that, if it had been carried out, would have put into the pockets of a few men thousands of dollars. The arrangement seemed to be this:

There was a lawyer there ready to defend these men for a large fee, and I learned from one man who was turned out, that he and his father were in prison, and they paid this attorney five hundred dollars each. He said the most of the prisoners employed him, but he did not know how many paid him. When this splendid monied arrangement only wanted authority from the commanding officer of the district of Louisiana and Texas to complete it, when application was made to him for authority to establish this court martial, which was to pour thousands of dollars into the pockets of the men who were managing this thing. Be it said to his everlasting honor, he, with his usual nobleness of soul, refused to grant the power to establish a court martial to try these men, but he sent and had them all set at liberty, thus disappointing and thwarting the abominable designs of those men. I have been told there was a mighty shaking amongst the dry bones in Austin when this refusal came, and instead of giving authority to establish a court martial to try these men, the order came to set them at liberty.

The condition of these men in their disappointment, reminds me of a certain lawyer who was noted for crying when speaking on a criminal case: It was supposed that if five hundred dollars were laid down and he was told that if he would talk himself into a cry over it, he should have it, the supposition was he would make the tears come.



If these men did not talk themselves into a cry because they slipped up on this splendid money scheme, I would not be surprised if they grieved over it until they made the water flow freely.

But I must turn back to the thread of my history.

My son having come to take me near home to prepare for leaving the state, I gave my two friends a hearty shake of the hand and we started about eight o'clock. It was a dark, drizzly night, and twenty-five miles to make before day, and only one horse. We had to travel the public road most of the way and were in danger of meeting federal soldiers at any minute. I walked most of the time by the side of the horse, holding to the blanket, with the understanding if we met the soldiers, he was to ride so as to cause them to pass on the side opposite from me, if they halted him to stop and give his name and if they inquired for me, to tell them I was on the dodge for fear of the federals, and I was to slip out of the road and he to ride on, and after going far enough to keep down suspicion he was to wait for me, and if anything took place to separate us, we were to meet the next day at my live oak tree, where I thought I had encountered a panther, as I have already stated. But nothing occurred that night worth naming until we came to the crossing of the Lampasas, a small river. Here the road enters the channel going north, but turning to the east, running down the channel on a gravelly bar. There was a good spring that broke out of the bank a little before we crossed the stream. When I got into the channel of the river I looked ahead and saw two tents near the spring, and three wagon sheets on the other side of the stream.

I called my son's attention to the tents and wagons. He asked me what it meant. I told him we were in a federal camp. He asked me what we would do. I walked out before him and in a voice loud enough to be heard at the tents and wagons, asked him if he thought we would get to Belton in time to see those men we wished to see. He said he supposed we would if we got along as fast as we had since we started. I remarked that we must be there before day, for the men would start by day-light, and we must see them. By this time we had passed the tents and were ready to cross the river which was low and shallow. I said to him: Ride up to this bank and I will get up behind you and cross the river.

When we reached the other side we were near the wagons. I got down and told my son to give me the bottle we had to carry water in. I filled it and took a drink, and then filled it and gave him a drink, then filled it again and told him to put it in his pocket, stating we would get no water fit to drink till we got to Belton. Then went on without being molested.

I did not expect they were accustomed to stopping men on the highway, but I knew if we acted in a suspicious way it would cause our arrest, and I intended to out-general them. I met with a man afterwards who told me that he and others were prisoners there that night. We reached the brush near my home a little before day that morning.

By this time the reader may ask why I did not come to Gainesville and fare as those other jurors did.

The reason I did not come to Gainesville, I first learned from a source that I was sure was reliable, that the federal soldiers were in Cooke county, and when the citizens got a chance they attacked them and cleaned them up. I was determined that I would not go into such abominable work as that. I also learned that those jurors who were in Cooke county had given themselves up to the civil authorities, and the military authorities had taken them out of the hands of the civil authorities and were going to try them by court martial.

When I heard this, I was determined to stay away until I could have a trial in the civil courts—which I did, but I afterwards learned that my information was false.

I now must return to the thread of my history.

I lay in the brush near home about two days and nights, while preparations were being made for me to leave the country. The necessary preparations having been

completed, I started for north Mt. Pleasant, Marshall county, Mississippi, about 9 o'clock in the night, January 2<sup>nd</sup>, 1866.

I went through Tyler. Passed the stockade where many prisoners were kept during the war, and saw where those who died while prisoners were buried. I felt sad. I thought: Poor men died far from home far from wife, children and friends. Some of whom yet feel sad when they think of the dear ones who are sleeping the long sleep of death in a far off and strange land. Gone! gone! to return no more forever. Who can number the wailings and lamentations that went up in consequence of those who were killed and those that died in that unfortunate war?

I thought of my own situation; exiled from home, and the future dark and uncertain, and war the cause of it.

Here let me record that I have read a great deal of war history, and at an early period in my life I became opposed to war. Am yet opposed to it. Who can measure the tears that have been shed in consequence of the dreadful casualties of war?

If all the tears which war has caused to flow could be collected together, they would form an ocean sufficient to swim the living.

When will the nations of the earth beat their swords into plow-shears, and their spears into pruning hooks and learn war no more?

Not until that blessed day comes.

Lord, hasten that day.

But returning from this digression, I pursued my journey until I got near Dangerfield. Not having money enough for my long journey, I concluded to call on my friend, T. H. Turner, for money, knowing that he would assist me if it was in his power. When I got there he was gone to New Orleans to lay in goods. I made my condition known to his blessed wife, (and would say God bless her, but I have no doubt but He has already blessed her, for she is dead). She told me that her husband had taken all the money that was in the store when he left, but sent and got all the money there was in the store and went into her trunks and got the last dime on the place, and when counted she had sixty dollars in specie. I had only asked for fifty.

While I write my heart swells with gratitude to this blessed woman.

I now felt safe, having plenty of money to last me until I could reach my former friends in Mississippi and Tennessee, whom I knew would supply my wants when I reached them.

Having been thus fortunate I pursued my journey. I got along very well. When I reached the edge of the Mississippi bottom, I was told it was forty miles to the river. I was frequently in mud and water and had much difficulty, but finally reached a ferry on the river early in the day, but the wind was so high that I had to wait for it to cease.

About one o'clock the wind had sufficiently calmed for the boat to cross, as the ferryman thought. So we started, but before we got to the middle of the river, the wind set in worse than ever. The waves rattled and the boat rocked. I began to think that here my career would probably end, and I made all the preparations I could to be ready if the boat should capsize. I laid off my coat and boots and arranged my horse for swimming and waited for the result. My legs trembled and my knees smote together. I called the attention of the man who steered the boat to my trembling and said to him: I am a man of strong nerve, and never in life have I been situated where I trembled as I do now. But at last we got behind a point in calmer water and made the shore in safety. When we landed and were safe, one of the heaviest loads I ever had on me fell off and I felt vastly better.

I was advised at this ferry to go up the river about one hundred miles to Frear's Point and then cross the bottom. I was told that the direct route to Holly Springs ran so near the Chatahoochie river that it would be very difficult for me to get along.

Having crossed the river safely, I started for Frear's Point and arrived there without much difficulty. My route was on the levy part of the time, the balance in the roads crossing the bends. When I got to Frear's Point, I learned it was thirty miles across the

bottom. I struck out through mud and water and some snow, and safely reached the hills and felt much relieved, as I had surmounted the great difficulty and soon reached the Holly Springs—about fifty miles from north Mt. Pleasant, my destination. And on February 16th, 1866, as I learn from my journal which I kept, I arrived at north Mt. Pleasant.

Here I met with my brother and his wife, whom I had not seen for thirty-three years. We had been separated so long they did not know me. Here I learned that my brothers' son, C. C. Barrett, was in the printing office at Holly Springs. After staying with my brother a few days, and informing him of my situation, and getting him to watch the signs of the times for me, he being a lawyer, he had good opportunities to watch for me. My rule was when I stopped to put out my sentinels. Men were being arrested by telegraph.

Having completed this arrangement, I went to Holly Springs and informed my nephew of my situation, and got him to save the Texas papers which he got in exchange and watch for me. I returned to north Mt. Pleasant to rest, for I felt that I was almost worn out. While here resting I had ample time for reflection.

Here I shall make quotations from my journal I kept at the time:

Here I am exiled from home and not knowing when, if ever, I will be permitted to return.

An innocent man thus driven from home while some of those most guilty men are unmolested, but as frequently occurs, the innocent suffer while the guilty go unpunished. I thought of the upheaving in our government, the unsettled state of the public mind. The minds of a large portion of the people seemed to be unhinged and reason dethroned. The political horizon dark and gloomy, uncertain and unsettled, with scarce a ray of light penetrating the darkness. There I saw President Johnson's amnesty proclamation which was, I thought, a ray of light to direct the mind to hope. While at Holly Springs, I saw more of the destructive ravages of war. It was here that General Van Dorn burnt out the supplies of General Grant, and compelled him to abandon the plan of attacking Vicksburg by land and forced him to return to Memphis and attack by way of the Mississippi river.

The court-house and more than half the houses on the square were in ruins.

I went back to north Mt. Pleasant; started from here the 23d day of April 1866; sold my horse and took the cars at Lafayette depot for Giles county, Tennessee, where I was raised. I arrived at Campbell's station Saturday, three miles from brother Wade Barrett's and had a rejoicing meeting. After staying with my brother some time, visiting and receiving visits from my old friends, I went to Franklin, in Williamson county, where I had some relatives. While here, I visited the battle-ground where General Hood had that destructive battle with the federals. I also went to the McGavoc cemetery, where most of the confederate dead had been buried. The dead of each state, as far as known, were buried together.

Here I quote from my journal:

I arrived at the McGavoc cemetery and walked through the city of the dead. I am now seated on the graves of the Texas dead writing. I thought, poor fellows. You died far from home. Far from the dear objects of your affections. You have fought your last battle. The fierce conflict has passed away and the roar of the cannon has ceased the noise, and shouts of battle is no more heard. But, who can point out the scenes that transpired during that dreadful night after the battle?

It is hard to die in the midst of kind friends, surrounded by all that kind hands can do, but these had no wife, father, mother, sister, daughter or son to speak words of comfort, or give a cup of water to quench their dying thirst.

While they lay weltering in their blood the tide of life slowly ebbing, surrounded by the shriek of the wounded and groans of the dying, thinking of the loved ones far away at home without the least prospect of ever embracing them again. They

must struggle in all the agonies of dissolving nature on the bloody field, with thoughts on the loved ones at home, and weeping as life became extinct.

The affecting scenes which transpired on that dreadful field will never be revealed to mortals on this earth. If angels ever weep they must have wept while viewing that awful and bloody battle field that night. What a comment on the depravity of man!

After the roar of battle ceased, what a wailing of sorrow went up all over the land, north and south, as the sad tidings were conveyed to the homes of the slain. How sad the wife, the father, the mother, the brother, the daughter and the sister!

And now, when the family circle is formed, there will be one vacant chair. They will miss him. Oh, the sad horrors of war. The heart sickens, the tears fall while I write.

There is more than fourteen hundred of the confederate dead who have been interred and buried in this cemetery and not done yet. What a city of the dead!

How still they sleep! Revolution may follow revolution and change the face of nature; the cannon may roar, the battle may rage with all its fierceness, the wounded may shriek, the dying may groan, they heed it not, they sleep on. Nothing but Gabriel's trumpet can wake them.

My heart is filled with gladness to be assured that there is a bright and glorious region in the deep and mysterious creation of Him who inhabits eternity. Where there is no cannon roars, where there are no shrieks of wounded or groans of the dying; where the silence of the midnight hours are never broken by the wailing sons and daughters of sorrow telling their grief to the trees of the forest; where none of those heart-rendering scenes can come.

This blessed region is that house not made with hands, eternal in the heavens; where He who sits upon the circle of the heavens is the center of praise and directs the rejoicing of that happy throng.

Reader, please excuse me for keeping you so long on this battle ground and cemetery. I have only quoted a little from my journal of what I wrote while there. This belongs to my history, as I promised to give some of the consequences following that affair at Gainesville. Also I was anxious to record my opposition to war.

Now we travel a little faster.

I went to my brothers' in Giles county, Tennessee, August 1st, 1866. Here I received some letters from Texas. I thought of returning home, but the cholera was raging in Nashville and on the rivers.

As I could not start home, I yielded to the strong solicitations to preach, and spent all my time in preaching until November the 13th, 1866, at which time I took the cars for home.

At Memphis I boarded a steam boat and traveled to Jefferson. From Jefferson, I traveled by hack and horse-back to my home in Cooke county, Texas, near Gainesville, December 12th, 1866. Having been away from my family eleven months and fifteen days, the reader can imagine the joy of that meeting for I can not write it.

Here I ought to state that my wife had sold out in Bell county and gone back to Cooke.

Having arrived at home, my friends seemed glad to see me. Those who were so bitter against me for defending those prisoners—the excitement having passed away and reason returned—all met me with warmth of friendship, having seen their error. Some of the worst ones are now telling they acted with me. Now they say (as I told them they would say when the excitement passed away) Barrett was right.

Passing over many false statements made against me, one falsehood was so glaring that I must tell what it was. A man who did as much against those men who were hung as any man who was in any way connected with that affair, took my position and told that I occupied his position (which was a bad one), and this report he put in circulation after I moved from the county. I did not hear of this report until I got back.

This falsehood shows the bitter feeling against me for opposing the violent measures that were carried out on that occasion.

Perhaps I have written enough at the present about misrepresentation.

I can not say good-bye for there is nothing good about falsehoods. But I can say a dry adieu.

Having arrived at home, I set about having a trial, but it took about two years to get it. When my trial came up it was the poorest thing of the kind I ever saw. The district attorney had two witnesses. He examined one and turned him over to the attorneys. They asked no questions, but told him to stand aside. The second witness was disposed of in the same way. The district attorney asked my attorneys what they wanted to do with the case? They said they wanted the verdict of the jury. The case was given to the jury without pleading. The jury sat in the jury box, and the foreman said: "Write on that indictment, not guilty," and I was discharged. I thought if ever the mountain of labor brought forth a mouse, we had it in this case about which there had been such a splutter.

As soon as my trial was over, and I obtained such a complete and clear acquittal, I concluded that in the future I might have a use for a certificate, as the judge and lawyers would sign.

The time has come that I have use for that certificate and here it is:

"State of Texas, county of Cooke—this is to certify that Rev. Thomas Barrett, of the state and county aforesaid, was tried at the December term of the district court for Cooke county, Texas, on the 5th day of December, A. D. 1868, and honorably acquitted by the jury, there being no evidence against him, and the jury returning instantly a verdict of not guilty."

Witness our hands on the 11th day of December, A. D. 1868

(Signed)

HARDIN HART, Judge of the 7th Judicial District  
J. W. THROCKMORTON, Late Governor of Texas  
W. T. G. WEAVER, Late Judge of the 7th Judicial Dis't.

When the above certificate was handed to me, I saw that it failed to state what I was tried for. I called Judge Weaver's attention to the omission, and he gave me the following:

P.S.—The trial referred to above, which took place on the 5th day of December, A.D. 1868, was upon an indictment found against Dr. Thomas Barrett and others for the illegal hanging of forty men in Gainesville during the confederate war. Given under my hand and signed,

W. T. G. WEAVER

The above is positive evidence that I voluntarily met the indictment against me, and not a particle of evidence could be produced against me. I was prepared with witnesses in the court-house to prove that I took the course in the jury room that I have stated in this history, but my legal counsel declined introducing it because there was nothing to contend with.

Kind reader, in as much as my course in reference to that hanging has been misrepresented more than twenty-two years, and my character having been greatly injured, by the many falsehoods put in circulation against me, I say, kind reader, permit me to introduce one more witness, which will be my last. The witness I allude to is Judge P. T. Andrews, of Grayson county, who died in the spring of 1866. Judge Andrews and myself became acquainted in Missouri in the spring of 1843. I boarded with him nearly a year. We moved to Texas the same year, I think. He came on a visit to my house in 1862. When he arrived at my house I was in Gainesville on that jury. He came to Gainesville and was in the jury room the most of the time for two days, and when he learned that I was in a difficult situation, he voluntarily wrote me a letter, and now hear what he says:

SHERMAN, Texas, January 26th, 1866

DR. THOS. BARRETT:--

Dear Sir--Having some idea of your peculiar situation, I feel it my duty to address you this note that you may know, so far as I am able to inform you how I viewed and understood the peculiar situation in which you and some others were placed in in that trying and most unfortunate period in Cooke county while the rebellion was going on; when men ran mad like mustangs; when almost all men had run mad and forced everything before them. (Of course I allude to the unfortunate affair in Gainesville). I recollect well, you remarked to me (privately) soon after my arrival in Gainesville, that you would not be on the jury for a thousand dollars, but would not have refused for all you were worth, and even more. My understanding from you was that the pressure was so great and the spirit of blood so high, that had you refused, you endangered your life. Moreover, I can say, as I have frequently said, that I was permitted in the jury-room; I was proud to see and hear from there that you was a check on that blood-thirsty body, and was convinced that had you been absent, they would have done much more mischief than they did.

During my stay in Gainesville, I kept cool and had perfect control of myself, and could look on the infuriated mob of more than five hundred rough men in arms. I went home to Sherman, and found that the spirit and excitement had reached my county. When they organized, I was chosen as one of twenty-four jurors. What should I do? I thought of you, and after deliberating one night, I got my consent to serve. I feel now that a few of us were able to keep the blood-thirsty spirit in check till reason could prevail and save our county. But, my dear friend, we did not have such blood-thirsty spirits as you had in Cooke. I believe while in Cooke, and told you so, that some of your jury was acting badly. You agreed with me. And so far as I saw, or heard, you was a check to all that hanging. I am proud that I know as much of you as I do. I have known you for many years, and have seen you in hard places, in prosperity and adversity, but have never known you to flinch from duty.

Now, you are at liberty to show this to whom you please, and I here say that these remarks have not been asked for by you; they are a free-will offering, because I believed it to be my duty to make them. Should you ever be molested I will try to be present if necessary.

[Signed]

P T ANDREWS.

This testimony is clear and unmistakable, as far as Judge Andrews saw, and the credibility of his testimony can never be successfully impeached by mortal man. I could get many certificates from others who were in the jury room at different times; all stating that when they were in the jury room I was opposing the violent measures which were gone into in that affair.

I suppose I have said enough on this part of the subject, but if any one disputes the correctness of my history let them open the ball and I will face the music.

## CONCLUSION

I suppose by this time some of my readers are anxious to know how I have been able to write this history in detail twenty-two years after the thing occurred. I feel entirely able to give the necessary information, and in answer to that, I have forgotten very few things during my life, which made a strong impression on my mind at the time they occurred, and while writing this history, as I write the things that I have written came up in regular order as if it had been only a short time since they occurred. I have an extraordinary recollection, as I could give examples which would astonish the reader, as it has often astonished me, but it is not necessary here.

Another reason is, since the occurrence of that affair a great many of my friends have asked me about that affair, and I have gone over all that I have written and more many times—not all at one time, but one part at a time and another part at another time—and this was continued through a period of twenty-two years, and now I am nearly done writing it.

Another reason for being able to write it out in detail is, I wrote out a good deal of this thing not long after it occurred. This and my journal which I kept when I went to Mississippi and Tennessee assisted my memory. So by aid of these I have been able to give this thing in detail to give a full understanding of this unfortunate affair.

When I determined to write this history, I studied long and hard to adopt the best plan, and after mature deliberation I settled down on the plan pursued, to begin at the beginning and tell the working of this thing in the jury room and outside, and as far as possible cause this affair to pass before the mind of the reader as it would if he had been present and seen and heard all as I did. How far I have succeeded in this undertaking is left for the reader to determine himself.

As I have already stated elsewhere in this history, I have given the circumstances but suppressed names so as to leave every man as far as possible where he is now, for I have no enemies to punish.

There is another strange thing about this affair: The curious reader wishes to know why it is (as I have stated) that almost every man who was connected in any way with that thing had been lost sight of but myself, and it is said I was one of the leaders in that hanging.

When I found out that this condition of that thing existed to a considerable extent against me, I was at a loss to understand why it was; but I was determined to unravel the mystery, so I employed a few friends to investigate this matter and report to me, and the information received from them in addition to what I knew myself I was soon able to satisfy myself why it was so, and here it is:

I was a public man—a doctor and a preacher—and an old settler near Gainesville, and supposed to have some standing (easy brother) in the community.

This is the way the thing has been conducted. There has been for some years past a large increase to the population of Gainesville and many of the newcomers must see that old historic tree, that old elm, and they must know something of that hanging, and when told very imperfectly of it they oppose it, and a few justified and defended it, and those defending it were hard pressed for arguments, so they would refer to me, saying: "There is old man Barrett, supposed to be a good man and a man of high standing in the community, who was one of the leaders in that hanging." They had no intention to injure me, but used my name solely for the purpose of carrying out their point in trying to justify that hanging. While I do not charge them with intending to injure, yet their course injured me as much as if they had been doing all they could against me.

But the misrepresentation being once started it was passed from one to another, and a falsehood once started has no stopping place, and one man can circulate more falsehood than twenty men can head off and correct.

This thing was used by a few of the baser sort against me, and they raised great opposition to me religiously.

But in taking leave of this part of my history, I must say that although this thing has and is injuring me, there are very few who had any intention to injure me. But after it was stated many believed it, and being prejudiced against me told it to others and in this way the falsehood was kept up and circulated by those who could not, if they had known the truth, been influenced to take any hand in circulating as base a falsehood as this was.

I have no enemies to punish, no malice against any one. I forgive all as I hope to be forgiven.

In this concluding chapter, I must state that it has been a matter of much regret that I felt compelled to allude to my course so often, but know no way so likely to set me right before the world where my history is read as the course I have pursued.

And I think the reader will agree with me when I tell him myself and many others have been trying to correct the misrepresentations against me, and at this present time while I am writing, it is, I suppose, injuring me ten times as much as it did twenty years ago, having passed over almost every one else and settled on me with all its fury.

Many persons who are strongly prejudiced against me, in consequence of that hanging, if they were asked who else were connected with that thing could not give another name. But a great number know I was connected with this affair and a great many think I was a leader in it.

Almost everywhere I go I find this thing has gone before me, and went there unfavorably. I heard of it in Cincinnati, and one of my friends was good enough to set me right, but his opportunities being limited could do but little.

Heretofore, those who knew that I was badly misrepresented had nothing that was decisive, but when this history is circulated, as it will be, there will be something permanent to refer to, as I have made my course public and defy successful contradiction. The people of the United States, so far as this history is read, will learn the truth. The universal idea (almost) as I have before stated, has been that they were hung because they were union men, which this shows was not true.

I am not so vain as to suppose that I have made no mistakes, but I am vain enough, if you call it vanity, to be sure I have made no mistake in any important matter.

After I arrived home at the conclusion of my long run-a-way, I made a calculation of what I was injured, and I never could make it less than three thousand dollars. A serious loss for an old man of limited means.

In this concluding chapter, I repeat what I have stated elsewhere, that almost everything that I have stated can be proven by living witnesses.

THE END