

NEW ALBANY SUBURB FAMOUS FIELD OF HONOR IN EARLY DAYS

New Albany has one distinction that never has been exploited, either by historians or feature writers, strange to say – and that's saying a lot in this age of colorful instead of dry history, thrilling instead of tedious articles, and squeezed-to-the-last drop rehashed stories you read almost daily in newspapers and magazines.

The claim to distinction lies in the fact that it was the duel ground for some of Kentucky's most distinguished statesmen, soldiers and scholars. The "field of honor" was the Floyd county side at the mouth of Silver Creek – a place dubbed "Shirt-Tail Bend" by local boys who went swimming there fifty years ago.

To answer a question often asked as to why they resorted to the Indiana shore of the Ohio to shoot at each other under the "code duelle," they wanted to get beyond the pale of the law, which called for the arrest of all participants - principals and seconds – and prosecution, even to the extent of murder in case of a fatality.

The earliest and most famous duels were fought there before New Albany was established. The first of record was that between Major Thomas Bodley, who had just entertained at dinner in his mansion in Lexington, Ky., Col. Aaron Burr; Governor Alston and his wife, daughter of Colonel Burr; Harman Blennerhassett, and others; and the man who challenged Bodley, Dr. Louis Marshall, brother of Chief Justice Marshall, and who in 1838 became head of Transylvania University, and later the first president of Washington College, now Washington and Lee University.

Probably no one would have heard of this affair – a Washington and Lee student, during his Christmas holidays just before World War II, made a hurried trip to the Filson Club and Kentucky Historical Society, neither of which had the information, to endeavor to procure details for a thesis on Dr. Marshall – except for an odd circumstance that happened many years later.

Major Bodley had been goaded by an anonymous writer, who signed himself "Brutus" (it should have been "Brutal") who charged that Bodley was associated with Burr in his conspiracy. The critic claimed that Bodley went to Louisville to join Burr's expedition down the Ohio and Mississippi. Bodley replied that the purpose of his trip was to fight a duel, being challenged by Dr. Marshall.

Major Bodley said, "This meeting took place opposite Louisville on the 20th of December, 1805, about the time Burr's boats were descending the Ohio, and the trip to Louisville gave rise to a report that I was going with Colonel Burr."

It should be interesting to New Albany historians, as a sidelight to Burr's visit to "the West," that the slayer of Alexander Hamilton came to Louisville in May, 1805, under the guise of building a canal on the Indiana side of the Falls. He claimed to have Eastern capitalists backing the project and actually had opened stock subscriptions in Lexington. John Bradford, the pioneer

editor, announced Burr's stock subscription plans and predicted that considerable rivalry would exist, "as the Kentucky company having the same object in view are resolved to persevere in opening a canal on the Kentucky side." This rivalry not only existed, but increased until the present Portland canal was built by hired slave labor in 1827. Meantime, the Indiana Legislature contributed money to build on the Indiana side – and so did Cincinnati – but Kentucky won out.

If some of the local feature writers ever run out of material, they might develop some conjectures as to the opportunity, if any, Burr almost gave New Albany to become the metropolis of the Falls area. J. N. & A. Scribner, in their advertisement in 1815, said that "the Town of New Albany was laid out in the summer of 1813, at the nearest and best crossing place from Missouri and Vincennes to Louisville and Lexington." So, consider what a canal at that date, tied in with this trunk pioneer highway, would have meant to New Albany.

It may be a surprise to historians to know that a ferry operated from the lower end of Shippingport to the Indiana side of the Ohio in use as early as 1803. Incidentally, it's no wonder the duelers crossed at this point – nothing like the luxury of a ferry, instead of a tossing skiff on a blustery day. That the pioneer trunk highway mentioned also was here then was shown in an announcement by the United States Government in 1803 that proposals would be received for carrying the mails of the United States on Post Roads. One was in the Indiana Territory, "From Louisville to Vincennes once a week. Leave Louisville every Thursday at 6 a.m. and arrive Vincennes Saturday by 4 p.m. Leave Vincennes on Sunday by 6 a.m. and arrive Louisville on Tuesday by 6 p.m."

The next duel of record was that of Henry Clay, who ran three times for President and was defeated each time, and Humphrey Marshall, who wrote a history of Kentucky that is a collector's item today.

Clay and Marshall were Representatives in the Kentucky Legislature in 1809, when a dispute, in which they called each other names that any ordinary Kentuckian, much less a legislator, would resent, arose between them and a challenge followed. Probably many of you have read that world-renowned poem, "In Kentucky," by Judge James H. Mulligan. You who haven't may find it on any postcard rack and will enjoy it. Judge Mulligan described Kentucky as where "Hip pockets are the thickest, Pistol hands the quickest, And politics – the damnedest in Kentucky."

If you would like to know how duels were inspired, arranged and executed in those days, just listen to the account of the Clay-Marshall affair as copied from the Kentucky gazette of 1809. It never has appeared in book or magazine form, despite the numerous publications on duels – the most recent being "Gentlemen, Swords and Pistols."

The Clay-Marshall argument in the Legislature had barely terminated when Mr. Clay addressed a challenge to Mr. Marshall as follows: "January 4, 1809. H. MARSHALL, Esq., PRESENT. Sir – After the occurrence in the House of Representatives on this day, the receipt of this note will excite with you no surprise. I hope on my part I shall not be disappointed in the execution of the pledge you gave me on that occasion, and in your disclaimer of the character attributed to you. To enable you to fulfill these reasonable and just expectations, my friend, Maj. Campbell, is

authorized by me to adjust the ceremonies proper to be observed. I am, Sir, Yours, &c., HENRY CLAY."

Marshall at once replied, "Jany. 4, 1809. H. CLAY, Esq., Frankfort. Sir – Your note of this date was handed me by Maj. Campbell. The object is understood; and without deigning to notice the insinuation it contains as to character, the necessary arrangements are, on my part, submitted to my friend, Col. Moore. Yours, &c., H. MARSHALL."

Next were formulated "The Rules to be observed by Mr. Clay & Mr. Marshall on the ground in settling the affair now pending between them." They were:

1. Each gentleman will take his station at ten paces distant from the other, and may stand as may suit his choice, with his arms hanging down, and after the words, Attention! Fire! being given, both must fire at their leisure.

2. A snap or flash shall be equivalent to a fire.

3. If one should fire before the other, he who fires first shall stand in the position in which he was when he fired, except that he may let his arms fall down by his side.

4. A violation of the above rules by either of the parties (accidents excepted) shall subject the offender to instant death. JOHN B. CAMPBELL. JAMES F. MOORE.

Conformably to previous arrangements, the Kentucky Gazette continued, Mr. Clay and Mr. Marshall, attended by their friends, crossed the Ohio at Shippingport, and an eligible spot of ground presenting itself immediately below the mouth of Silver Creek, ten steps, the distance agreed on, were measured off, and each gentleman took his position, and the word being given, both gentlemen fired. Mr. Marshall's fire did not take effect; Mr. Clay snapped, which agreeably to rules agreed on, was equivalent to a fire. A third preparation was made, when each gentleman stood at his station, waiting for the word. Mr. Marshall fired first, and gave Mr. Clay a flesh wound in the thigh – Mr. Clay fired without effect. Mr. Clay insisted ardently on another fire, but his situation, resulting from the wound, placing him on unequal grounds, his importunate request was not complied with. We deem it justice to both gentlemen to pronounce their conduct on the occasion cool, determined and brave in the highest degree. Mr. Clay's friend was under an impression that Mr. Marshall, at the third fire, violated a rule which required that he who fired first should stand in the position in which he was when he fired; but Mr. Marshall's friend, being convinced that Mr. Clay had fired previous to Mr. Marshall's moving from his position, this circumstance is considered as once in which gentlemen may be mistaken on such occasions, and is not to be noticed in this affair. JOHN B. CAMPBELL. JAMES F. MOORE. Thursday, January 19, 1809.

Henry Clay was said to have been a crack-shot, but the above would not indicate it, nor would another and more famous affair, seventeen years later. Mr. Clay and the eccentric John Randolph, of Roanoke, squared off on the "field of honor" at Blamburg, Md., which was handy to Washington, D.C., and the scene of more duels than anywhere in the United States. Mr. Clay fired at the signal and missed. Randolph shot his pistol in the air, saying he had decided the night before, upon a visit from a friend who had called on Mrs. Clay and found her "in such sweet repose and her child in quiet sleep," to not fire at his opponent. Randolph said, "I did not

fire at you, Mr. Clay," and extending his hand, advanced toward the Kentucky statesman, who rushed to meet him. Randolph showed Clay where his ball struck his coat and remarked facetiously, "Mr. Clay, you owe me a coat." Mr. Clay replied, "Thank God, the debt is no greater." They were friends forever after.

A duel scheduled in 1833 for the mouth of Silver Creek did not materialize, but the story is interesting. Cassius M. Clay, all-time prize-winning gladiator in political and other battles, had beaten Dr. John P. DeClary with a cane on a Louisville street. DeClary challenged the "Lion of White Hall" to a duel and Clay accepted. DeClary later published a statement saying he waited on the Kentucky shore until nearly dark, when Clay showed up saying he had misunderstood the time and place, and suspended the affair. DeClary offered to go on across the river and "duel" by candlelight, as that was within the limited time specified. Clay refused. A year later, DeClary committed suicide in Louisville.

"Cash" Clay, as he was familiarly known, preferred a Bowie knife to a gun in a fight. And don't think that was not a formidable weapon – it was twelve inches long and two inches wide.

Clay used his Bowie very effectively – in fact, murderously – in an affray with Samuel M. Brown at a political gathering at Russell Cave, near Lexington, Ky., in 1843. After calling each other a liar, Brown fired at Clay with a pistol. The bullet struck the scabbard of Clay's knife, and proved harmless. Clay then went into action with his Bowie. He cut out one of Brown's eyes, sliced his nose down the center, cut off an ear and sunk the knife in Brown's brain, yet his victim lived. At the trial, Brown refused to testify against Clay – Kentucky chivalry, doubtless. He was far more honorable than Clay, who in his "Memoirs" said that Brown was a gangster imported from New Orleans to bring on the fight with him at Russell Cave. The truth is that Brown, a Lexington lawyer, was of a fine family and married into a family as fine as Clay's in the estimation of many people.

How Brown happened to come up from New Orleans at that time was that he was an inspector of the Post Office Department at Washington, and made trips regularly to New Orleans. He was on such an inspection trip a year after the Russell Cave fight when he met with a tragic death. He was a passenger on the Louisville to New Orleans steamboat "Lucy Walker," which blew up five miles below New Albany. Probably many of you recall reading in your local paper a re-publication two years ago of that disaster. Many of the victims were brought to New Albany and buried in Fairview Cemetery. Will, Earl and Kirke Hedden's grandfather, was one of the members of the committee that handled the burial in this city. Sam Brown's remains were taken to Lexington, Ky., and are in the family graveyard of the distinguished Robert Carter Harrison family, as he married a daughter of Harrison. Brown's brother-in-law was the father of Carter H. Harrison, five-time mayor of Chicago, who was assassinated the last day of the Chicago World's Fair in 1893, whose son of the same name, also a five-time mayor succeeding his father, has just celebrated his 92nd birthday.

Here is a duel fought at the mouth of Silver Creek with rifles – usually pistols were chosen. A newspaper account of 1846 said that James S. Jackson and Samuel L. Patterson, of Lexington, Ky., "went to Indiana a few days ago to settle an affair of honor according to the 'code'. They exchanged shots with rifles, both behaving with great gallantry, without effect, when the affair was adjusted by the interference of their friends. We believe the affair grew out of something

concerning a lady." The newspaper then suggested, "The gentlemen can, in a short time, indulge their propensity for fighting with deadly weapons to their hearts' content – not with each other, but with the rascally Mexicans – both of their names being down for the Rio Grande." Jackson did respond to this country's call, and served as a Lieutenant in the Mexican War, but Patterson sold his farm near Lexington and removed elsewhere. Maybe he served, too, as he was a son of a Revolutionary War soldier.

Two prominent Louisvillians evidently considered the mouth of Silver Creek too close to home, so selected the present seat of Utica to settle their differences. They were Col. Henry C. Pope and John T. Grey. The duel took place on June 14, 1849. The weapons were shotguns loaded with a single ball, distance twenty paces. The guns were to be held with the barrels resting in the hollow of the left arm, and they were to fire at the usual words. The guns were fired simultaneously. Capt. Pope, who had issued the challenge, fell, the bullet passing through and breaking a thigh bone and lodging in the other leg. He died en route to Louisville in the boat.

Here's another duel fight at the mouth of Silver Creek January 7, 1812. Capt. Nathaniel G. S. Hart, who was murdered as a captive by the Indians a year later almost to the day in the War of 1812, and Samuel E. Watson, both of Lexington, Ky., met on the Indiana field of honor after Watson had addressed a note to Hart, taking exception to the latter's use of the epithets "scoundrel" and "assassin," and saying that his friend, Mr. McKinley, would await an answer to his note. Hart replied that he had honored him with the epithets, "Coward, Villain and Assassin," and that he was surprised that a man "posted as a Poltroon and Coward" would have called upon him "to redeem for you your character."

Captain Hart said he was ever ready to answer the challenge, so they met at the mouth of Silver Creek. The pistols were loaded, the parties took their positions and fired, without effect. Watson's second then said he hoped the affair would be at an end, but Captain Hart replied that such an outcome was impossible, that they never would be friends – and he proposed taking a second shot. McKinley again urged the propriety of proceeding further, whereupon Col. Thomas Deye Owings, Hart's second, told him that he acted upon the defensive and awaited their pleasure, upon which McKinley "determined to drop the affair."

Duels at the mouth of Silver Creek became so frequent that the Governor of Indiana finally threatened to demand of the Governor of Kentucky extradition of all participants – principals and seconds – in future duels, to be tried in Indiana and dealt with. That wound up the duels.

- Presented to New Albany Rotary Club in 1950s by Samuel Scott