

Isaac Charles Parker

The youngest son of Joseph and Jane Parker, Isaac Parker, was born on October 15, 1838, in a log cabin outside of Barnesville, Ohio. He attended the local schools and taught himself law. He was admitted to the Ohio bar in 1859 at the age of 21. Shortly thereafter he relocated to St. Joseph, Missouri. There, in 1861, he met and married Mary O'Toole and together they had two children. He earned a reputation as an honest attorney and in 1861 was elected to the office of city attorney.

Four days after he took the office, the Civil War broke out. The war caused him to rethink his political positions and he broke with the Democrats and enlisted in the 61st Missouri Emergency Regiment, a home guard unit serving the Union. In 1864, he was elected as a Republican to the position of county prosecutor for the Ninth Missouri Judicial District. In the fall of that year, he cast a vote for Abraham Lincoln as a member of the Electoral College. In 1870, he was elected to the U.S. Congress and easily reelected in 1872. By 1874, the political atmosphere in Missouri had changed to the point he knew he could not be reelected.

Parker began a campaign for appointment as judge of the Western District of Arkansas in Fort Smith. On March 18, 1875, President Ulysses S. Grant appointed him to the position. This was a large district which included not only Arkansas, but also the Indian Territory, now known as Oklahoma.



Judge Isaac Charles Parker

At this stage of the Old West this was probably the most lawless section of the country. He arrived in Fort Smith on May 4, 1875, and held court for the first time on May 10, 1875. In his first term, eight men were found guilty of murder and six of them were hung at the same time on September 3, 1875. Of the other two, one was killed during an escape attempt and the other was commuted to life in prison because of his youth.

He was supposed to hold court four terms each year – in February, May, August, and November – but the caseload was so great the terms ran together. He was holding court six days a week and each day lasting up to ten hours. He tried 91 defendants in his first eight weeks. He soon earned the

nickname of "The Hanging Judge" from his critics. The people in the Indian Territory loved him and with the help of his 210 deputy U.S. marshals, the territory was being rid of its organized gangs and violent criminals. In actuality, the judge was an opponent of the death penalty, but he was a strict adherent to the letter of the law and when the law required hanging for an offense, the offender hung. In his 21 years on the bench, Judge Parker tried 13,490 cases, 344 of which were capital crimes. Guilty pleas or convictions were handed down in 9,454 of the cases. He sentenced 160 people (156 men and four women) to hang, though only 79 men and no women were actually hung. The rest either died in prison, appealed, or were pardoned. Over half, 109, of his deputies were killed in the line of duty, while they killed more than that many outlaws.



The permanent gallows behind the court house as it appears today. (Author's Collection)

Parker did sometime show sympathy for the criminals who appeared before him. In 1882, Belle Starr was found guilty of horse stealing and only received a sentence of one year in prison. John Overton, found guilty of fraud, was told by Parker: "Go home and sin no more." However, Overton was 98 years old.

In 1889 the Supreme Court judged that people sentenced to death could appeal. Of the 46 people convicted by Parker, who took their cases to Washington, 30 were judged to have been victims of unfair trials. Parker

complained that the "appellate courts exist mainly to stab the trial judge in the back." Parker defended himself by arguing "I never hanged a man. The law hanged him. I was only its instrument."

Parker was also ordered by Washington in 1891 to bring an end to public executions. This was followed five years later by the death penalty being abolished.



Painting of Judge Isaac Parker, circa 1896 (From Wikipedia)

When the August term of 1896 began, the Judge was too sick to preside over the court. Twenty years of overwork had contributed to a variety of ailments, including Bright's disease. He died on November 17, 1896, of Bright's Disease.



Judge Parker's tombstone in the Fort Smith National Cemetery