

580 505

United States Department of the Interior  
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES  
REGISTRATION FORM

1. Name of Property

historic name: Oak Cemetery

other name/site number: N/A

2. Location

street & number: Southeast of intersection of Greenwood and Dodson Avenues

not for publication: N/A

city/town: Fort Smith

vicinity: N/A

state: AR county: Sebastian code: AR 131 zip code: 72901

3. Classification

Ownership of Property: Public-local

Category of Property: Site

Number of Resources within Property:

Contributing	Noncontributing	
<u>1</u>	<u>2</u>	buildings
<u>1</u>	<u>2</u>	sites
<u>1</u>	<u>2</u>	structures
<u>1</u>	<u>2</u>	objects
<u>1</u>	<u>2</u>	Total

Number of contributing resources previously listed in the National Register: N/A

Name of related multiple property listing: N/A

=====  
**4. State/Federal Agency Certification**  
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I, the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this X nomination \_\_\_\_\_ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property X meets \_\_\_\_\_ does not meet the National Register Criteria. \_\_\_\_\_ See continuation sheet.

Cathryn A. Slater \_\_\_\_\_ 4-21-95  
Signature of certifying official Date

Arkansas Historic Preservation Program

State or Federal agency and bureau

In my opinion, the property \_\_\_\_\_ meets \_\_\_\_\_ does not meet the National Register criteria. \_\_\_\_\_ See continuation sheet.

\_\_\_\_\_  
Signature of commenting or other official Date

\_\_\_\_\_  
State or Federal agency and bureau

=====  
**5. National Park Service Certification**  
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I, hereby certify that this property is:

- \_\_\_\_\_ entered in the National Register \_\_\_\_\_  
\_\_\_\_\_ See continuation sheet.
- \_\_\_\_\_ determined eligible for the \_\_\_\_\_  
National Register \_\_\_\_\_  
\_\_\_\_\_ See continuation sheet.
- \_\_\_\_\_ determined not eligible for the \_\_\_\_\_  
National Register \_\_\_\_\_
- \_\_\_\_\_ removed from the National Register \_\_\_\_\_
- \_\_\_\_\_ other (explain): \_\_\_\_\_

\_\_\_\_\_  
Signature of Keeper Date  
of Action

=====  
**6. Function or Use**  
=====

Historic: FUNERARY Sub: Cemetery  
\_\_\_\_\_  
\_\_\_\_\_  
Current: FUNERARY Sub: Cemetery  
\_\_\_\_\_  
\_\_\_\_\_

=====  
7. Description  
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Architectural Classification:

N/A  
\_\_\_\_\_  
\_\_\_\_\_

Other Description: N/A\_\_\_\_\_

Materials: foundation N/A\_\_\_\_\_ roof N/A\_\_\_\_\_  
walls N/A\_\_\_\_\_ other N/A\_\_\_\_\_

Describe present and historic physical appearance. X See continuation sheet.

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8. Statement of Significance  
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Certifying official has considered the significance of this property in relation to other properties: Locally\_\_\_\_\_.

Applicable National Register Criteria: A\_\_\_\_\_

Criteria Considerations (Exceptions): D\_\_\_\_\_

Areas of Significance: EXPLORATION/SETTLEMENT  
POLITICS/GOVERNMENT  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Period(s) of Significance: 1853-1945\_\_\_\_\_

Significant Dates: 1853-1945\_\_\_\_\_

Significant Person(s): N/A\_\_\_\_\_  
\_\_\_\_\_

Cultural Affiliation: N/A\_\_\_\_\_

Architect/Builder: N/A\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above. X See continuation sheet.

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9. Major Bibliographical References
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X See continuation sheet.

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested.
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey #
- recorded by Historic American Engineering Record #

Primary Location of Additional Data:

- X State historic preservation office
- Other state agency
- Federal agency
- Local government
- University
- Other -- Specify Repository:

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10. Geographical Data
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Acreeage of Property: Less than one

UTM References: Zone Easting Northing Zone Easting Northing
A 15 372520 3914930 B 15 372720 3914920
C 15 372710 3914720 D 15 372900 3914700
E 15 372890 3914520 F 15 372500 3914530

See continuation sheet.

Verbal Boundary Description: See continuation sheet.

Beginning at a point formed by the intersection of the eastern edge of Greenwood Avenue with the southern edge of Dodson Avenue, proceed easterly along said edge for approximately 700 feet to its intersection with the western edge of Hunt Park; thence proceed southerly along said edge for approximately 700 feet to its intersection with the southern edge of Hunt Park; thence proceed easterly along said line for a distance of approximately 600 feet to its intersection with the western edge of South 31st Street; thence proceed southerly along said line for a distance of approximately 600 feet to its intersection with the northern edge of South "O" Street; thence proceed westerly along said line for a distance of approximately 1,300 feet to its intersection with the eastern edge of Greenwood Avenue; thence proceed northerly along said line for a distance of approximately 1,300 feet to the point of beginning.

Boundary Justification: See continuation sheet.

This boundary includes all the property associated with the historic cemetery that retains its integrity.

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11. Form Prepared By  
=====

Name/Title: Kenneth Story, Architectural Historian

Organization: Arkansas Historic Preservation Program Date: 04/21/95

Street & Number: 323 Center Street, Suite 1500 Telephone: (501) 324-9880

City or Town: Little Rock State: AR Zip: 72201

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### Summary

Ft. Smith's Oak Cemetery is roughly thirty-five acres in size and contains approximately eleven thousand known burials. The earliest surviving public cemetery in the city of Ft. Smith, Arkansas, the Oak Cemetery contains grave monuments and markers ranging from the elaborately-sculpted to the simple and plain. It is laid out in a total of forty "sections" that are separated by a series of unpaved roadways that allow access to the grave sites. The cemetery occupies both sides of a steep ridge that begins near the northern boundary of the cemetery and runs south.

### Elaboration

The Oak Cemetery is roughly thirty-five acres in size. It is bounded on the north by Dodson Avenue, on the east by South 31st Street, on the south by South "O" Street, and on the west by Greenwood Avenue, on which is located the principal entrance into the cemetery. The cemetery itself is sited on a steep ridge that runs north-south and slightly nearer its western boundary. The forty burial "sections" are divided by a series of unpaved perpendicular avenues that provide access to each approximately acre-sized section. A small, modern office/storage building is included within the nomination, as is a fenced equipment storage area; both are non-contributing. The cemetery includes two distinct "colored" or African-American burial sections, one older than the other, a broad variety of religious and fraternal burial markers, and several sculpted monuments of artistic significance.

Noteworthy among the artistically-significant grave markers is the Reynolds monument. Marking the grave of Confederate Captain James E. Reynolds and his wife Felicity, the monument consists of a life-size sculpture of two young women supporting a wounded soldier; below them is the inscription "Lest We Forget" (this depiction was reportedly inspired by an actual event that occurred in Captain Reynolds' life, during the Civil War battle at New Hope, Georgia in 1864. Reynolds had been wounded in the leg, and because his injury appeared to be critical, his comrades left him on the battlefield. His commanding officer sent his two daughters back to retrieve him, and they escorted him safely to the Confederate lines, where he recovered. Though he was not again able to return to the conflict, he was forever grateful to the mercy of these two young women, and thus chose to immortalize them on his grave). The monument was carved in Italy of marble and the base is granite.

Another significant monument is that over the grave of Thomas I. Rogers. This sculpture

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depicts a female angel, complete with Classical robes and wings, who stands between four and five feet tall. Though sculpted of marble, she stands upon a rectangular granite base that is inscribed with the name of the deceased as well as birth and death dates, and a brief epitaph.

A third sculpture of note is that above the burial of "John Alden Fuller, aged 3 years." Sitting sideways upon the simple marker block is the figure of a young boy, dressed in a smock and holding a flower. This sculpture is also marble.

Other markers of note are several large crosses (some quite elaborate), several Woodmen of the World monuments, and a two impressive mausoleums: one for the Echols family and one for the Shaw family. Both are constructed of stone, and the Shaw Mausoleum is accessed via a metal door that has been punched with a series of elaborate designs, all placed around the letters "RIP." The bulk of the remaining historic monuments feature the typical array of obelisks, larger stone markers and inscribed headstones, all of various types of stone.

The Oak Cemetery contains approximately 11,000 burials; it remains an active burial ground, though the vast majority of the marked graves are historic.

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**Summary****Criterion A, local significance**

The Oak Cemetery is locally significant under Criterion A by virtue of its being the historic resource that can claim direct associations with the broadest understanding of Ft. Smith's rich and colorful history. Not only is it the burial site of many of the city's most influential citizens -- and, in many cases, the only site that retains any associations therewith -- but it is also the oldest intact public burial ground in the city and the single property that is associated with the full spectrum of the rich and vivid history of this frontier town.

**Elaboration**

The first European settlement in the vicinity of what is now known as Fort Smith, Arkansas dates from October or November of 1817 with the establishment of the federal military post, initially named Fort Belle Point (there had been disorganized and sporadic European settlement in the area previous to this time, but no organized communities resulted). The junction of the Poteau and Arkansas Rivers, selected by Major Stephen H. Long, topographical engineer, offered significant strategic advantages over other sites in the vicinity, not the least of which was its underlying layer of stratified sandstone, providing a solid foundation for the construction of a fort and other buildings.

The original purpose of the fort was the protection of the western border of the United States territories against attacks from the Native American residents of the newly-created Indian Territory, located in what is now known as Oklahoma; however, after the forced migrations of the Creek and Cherokee Indians from their ancestral homelands east of the Mississippi River that occurred during the first few decades of the nineteenth century, the fort's primary directive shifted to keeping the peace between the newer Indian tribes and such older tribes as the Osage, the Choctaw and the Quapaw that had lived in this area for some time. The resulting hostilities between neighboring tribes was of sufficient magnitude to prompt the War Department to convert what had been a temporary fort facility into a permanent facility as of 1825, after the signing of the Choctaw treaty, though the actual purchase of the land for the new fort and the actual construction thereof did not occur until 1838.

The instability of the Indian situation discouraged any organized attempts at the establishment of an associated community adjacent to the fort for some time, particularly while it was a temporary facility with military personnel subject to ordered withdrawal at any time. Thus it is not surprising that the platting of the adjacent city of Fort Smith and the selling of lots for



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new construction did not begin until this fort was officially made permanent, thereby insuring the relative security of new settlers in the town.

Highlighted by the excitement that attended the preparations of several parties to proceed westward to the California Gold Rush of 1849, the pre-Civil War history of the city of Fort Smith was largely that of its role as a major embarkation point for traders, settlers and other adventurers heading west to such destinations as Santa Fe in the Mexican territory, to California, and to other forts further west. The downtown growth along Garrison Avenue, the principal commercial thoroughfare, largely reflected this activity, as it abounded with general mercantile stores, livery stables, and other such retail enterprises. During this period Fort Smith witnessed the establishment of its first newspaper, the *Herald*.

It was not until after the Civil War that such institutions as public schools, churches and dependable postal service arrived in the city of Fort Smith (the fact that the federal government officially closed the fort as an active military garrison in 1871 attests to the city's firm state of security by this time). Though the city had always been served by the Arkansas River, and later by several stage lines that connected Fort Smith with other cities in the midwest and southwest, the city grew dramatically with the arrival first of the Little Rock-Fort Smith Railroad in 1876, and then with the arrival of the St. Louis and San Francisco Railroad in 1883. This trend was only increased by the discovery in 1901 of natural gas fields to the east of Fort Smith, thereby providing a source of dependable and cheap fuel that made the establishment of industrial enterprises feasible. Smelters, glass factories, furniture factories, steel and iron works, and reputedly the largest sorghum mill in the world all located in Fort Smith as a result. The city also became a major agricultural trade center, serving as the transportation hub for the wide variety of produce grown throughout the length of the surrounding Arkansas River valley.

The first cemetery designated for the use of the public in Ft. Smith was located on Grand Avenue near the present site of the Darby Jr. High School and known as the Rogers Cemetery. The origins of the Oak Cemetery appear to have been private, for the first death date (August 6, 1853) precedes by about six years the first record of any portion of this property being purchased for use as a public cemetery (October 3, 1859). Early cemetery deeds refer to this burial ground by a variety of names, though the contemporaneous city death records consistently refer to it as "Oak Grove" or "City Cemetery." Regardless, it is evident that the Oak Cemetery began to serve the city of Ft. Smith as a general burial ground by the late 1850's (the section immediately to the west of the ridge is the oldest part -- Sections 15 & 18 on the map -- and the rest grew around it). Around the turn-of-the-century the burials in the Rogers Cemetery were disinterred and removed to the Oak Cemetery, after which time it became the city's principal

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public cemetery.

In addition to being the final resting place for many of the city's prominent late nineteenth and early twentieth century citizens -- including Captain John Rogers, known as the founder of Ft. Smith, Major Elias Rector, the Surveyor-General of Illinois and Missouri, U.S. Marshall of Arkansas and Indian Territory for sixteen years, and agent for the removal of the Seminole tribe from Florida to the Indian Territory, and Captain Reynolds -- Oak Cemetery enjoys several other historical distinctions. After the Civil War it became the final resting place for the majority of the area's Confederate dead, including the grave of an African-American soldier who fought on the side of the Confederacy. Most of these soldiers, though their identity is known from burial records, lie in unmarked graves. Buried here are many of the officers of the law who helped Judge Issac C. Parker (a.k.a. "The Hanging Judge") run his famous frontier law enforcement regime as well as many of the criminals he sentenced to hang. Oak Cemetery is the burial site of a host of local, state and national politicians, justices, and businessmen. Also of note is the fact that buried here are thirty-three known victims of the 1898 cyclone that swept through Ft. Smith, probably the greatest natural disaster to every strike the city.

Though the Oak Cemetery served as the final resting place for many of Ft. Smith's and western Arkansas's most prominent citizens, it is for its associations with the broadest aspects of this city's rich history that it is most significant. Buried here are early settlers, surveyors, soldiers, ruthless pioneer judges as well as state Supreme Court justices, businessmen, African-American citizens, men who lived well outside the law and the officers of the law who frequently saw them apprehended, tried and sentenced to die. Of all the known historic buildings and sites in the greater Ft. Smith area, it is the Oak Cemetery that is arguably the single site most closely associated with all of these aspects of Ft. Smith's history.

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## Bibliography

Clark, Sue, *Oak Cemetery, Fort Smith, Arkansas*, (Ft. Smith, Arkansas: 1994).

Information provided by Carol Woods, Ft. Smith, Arkansas.



7.5 MINUTE SERIES (TOPOGRAPHIC)  
 SW4 VAN BUREN 15' QUADRANGLE

3 070 000 FEET (OKLA., NORTH)  
 3 080 000 FEET (OKLA., SOUTH) 94° 28' 30" W  
 93° 55' 30" W

OKLAHOMA

NW (MITH)



3915  
 OAK CEMETERY  
 760 000 FEET (OKLA., SOUTH)  
 F. J. SMITH  
 SEBASTIAN Co.  
 ARKANSAS  
 A) 15 / 372520 / 3914930  
 B) 15 / 372720 / 3914720  
 150 000 FEET (OKLA., NORTH)  
 C) 15 / 372710 / 3913700  
 D) 15 / 372900 / 3911700  
 E) 15 / 372890 / 3914520  
 F) 15 / 372500 / 3914630

South Fort Smith

Mill Creek

ARKANSAS OKLAHOMA

SEBASTIAN CO LE FLORE CO

BOUNDARY CORPORATE FORT SMITH