

**OUTLINE OF EXECUTIVE
AND LEGISLATIVE
HISTORY OF ARKANSAS**

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Outline of executive and legislative history of Arkansas by Dallas T. Herndon

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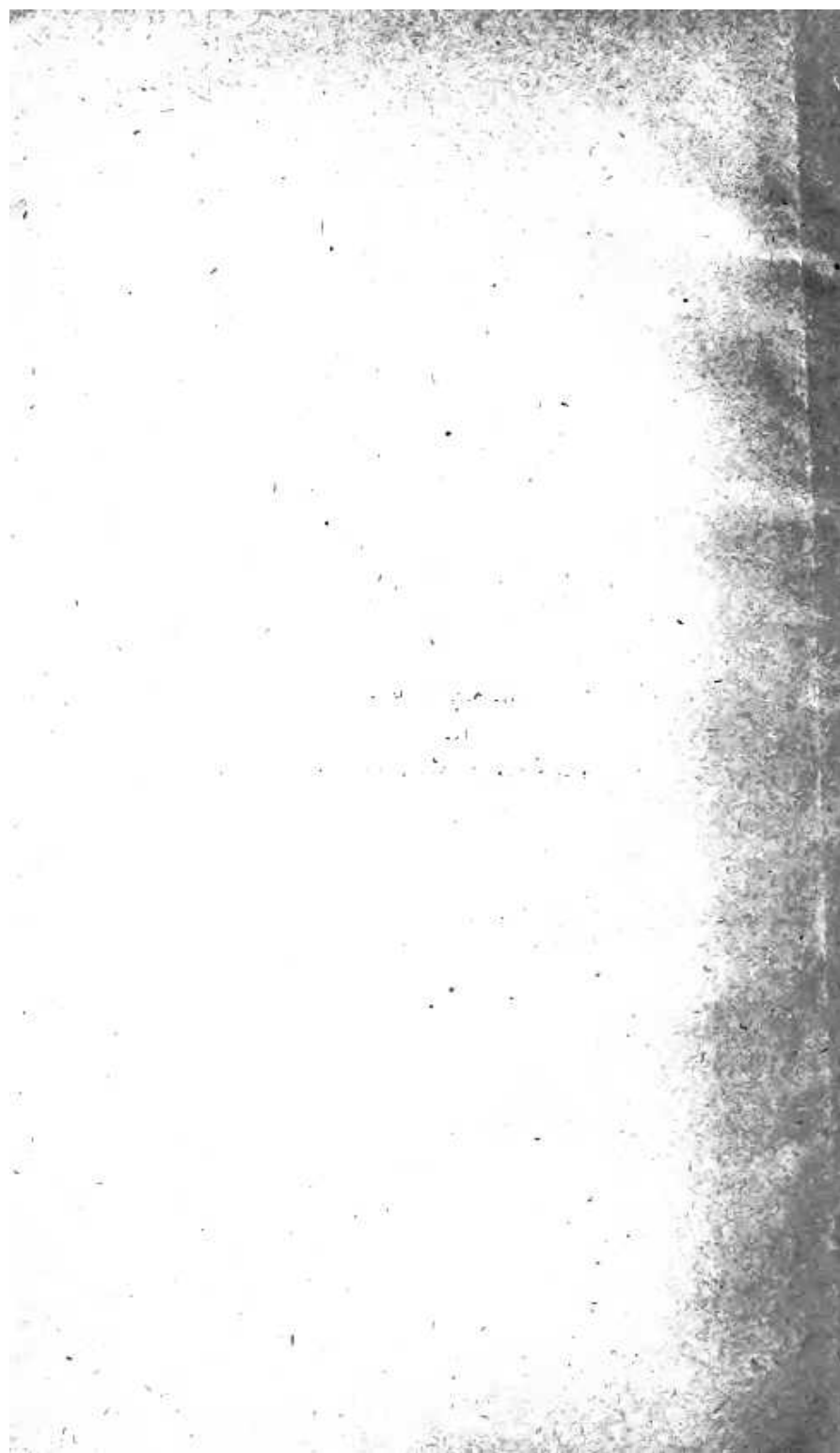
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GEORGE BULLIT

JUDGE, 1814-1819

Congress, in an Act approved by President James Madison, January 27, 1814, made special and exceptional provision for the establishment and maintenance of civil government in what is now the State of Arkansas. This Act of 1814 provided for the appointment of "an additional" judge for the Territory of Missouri, who, as the chief judicial and administrative officer in and for that part of Missouri "within the limits of the late district of Arkansas, as fixed and established while the same was a part of the territory of Louisiana," was required by law to reside "at or near the village of Arkansas." George Bullit, whom the President appointed to the office thus created, was a lawyer of Ste. Genevieve county, Missouri. Elected November 9, 1812, a member of the first house of representatives of Missouri, he had been chosen speaker at the second session of the first General Assembly in December, 1813. He removed, soon after his appointment as judge of the district of Arkansas, with his family to Arkansas Post. There he continued in office until 1819, when the Territory of Arkansas was created. By an Act approved December 13, 1813, the first General Assembly of Missouri had created the county of Arkansas, out of what had been, since 1806, the district of Arkansas. Subsequently, the legislature of Missouri divided Arkansas county, forming the county of Lawrence January 15, 1815; and the counties of Clark, Hempstead and Pulaski by a single Act approved December 15, 1818. During the five years of his judicial services, Judge Bullit held court regularly, "two terms in each and every year," in and for the district embraced by the five counties of Arkansas, Lawrence, Clark, Hempstead and Pulaski, and otherwise effectually organized affairs of civil government in each. Thus, when in 1819 the Territory of Arkansas was established, as a result of the work of Judge Bullit, Arkansas began its separate political existence with all the necessary machinery of local government already in operation.

ROBERT CRITTENDEN

ACTING GOVERNOR, JULY 4—DECEMBER 26, 1819

President James Monroe, on March 3, 1819, the day after he had approved the Act creating the Territory, appointed General James Miller, of New Hampshire, governor of Arkansas. On the same day, he appointed also Robert Crittenden, of Kentucky, secretary of the new Territory. Not many days later the President appointed as judges of the Superior Court Charles Jouett, of Michigan, Robert P. Letcher, of Kentucky, and Andrew Scott, of Missouri. Judge Scott, whose home was at Potosi, Missouri, was the first of the territorial officials to arrive at Arkansas Post. Crittenden and Letcher arrived in the latter part of June. The fourth of July, 1819, was the day named by Congress in the organic Act for the said Act to take effect. Accordingly, on Independence Day, the territorial government was put in operation by Robert Crittenden, who, according to law, became the acting governor in the absence of Governor Miller.

Born January 1, 1797, Crittenden was only twenty-two and a half years of age when he assumed the duties of the governorship of Arkansas. He was a native of Woodford county, Kentucky; was the son of John Crittenden, a Kentucky pioneer from Virginia, who had been a major in the Continental Army of the American Revolution. Robert was a younger brother of John J. Crittenden, who became a distinguished national figure. In 1814 Robert had entered the army as an ensign; served until June, 1815, when he was discharged with rank of lieutenant. He then began the study of law. In 1817-1818 he served under General Andrew Jackson as captain of a company of Kentucky volunteers in the Seminole war. He was admitted to the bar in 1818; shortly after he became of age. He held the office of territorial secretary in Arkansas nearly ten years, until the spring of 1829. During those years he was acting governor on numerous occasions, sometimes for periods of several months at a time, owing to the absence from the Territory first of Governor Miller and afterwards of Governor George Izard. Crittenden was married October 1, 1822, to Ann Innes Morris, of Frankfort, Kentucky. After his retirement from the office of territorial secretary, he continued to reside at Little Rock, where he became the leader of a political faction which later formed the nucleus of the Whig party in Arkansas. In 1833 he was defeated by Ambrose II

Sevier almost two to one as a candidate for the office of territorial delegate to Congress. He died December 18, 1834, at Vicksburg, Mississippi, whither he had gone to attend to some legal matter in connection with the practice of his profession.

Upon assuming the duties of the governor's office in July, 1819, Crittenden issued a proclamation calling a session of the territorial legislature at Arkansas Post for July 28, 1819. The only other act of any real importance performed by him during the nearly six months that he was acting governor, before Governor Miller arrived, was the calling of a general election for November 20, 1819. At this first election five members of a legislative council—one from each of the five organized counties—and nine members of a house of representatives were elected, besides a territorial delegate to Congress. In authorizing the selection by popular vote of the members of a legislative council, Crittenden overreached his authority. The law which prescribed the mode of government for the Territory, as then constituted, plainly provided that the people should elect by popular choice a house of representatives; the members of this house should then meet, at such time as the governor should appoint, select the names of eighteen persons whom they deemed qualified for the office of councilmen and forward the whole list of those so nominated to the President of the United States. Upon receiving such a list of nominations, it was the duty of the President to appoint nine of the same to be members of the council. Whether Crittenden's error was due to ignorance or imprudence is uncertain. But, at all events, owing to the good sense and prudent statesmanship of Governor Miller, Congress was induced to pass a special Act, which the President approved April 21, 1820, making the election of the councilmen, in the manner authorized by Crittenden, legal after the fact—in April after the election in November. Thus Arkansas was raised from a Territory of the first grade—one with a legislative council whose members were to be appointed by the President—to a Territory of the second grade, in which members of both branches of the territorial legislature were elected by the people themselves.

First Legislature—

The first legislature, unlike any of the legislatures of Arkansas since, was composed of the governor and the three judges