

# Octavo Barker

by Harry A. Tatro

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(Note: *Italicized* names are ancestors of the author)

Buster:  
Here is my Judge Barker  
story as promised. Not and  
dry over our prairie farm  
land but floods here in  
Calgary and southwest of  
here.

Harry

*Asa* and *Lucy Barker* had sixteen children. The oldest was *William* born in 1767, probably at Ipswich. *Asa* and his wife and children were one of the many early Revolutionary War veteran families at Bridgton, now Maine, but at that time, under the jurisdiction of Massachusetts. They came over the make-shift roads from Andover with an oxteam pulling all of the family goods. They settled in an area which became known as Barker's Hill. Here, he and his family established six homes.

As the Revolutionary War raged on, *William Barker* had grown to manhood. At age twenty-six, when the move was made to Bridgton, he, no doubt, owned one of those six homes on Barker Hill. Not long after the peace treaty had been signed in Paris, granting the colonies independence, the youth *William*, at age 23, married Sarah Kimball. She was a sister of Captain Kimball, who, when he built his log residence in 1768, was the first permanent settler of his area of Bridgton. Sarah had bore two children by the time of the move to Barker Hill; she had five more there, some of whom died young. After the death of Sarah, *William* remarried February 18th, 1820, to the much younger, twenty-five year old, *Susannah Davis*, joining the two historic families. *Susannah*, as we know, could trace her ancestry back to the "Mayflower", and like the Barkers, her ancestors had lived and made history in North America. On their farm on Barker Hill, *William* and *Susannah* had at least six children. The fifth child and third son was born June 9th, 1827. They named him *Octavo*, a name he grew to dislike so intensely that he gave himself the name of "Bob". There may have been the correct number of surviving children of *William's* first marriage to Sarah added to those of *Susannah* to give credit to the name, *Octavo*, which should have been eighth child of *William*. We have records of thirteen children that he fathered by the two wives.

Buoyed up with the success of winning their independence, the Americans adopted an attitude "of fulfillment of our *manifest destiny* to overspread the continent", although the phrase would not be expressed for some years to come. They had rid themselves of British rule, won territory up to the Mississippi River; so why not the rest of North America? In thus thinking, they were unconscious of the attitude generally of Canadians. Many "loyalists" to the British crown, during, and following, the Revolutionary War, had taken refuge in Canada and had no desire to have dominating rule nearby from Washington - it was enough to bear with rule far off across the Atlantic, when basically they desired to rule themselves. Likewise the French Canadians had no love for these long-time antagonists across the border.. With the aid of British regulars, Canada warded off repeated attempts of annexation . The most serious of these attempts was the War of 1812, in which another ancestor's

name appears, that of *Silas Emerson*, a family which will come up later in our story. But, there was much of the continent west of the Mississippi. "Manifest destiny" would sweep a population westward and with it the migration of our ancestors of the period, including *Octavo "Bob" Barker*.

*Octavo* was a responsible boy and was given the job of arousing the farm hands at early hours to carry out their daytime work in fields and forest. At twenty-five cents a day this provided him with his first paying job. His father, *William* died, at age seventy, when the son was ten. Probably, when his mother, in her early forties, remarried, the youth was sent off to an uncle to apprentice at law. He was a big lad and, filled with his share of independence, ran off from the uncle at age fourteen, to Boston. His time with his uncle served him well there (as it would in later life) for he was able to support himself practicing law with some friends. But, opportunity and adventure beckoned him to the west. The thunder of guns had been replaced by a new phenomenon. The age of railways had ushered in a new era, and access was needed to the west for the hordes of settlers heading out to take up the land newly opened to settlement.

"Amid the acclamation of a multitude that no man could number, and the roar of artillery, making the very heavens tremble, punctual to the moment, the Iron Horse appeared in sight, rolling with slow yet mighty motion to the depot. After him followed a train of six passenger cars, crammed to the utmost with proud and joyful guests, with waving flags and handkerchiefs, and whose glad voice reechoed back the roar of greeting with which they were received. Then came another locomotive and train of five passenger cars, equally crowded and decorated. This splendid pageant came to a stop in front of the depot, and the united cheers of the whole proclaimed to the world that the end was attained, and the Chicago & Rock Island Railroad was opened through for travel and business.

"In 1854 many Americans were alive who had been born in the lifetime of George Washington and celebrations of his birthday were still occasions of patriotic rejoicing and respect. That is why the builders of the first railroad from the east to reach the Mississippi River seized upon February 22 as the day to celebrate the Nuptial feast of the great Atlantic Ocean to the mighty Father of Waters. The track layers worked overtime to complete the final link, and the last rail was spiked to the ties only an hour before the Chicago & Rock Island's Locomotive No. 10, decorated with wreaths, garlands, and patriotic bunting, came whistling into view of the great river." (This is quoted from Dee Brown's book *Hear That Lonesome Whistle Blow*).

One can imagine twenty six year old *Octavo Barker* mopping his brow, although it was February, grim with satisfaction, as he watched this celebration. He had worked his way west bossing a gang of workers on railroad construction. Bossing a gang of railroad workers at that time was no easy, nor pleasurable task, they being mainly rough and ready immigrants. Having reached the Mississippi, he may have been as disillusioned with railroads as were most of the locals, for these residents depended largely upon steamboat transportation for their livelihood. To the west of the Mississippi, it was still a vast natural land, uninhabited except for Indians, where only the fur trader entered, little altering it as they gleaned their harvest of pelts, but still showing its former French Canadian influence. The riverboats provided the lifeline on the mighty "Father of Waters" with fifty-four subordinate navigable rivers to provide cargo.

Although *Octavo* may have had some rapport with the officials of the Chicago & Rock Island, who were young New Englanders like himself, he quit the railroad to take up piloting riverboats on the Mississippi. This took him to St. Louis, the hub of steamboating on the river system. At the time, the Mississippi River was the main artery of transportation; keelboats, flatboats, large rafts; lumber, corn, tobacco, wheat, furs, went downstream; sugar, molasses, cotton, whiskey went north. The talk was of feuds, piracies, lynchings, medicine shows, amidst savage waterside slums, pioneering humanity, flotsam of hustlers, gamblers, thugs, every type of human nature. "A pilot, in those days, was the only unfettered and entirely independent human-being that lived in the earth" so stated Samuel L. Clements, who was piloting at that same time. Better known as Mark Twain, he continues to discuss the "Rank and Dignity of Piloting" in his book *Life on the Mississippi*.

*"The moment that the boat was underway in the river, she was under the sole and unquestioned control of the pilot. He could do with her exactly as he pleased, run her when and whither he chose, and tie her up to the bank whenever his judgement said that course was best. His movements were entirely free; he consulted no one, he received commands from nobody, he promptly resented even the merest suggestions. Indeed the law of the United States forbade him to listen to commands or suggestions, rightly considering that the pilot necessarily knew better how to handle the boat than anyone could tell him .....It will easily be guessed, considering the pilot's boundless authority, that he was a great personage in the old steamboat days. He was treated with marked courtesy by the captain and marked deference by all the officers and servants; and this deferential spirit was quickly communicated to the passengers, too.....By long habit, pilots came to put all their wishes in the form of commands..... To gain and hold such a position of confidence, the pilot required an outstanding memory to know every twist, turn and obstacle of the river; he had to have excellent judgement in assessing the depth, current and ever changing course of the water; and he must possess the unfailing courage to act often spontaneously to emergencies. The round trip from St. Louis to New Orleans and back took about twenty-five days. About one third of this time was spent loading the boat when everyone was hard at work except the pilot; they did nothing but play the gentleman uptown where they were received with the importance and respect befitting their glorious occupation."*

The fact that pilots were by far the highest paid wage earners, enhanced their social standing and prestige aboard and on land. *Octavo Barker* would have been well received in the Trudeau household when his friend, and fellow pilot, John Trudeau, invited him to meet his family; especially his younger sister, *Celina*, of whom he was very fond. He had given her name to his baby daughter, born in 1854. *Celina*, past her mid twenties, found this tall, handsome riverboatman attractive. After all, she was a widow, with a baby daughter, advancing well past the age when most ladies of her years were happily wed, so perhaps it was time she showed initiative. Her strict upbringing and convent training were not enough to restrain her feelings, when within his hearing, as they walked from church, she remarked how she admired a man who smoked a cigar. The reprimand she received did little to cool the ardor. *Octavo* was quite prepared to return the interest in spite of parental disapproval. (This story was told by the grand-daughter to the Tatro family and that *Celina* received a sound slap from her mother, but the incident could not have happened with both the mother and *Octavo* present because the mother had died before *Octavo* arrived in the west.

It could well have happened with *Celina's* first husband.)

*Celina* could trace her ancestry back five generations to the master-mason, *Etienne Trudeau*, who arrived in New France in the summer of 1659 to build stone structures in Ville Marie (Montreal). Her grandfather *Jean Baptiste* was first, and long time, school-teacher in St. Louis besides achieving some fame and prominence as voyageur and explorer. A kinsman, Zenon Trudeau, had been Governor there in St. Louis. During the transition boom from fur trade to transportation hub of commerce, *Celina's* father, *Louis Rene Trudeau* had lost the extensive properties in St. Louis and had moved up river to Davenport, Iowa, where he purchased a home and some country land in 1843.

*Celina* had been baptised in the Old Cathedral in St. Louis on February 28th (following her birth on February 10th, 1828) as *Celerine*, daughter of *Louis Trudeaux* and of *Archange Dumouchel*. She had a Catholic Church Convent upbringing in St. Louis before moving with her family to Iowa Territory at age fifteen. On January 4th, 1846, not quite age eighteen, she married twenty-two year old George Ringlesby at George's father Lewis's home. The Ringlesbys had come from Virginia to settle as pioneers in Iowa. No records can be found of George owning any land so it is thought that he and *Celina* may have farmed near Buffalo, Iowa, on the land owned by her father. In 1847 *Celina* gave birth to a son that they named Julian, carrying the name of her brother who had died in infancy. A year later, on July 27th, she had a daughter, Elizabeth Maria.

There was much sickness there in 1850. *Celina's* mother died and was buried at St. Anthony's Catholic Church in Davenport on April 27th. On June 16th, three year old Julian was brought in to St. Anthony's to be baptised "near death". He was buried there beside his grandmother three days later. December 15th that same year Elizabeth Maria was baptised at the same church. She appears to have died too after 1856 for no more records mention her after that year. In 1855 *Celina* had another daughter, Martha, born in Iowa. Family have assumed that Martha was a child of *Octavo's* but, this is incorrect, she was a child of George Ringlesby but always went by the name of "Mattie" Barker. George Ringlesby must have died sometime in 1854 leaving *Celina* a widow. In the Buffalo Township of Scott County of Iowa State census of 1856 taken in June or early July, *Celina* appears as "Cileine McGreen" with her two children Eliza Maria age 7 and Martha age 1, given the last name of Ringlesby. They were living in the household of her sister, Catherine Elizabeth and husband Isadore Dapron and their family of five children. There were also two farm helpers at the Dapron's.

To carry on their occupation on the river, both John Trudeau and *Octavo* moved further up-river to Wabashaw, a frontier settlement where a few families - mostly French Canadian decendants - had gathered. They were traders, voyagers, raftmen, labourers, a blacksmith, a carpenter, a couple of missionaries. A few had taken land and started to farm. It was no doubt through thr companionship with John Trudeau that *Octavo* was drawn to *Celina*. On the 9th of May, 1857, Justice of the Peace, J. Hinswell, in the house of Pemproke Herald, bound the couple in marriage, with Isabelle Lachappelle and sister-in-law Marguerite Trudeau, John's wife, as witnesses.

Wabashaw had been occupied as a fur station, conveniently located for trading with the Dakota Sioux Indians. There had been a succession of three Wabashaws as powerful chiefs of the local

band, dating back to the mid 1700s. All three played a prominent role in the early contact with the whiteman.

After New France had fallen in 1763, French traders ceased to travel to the Mississippi and the British who had been enemies of both French and Dakota, feared the warlike Sioux, who had become very dependant on the whiteman's firearms and other goods for survival. Wabashaw I headed a delegation, travelling to Quebec to encourage resumption of trade, making a most favourable impression upon the authorities there. Wabashaw II espoused the British cause in the War of 1812, signed several treaties with the United States and even made a trip to Washington. Wabashaw III was chief when *Octavo Barker* arrived at the settlement bearing that name, and was still to make his most notable mark in history. The last treaty relinquishing land in the vicinity took place in 1851. Except for the "Half Breed Tract" set aside by the Prairie du Chien treaty of 1830, the land was available for settlement. (This "Half Breed Tract" would result in bringing about considerable hostility in the area as claims in settlement progressed in the County of Goodhue, within this story of our interest.)

During the fur trade period, from 1830, the settlement had consisted of those engaged in the trade, a few French Canadians, their native wives and mixed blood children and relatives. The settlement's growth was a result of the excellent steamboat landing, and that was what provided the work opportunity for *Octavo* and also for his brother-in-law John Trudeau.

At Wabashaw, the Dakota Indians were numerous but peaceable with the white people, many of whom were their relatives, but this was not the case with their traditional enemies, the Chippewa. If one of these was unfortunate enough to venture close, his scalp would end up in a dance. The last of these happened in 1858 on the levee just below the American House, after the Barkers were at Wabashaw.

It was on this levee that the building had been erected by the riverboat pilot, Herald, and was kept as a boarding house known as Herald's Exchange. This was the place where the Barkers were wed, prior to its distruction by fire one year later. A writer described the local scene in 1857:

*The teepee of the Indian was to be seen in every direction, and the dusky form of the savage might be expected to walk in upon you, or be seen peering curiously at you through the window at any time. Usually they wanted food or "coshpop" (the Indian term for ten cents), begging being one of their strong characteristics. Just below the house in which we lived stood a little copse of wood, where the death-song of the "poor Indians" was heard many times when he thought himself dying; the "fire-water" of the white man proving too much for him. He would get thus far on his way back to the teepee, lie down, as he thought, to die, and then the terrible wail would begin and continue until the poor fellow was overcome and dead-drunken sleep drowned all sensibilities. Their dances, too, were very frequent and dreadfully hideous, yet apparently enjoyed with all the zest their benighted brains and energies could desire. Their medicine and war dances were the most frequent; they had also a snake-dance, which took in all the serpentine antics and hisses, while the monotonous beatings of the drums was most unearthly.*

The gradual move of Indians to their reservation, designated in 1854, went on until, by the time of the outbreak in 1862, less than twenty families of mostly relatives of non Indians, lived in Wabasha. But in those earlier days excitement was not only generated by the native population. Passenger, freight and lumber traffic on the river attracted many rough and ready individuals to the steamer landings. Read's Landing at the mouth of the Chippewa River was a great gathering place for rough men engaged in control of the massive log rafts floated down to the mills. There were many scenes of violence and lawlessness. "Shooting in many cases was considered as almost a pastime, and bullets were frequently the messages sent to convey intelligence of some offence either fancied or real", reported an historian. After the territory was organized, Alexis Bailly was appointed Justice of the Peace. The early French trader Rocque warned his sons, "My sons, it is necessary that you be very careful now, because the law has come to town. The law is the devil, and Mr. Bailly is the law". (Perhaps it was a more peaceable Justice of the Peace who officiated at the marriage of *Octavo* and *Celina Barker*.) In 1857 Chairman of the Board of Commissioners of the county, A. A. Weston, was unable to attend at meetings; he had been injured by a shot of an outlaw.

Besides being Justice of the Peace and principal trader, Bailly was appointed postmaster in 1853. The original name of the postoffice as well as the county was Wabashaw, but in 1858 the government ruled to drop the final letter, and since, the name has remained Wabasha.

*Octavo* had decided to take advantage of the availability of land and become a "gentleman farmer" land owner, but continued to work on the river. In the 1860 census "*Robert Barker*, a riverman" was recorded as living in Township 111, Range 10, with a personal estate of \$510. Most riverboatmen were not prepared to see their industry jeopardized by the railroad. An intense and bitter struggle developed which brought conflict, including destruction of the Rock Island Railroad bridge over the Mississippi when a riverboat jammed against a peer; "an accident" said the rivermen; "purposely" screamed back the railroaders. During the struggle, a young lawyer from Illinois emerged into prominence, one who would carry the day for the railroad, giving them equal right with the river transport. That lanky, raw-boned, backwoodsman lawyer was Abraham Lincoln, who would go on to firmly establish a new political party in the United States, which would carry the name of "Republican".

The nation was preoccupied with the trans-Mississippi region like never before. There was a powerful movement politically to occupy the land. The creed of "Manifest Destiny" prevailed, wherein the United States saw that their control of the whole continent of North America was in keeping with some higher power of nature, history, or God. It became a crusade, a holy war waged by politicians enthusiastically supported by the electorate. For the army, looking to the West, this divinely ordained mission, was a place for glory and promotion. There were those like Senator Thomas Hart Benton, the prominent newspaperman of St. Louis, who urged poor farmers and workmen from the east, to start a new life on freehold land in the West.

Of course, there are always those who are anxious to take advantage of opportunities and it took time for the populace to understand the maneuvers of the unscrupulous promoters and knavish politicians. By that time, one tenth of the choicest lands of the West had been given away as grants,

along with generous and enormous payments out of the public coffers. There were few of the promoters who honestly supported or cared about settlement; they were there solely to grasp the riches of the expansion phenomena. None-the-less, the settlers flocked west and forced the foundation of formal administration.

These settlers came from the northern and the southern states. The South saw an expansion of their industries and lifestyle with the use of slaves; the North was opposed. Politicians were forced to take strong positions to support their electorate, for or against slavery. Abraham Lincoln and his Republicans took the against side. As new states were formed, decisions had to be made - free states or slave states. Lincoln, when he became President, decided slavery must be abolished. The South thought that they could not survive and state by state voted for secession from the Union, thus forming the Confederate States of America. The thirteen colonies that had banded together in 1775 to throw off the British dominance had then a common cause, but they had always had many differences. The differences early in 1861 had to be quickly overlooked in the face of extreme troubles. "We are a young state, not very numerous or powerful but we are for the Union as it is, and the Constitution as it is," declared Alexander Ramsey, Governor of Minnesota. He happened to be in Washington on the 13th of April 1861, when he learned of the attack on Fort Sumter. He rushed to the Secretary of War and offered 1000 men to fight for the Union. Thus Minnesota became the first state to make a formal offer of troops to the Northern armies of the Civil War, two days before President Abraham Lincoln issued the call for 75,000 men. Minnesota would furnish some 24,000 men for Union service before the conflict ended. In spite of his family obligations ( a son , John William, had been born in 1859) *Octavo Barker* was one of those who joined the conflict. He would have had opportunity to witness first hand the trouble mounting.

Down the Mississippi River the residents had been some of the strongest opponents of the United States Union. The State of Mississippi was the second state to leave the Union. Mississippi resident Jefferson Davis was President of the newly formed Confederacy. Beginning in the spring of 1862 Mississippi became a hot battleground, all up and down the river and up its tributaries into the land. At first the Confederates proposed to allow passage of transport and cargo on payment of customs due the Confederate States. They at the same time opened transport to any foreign ships. So much of the economy up-river depended upon the river transportation that the up-river residents were quite unprepared to allow such interference. During May and June, 1861, even St. Louis was in armed conflict wherein several were killed, including civilians, some being women and children. At Western Command Headquarters in St. Louis, a decision was made to rescue the land from the grip of the secessionists. Serious fighting took place at Wilson's Creek near Springfield in August, only to result in defeat of the Unionists who retreated to St. Louis. Due to the unhidden delight of Confederate sympathizers at this defeat, St. Louis was placed under martial law. Troops began to collect in St. Louis and many were deployed to protect the transport on the upper river system. By the end of that year, the war arena had been concentrated in the East, to an area which the Union commanders felt was less exposed to them. In the spring of 1862, the fighting commenced with renewed force and vigor. Union troops again sought to dislodge the secessionists entrenched near Springfield. In March a bloody battle at Pea Ridge saw victory for the Union men.

Because of the strategic element of the river, iron clad gunboats were employed on the Mississippi. At strategic points forts with mounted guns were placed to control transport. There was no way a riverboat pilot could escape the direct impact of the war. While the fierce fighting of the Second Battle of Bull Run waged on, President Lincoln was composing his letter to Horace Greeley, stating in part: "My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would do that. What I do about slavery .... I do because I believe it helps to save the Union." Thus it can be seen that the paramount issue of the Civil War was really not the matter of slavery.

It was just after the intense naval battle waged in an attempt to take Vicksburg from the Confederates, to open up the river transport, and the President's call for 300,000 more men, that *Octavo Barker* enlisted at Wabasha in Company K, 9th Regiment of Minnesota Volunteers for three years service in Captain Wellman's command on the 21st of August 1862. D. W. Wellman had held the position of County Surveyor at Wabasha. *Octavo's* friend, the local druggist, Jerome J. Stone also enlisted at Wabasha.

*Octavo Barker* made an impressive figure at one inch over six feet tall, dark complexion, eyes of grey and light hair. Although he owned some 500 acres of land, he gave his occupation as "gentleman", which may have been what he (and others) considered a man with the status of river pilot. More likely it was due to unemployment necessitated by interruption of riverboat traffic because of the war. He was 35 years old and was given Regimental Number 797215. The rendezvous at Fort Snelling, in St. Paul, was just underway when the Sioux outbreak occurred and these new volunteers were immediately armed and sent to the frontier to protect settlers. Headquarters was established at St. Peter, Minnesota where Company K did garrison duty until November 3rd.

Besides his experience on the river, *Octavo* may have had quite another personal motivation to join the Union fighting forces. His family had direct contact and knowledge of the local Indians. Wabasha and his Dakota band, retreating before the advance of white settlement, were crowded into a narrow strip of territory along the Minnesota River. Too often agents and traders cheated and abused them as inferior beings. In that summer of 1862 everything seemed to go from bad to worse between the whitemen and the Indians. Game was gone from the reservation and when the native hunters crossed into the land claimed by the white settlers there was frequent trouble. When the annuity money failed to arrive, due to heavy expenditure on the war effort, traders refused to advance provisions to the Indians in spite of quantities in stores. This is when trader Andrew Myrick made his infamous statement, "So far as I am concerned, if they are hungry, let them eat grass or their own dung." It was not long after that his body was found with his mouth stuffed with grass. Although Wabasha himself was opposed to open conflict with the whitemen, the general attitude among his following was that the time was opportune to strike while the whitemen were so preoccupied fighting each other.

Big Eagle explained how the trouble finally came to a head. Four young men who were very hungry

crossed the river one afternoon to hunt for food of some kind. “ They came to a settler’s fence, and here they found a hen’s nest with some eggs in it. One of them took the eggs, when another said, ‘Don’t take them for they belong to a whiteman and we may get into trouble’. The other was angry, for he was very hungry and wanted to eat the eggs, and he dashed them to the ground and replied, ‘You are a coward. You are afraid of the whiteman. You are afraid even to take an egg from him, although you are half-starved. Yes, you are a coward, and I will tell everyone so!’ The other replied, ‘I am not a coward. I am not afraid of the whiteman, and to show you that I am not I will go to the house and shoot him. Are you brave enough to go with me?’ The one who had called him coward said, ‘Yes, I will go with you, and we will see who is the braver of we two.’ Their two companions said, ‘We will go with you, and we will be brave too.’ They all went to the house of the whiteman, but he got alarmed and went to another house where there were some other whitemen and women. The four Indians followed them and killed three men and two women.”

Against the advice of Wabashaw and many of the older headmen, it was decided that the time was right for action, since these young men had committed them to hostilities. On the 19th of August, 1862, Wabashaw and his band joined other Sioux at Fort Ridgley and the next day assaulted the fort, while others went to plunder the village of New Ulm. They found the village too well defended, so turned back. Fort Ridgley was defended by 150 soldiers and 25 armed civilians. It had stone buildings and mounted cannon, so the assault there was quite ineffective. Besides, they learned that 1400 men of the 6th Minnesota Regiment were on their way from St. Paul, led by the hated “Long Trader” General Henry H. Sibley. The natives knew enough of Sibley’s dealings; of the \$475,000 promised the natives in their first treaty, Sibley had gotten \$145,000 for his American Fur Company, as money due for advances to the Indians. Alexander Ramsey had been Indian Agent, now in 1862 was Governor of Minnesota and had appointed Sibley to command the 6th Regiment.

Having failed with Fort Ridgley, the Indians attacked New Ulm again on August the 23rd with Mankota as war chief. The village was well barricaded and determinedly defended. Firing on both sides was sharp and rapid. The bitter battle was fought in streets, dwellings, outhouses and store buildings. The defenders lost 190 buildings to fire and had more than 100 casualties. The Sioux took over 200 prisoners, mostly women and children. Besides such main assaults, there was indiscriminate killing of white settlers throughout the area by marauding bands of young warriors. Several hundred settlers were trapped in their cabins without warning; many fled to seek safety, some even taking refuge in villages of friendly Sioux.

Seven year old Lucretia (younger sister of *Hannah Adelia Emerson*) would always recall one of her horrible experiences. She wrote: “ The neighbors all got together for a dance. In the middle of the gaiety someone arrived with the news that an Indian war party was headed their way. Everyone went to a nearby blockhouse and waited out the rest of the night there. The blockhouse was built so the women and children were put upstairs and the men would fight from below. They would circle the wagons around it to keep the Indians away.

“The Indians didn’t show up but next morning they went to their homes with great sorrow for their neighbors but thankful in their own hearts for their own lives. One of the families involved in the

raid was one of the Clark's children's family. (Lucretia was reared by the elder Clarks after she and her siblings were orphaned). One child, a baby, was found still alive and the Clarks took her home and raised her. **The rest of the family was found at the table with their hands nailed to the table and food they had been eating was pushed to the center of the table out of reach. They were all dead when found except for the baby girl.**"

The Barkers, too, would hand down tales to younger generations, of that Indian troubled time. Once when their family was threatened, the young children were hidden out in the woods and told not to move nor make a sound until their parents returned for them. Personal experiences, such as these, would strongly reinforce the greater action afield, instilling hostile feelings.

On the 3rd of September there was a running battle between Little Crow with 75 warriors and an equal force of soldiers who retreated to Hutchinson with six killed and 15 wounded. Big Eagle and Mankato trapped soldiers at Birch Coulee, but Sibley brought up a large force to relieve them. Seeing the futility of their efforts, Little Crow and Sibley exchanged messages for release of prisoners and peace for the Indians, The clincher came on the 12th of September when Wabashaw sent a secret message to Sibley, betraying the Dakota and claiming friendship toward the whites. The Sioux struggle continued on the 23rd when Sibley's camp at Wood Lake, near the Yellow Medicine Agency was attacked. The Indians lost 14 or 15 killed and many wounded. The dead left on the battlefield were scalped and bodies mutilated by the white soldiers. The Sioux decided Sibley's force was too strong and that they must consent to unconditional surrender. On September the 26th, Sibley, with the assistance of "turn-coat" Wabashaw and Paul Mazakootemac, who carried flags of truce, marched into the Dakota camp and demanded immediate release of the prisoners - 107 whites and 162 mixed bloods. Sibley put up a cordon of artillery and soldiers around the Indian camp and sent messengers to demand all Dakota in the Minnesota valley to come into his "Camp Release" or be hunted down and captured or killed. A large log building was put up, where 600 of the camp's 2000 were chained together in pairs. Five army officers were appointed to try suspected Dakota participants in the uprising. The accused were tried without defence counsel. As many as 40 Indians a day were found guilty and sentenced to death or imprisonment. Altogether 303 were assessed the death penalty: 16 to terms of long imprisonment.

An event of such magnitude was beyond the scope of local authority. Sibley referred the matter to General John Pope, Commander of the Military Northwest Department, who passed it on to President Lincoln. Lincoln asked for a full review of the convictions, to differentiate between murders and acts of warfare. Pope and Governor Ramsey protested that all 303 convicted should be executed without delay or the people of Minnesota would take "private revenge" on the prisoners. For safe keeping, the prisoners were moved to South Bend on the Minnesota River and after citizens attempted to storm them there, were moved again to a stronger stockade near Mankota.

On November 3rd K Company with *Octavo Barker* was ordered to join General Sibley's command which was met near South Bend and "was on duty at the great hangings in Mankota".

At ten o'clock on the 26th of December hangings commenced of the 38 prisoners finally

condemned to death. Singing their death song, one by one, they mounted the scaffold. White people were enraged that so few were executed. The outcry was so great that the State of Minnesota in 1863 began paying \$25.00 bounty for Sioux scalps. Sibley's soldiers searched out fugitives in Minnesota and the Dakotas forcing many to flee to Canada. Such was the state of public and private hostility toward the Sioux. It would not be wondered at, if *Octavo Barker* harbored similar feelings and did take a grizzly part in the horrid drama. Family lore has suspected that he served as hangman. Records and circumstances indicate that it is actually possible, and no whiteman at the time would have faulted him.

As mentioned earlier, he joined up on the 21st of August 1862, when the Sioux unrest was brewing. His family had been threatened, fellow citizens killed or made prisoners or worse. He could well have had, like most other whites, no sympathy for the culperates. The prison camp at Mankota was a part of K Company duty. He was on the muster "Present" to December 31st, 1862, and went on a lengthy leave January 1st to May 1st, 1863. Was that extended leave a reward in recognition for his gruesome service? We will never know, and surely it is better left that way - just a bit of lore, but not entirely out of character of the adventurous man.

During that year of 1863 another son, Nelson L. Barker was born into the family. Fearing for her father's safety, little seven year old Mattie hid in the wood pile when *Octavo* was about to leave again for war. Her little mind had reasoned that if he could not say "Good Bye" to her, he must stay home. This was an act she always regretted afterward, for duty called and he had to leave in spite of her feelings.. On the 3rd of October K (also C and F) Company boarded the steamer "Chippewa Falls" at Winona to travel south with their regiment as far as La Crosse and from there they went by rail cars to St. Louis and from there on to Jefferson City, the capital of Missouri. On the 17th they were ordered to La Mine Bridge, fifty miles out on the Pacific Railroad. February 11th K Company was sent to Warrenburg to guard the railroad while others of the regiment were scattered over 200 miles for similar purpose.

During the cold of winter the men constructed fireplaces of brick or other material in their Sibley tents. Rail fences and other combustible material rapidly disappeared from the neighbourhood causing considerable concern. Colonel Wilkins ordered fireplaces to be dismantled. After dark a sod was placed on the chimney of the Colonel's tent. In the morning the enlisted men watched while the orderly built up the fire in the Colonel's tent. As expected orderly, closely followed by the Colonel came dashing out coughing and rubbing their eyes. That day a new order was issued detailing twenty-five men to haul firewood from the woods nearby. No more was said about dismantling fireplaces.

On November 12th a negro came to La Mine Bridge greatly agitated. He was an escaped slave and his wife and family had been captured and would be on the train being shipped back to Kentucky. The train would be at Ottertail in an hour. Forty-one men of C and K Companies siezed their guns and hurried to the depot. They rescued the family but in the process roughly handled a Missouri officer who tried to prevent it and raised a formal complaint. The forty-one rescuers were arrested and conveyed to Jefferson City to the guard house where they stayed for two months. Sergeant

George Hays of K Company "set forth the facts" to friends at home and it caused quite a disturbance. January the 11th, 1864, a resolution of enquiry before the United States Senate ordered a release of the prisoners. For a man who championed the way of justice, it would have been like *Octavo Barker* to have been much involved.

In mid-May 1864 The 9th Regiment was all assembled, 879 strong, at Camp Gamble, St. Louis. May 29th they left St. Louis aboard the "B. M. Runyan" to reach Memphis on the 31st. The next day they marched to the Memphis and Charleston depot and departed for La Fayette, Tennessee, taking three days rations in their haversacks and leaving behind knapsacks, blankets and camp equipment. At La Fayette they camped while General S. D. Sturgis formulated his plans for battle. From there *Octavo* went into action and took part in the Battle at Brice's Cross Roads, near Ripley in Mississippi on June 10th that year.

Early in May (while *Octavo* was on leave) Union Major General William T. Sherman took the offensive in northwest Georgia. In so doing he put his supply route for his 100,000 men at risk. That supply route was the single track Nashville and Chattanooga Railroad, subject to raids by Major General Nathan B. Forrest commanding Confederate forces. Sherman ordered Brigadier General Samuel D. Sturges to seek and destroy Forrest's Confederate troops. Sturges left Memphis June the 2nd, at the head of 8,100 infantry and cavalry, including cavalryman *Octavo Barker*, and 22 cannon manned by 400 artillerymen. Slowed by heavy rains, Sturges's force did not reach Ripley until June 7th. Although Forrest was actually advancing on orders to raid the railroad, the orders were altered to counter Sturges's advance. Forrest chose to meet Sturgis at Brice's Cross Roads on June the 10th. Brigadier General Benjamin H. Grierson, commanding Sturgis's 3,300 cavalry, was in the lead of the Union forces.

The roads were in a muddy mess from seven days of , more or less, continual rain, but at daybreak the sun came out making it hot and muggy. Grierson's cavalry routed a Confederate patrol, crossed Tishomingo Creek, and by 9.15 was at Brice's Cross Road. Outnumbered, the Confederates were forced to retreat down Baldwyn Road about a mile, where they were joined by reinforcements. Still outnumbered three to one, the Confederates held until further reinforced. Forrest boldly seized the initiative, intending to defeat Grierson's cavalry before Sturgis's infantry could get into battle. Coming up on the double, exhausted Union infantry joined their comrades. Forrest was joined by Colonel Tyrie H. Bell's brigade. An intense attack on both flanks sent Union troops into retreat across the Tishomingo Creek swollen with the rains. Until nightfall Forrest pursued, hammering Sturgis's rear guard, forcing them to leave most of their artillery and wagons of supplies behind. The next day Forrest continued the pursuit of the Federals, beyond Ripley. Brice's Cross Road was a brilliant tactical success for Forrest, but tragic loss to the Union. Union losses were 223 killed, 394 wounded and 1,623 missing. Forrest lost 96 killed and 396 wounded. He gained 192 wagons and ambulances, 16 cannon and 1,500 stands of small arms. Most of the Union "missing" were prisoners and, as it would turn out, were not the lucky ones. (While this battle was going on, tragedy had struck back home. *Celina's* father, *Louis Rene Trudeau*, was buried at St. Anthony's Catholic Church at Davenport, Iowa. He had been "found burned to death".)



improved.”

During his inspection, Colonel Chandler remonstrated with Winder, who remained very indifferent. Chandler spoke of the great moral obligation, pointing out that, as the sickly season was coming on, the swamp should be drained, better food furnished and other sanitary measures adopted. Winder repeated his views that he thought it better to let one half die, so he could care more comfortably for the remainder. Perhaps many were saved from the putrid drinking water by a fresh water spring emerging within the compound. This God-sent salvation would excite the Barker tales ever after as the “Miracle of Andersonville Prison”. Finally in November some exchange of prisoners was resumed, releasing some of the suffering. But it was not until the 18th of April, 1865, that *Octavo Barker* arrived at Vicksburg, Mississippi, as “paroled prisoner”, only nine days after General Robert E. Lee surrendered to General Ulysses S. Grant at Appomattox, ending the Civil War. Ten men of *Octavo's* K Company companions died in Andersonville Prison.

Vicksburg, a stronghold of the Confederates, had been one of the most contested places during the Civil War. In its position on the Mississippi River, it was the strategic link for food and other supplies from the west successionists to their eastern associates. After repeated attempts, it had been taken by Grant's Union Army July 4th, 1863. (The Tatro brothers, John and Joseph took part in that siege.)

On April 26th, 1865, *Octavo Barker* arrived at Benton Barracks in Missouri, on his way home for furlough, to commence on May 6th. He reported back to duty on June 17th and was “mustered out” at Fort Snelling, St. Paul, Minnesota, as corporal on August the 18th of that year.

Returning home at Wabasha, he invested \$80 in the purchase of Lots 1, 2, 3, 4 and 5 in Block 65 in South Wabasha on the 26th of August 1865. South Wabasha was a newly surveyed section adjacent to the older town. If he did not make improvements on that property, he made a remarkable gain, selling it less than fifteen months later for \$675.00. November 20, 1867, he purchased a home from Hamilton and Eliza S. Beal on Lot 2 in Block 16 in “the old town of Wabasha”. This would remain the Barker's home until they left Wabasha. He attempted to go back to working on the river. Whether it was the war ravaged river or privation of Andersonville Prison or some other reason, the romance of the Mississippi was gone and it physically sickened him. In any case, the arrival of the railroad at Wabasha in 1871, had dimmed the importance of the steamers and spelled eventual doom to the water transport industry. In the census of 1870 *Octavo* is recorded as “Raftman”, a demeaning let down, it would seem, from the glamorous “pilot” of former days. Rafting might be adventurous, but it was dangerous and grueling work controlling the great rafts of logs, up to 600 feet long and 45 feet wide. These mostly were floated down the Chippewa River to Read's Landing. Such work was among tough and rough co-workers. Mark Twain gave words to these rowdy ruffians, boasting, “Who-oop! I'm the old original iron-jawed, brass-mounted, copper-bellied corpse-maker from the wilds of Arkansaw; Look at me! I'm the man they call Sudden Death and General Desolation! Sired by a hurricane, dam'd by an earthquake, half brother to the cholera ...”. Such a life was not appealing to a family man of forty-three, whose former robust health had been damaged at Andersonville Prison.

His Civil War experiences were brought well to mind in the fall of 1873. The Wabasha Herald reported on November 6th : "Military Reunion Company K, 9th Minnesota. A social gathering at Mr. Clavdetcher's Oyster Saloon on the 28th of October of the boys in blue ... called together by their former Lieutenant Mr. Charlie Neldenhofer of Winona who came upon purpose to see his former comrades..." Among those gathered was "*Robert Barker*" and this was, no doubt, not the first nor certainly last time *Celina* would have cause to disapprove of over- indulgence. In April 1874, he was appointed clerk on the riverboat *Clinton*, a steamer of the Keokuk Northern Packet Line, under T. B. Hill, master. That line was the principle transport out of Wabasha, operating seventeen boats there.

The passive job of clerk failed to hold *Octavo*'s interest. With encouragement of fellow veteran, Jerome J. Stone, local doctor and druggist, he decided to take his growing family to homestead in the new territories wrestled from the Chippewa Indians, to the north at Middle River. By this time more children had arrived: Rufus Ingles, born on the 7th of August, 1867, and *Susie* on the 11th of March, 1872. There may have been a boy named Foote born between Nelson and Rufus, say 1865, or between Rufus and *Susie*, say 1870, and died an infant. But this was not the only family loss. Son Nelson, "Aged 10", as reported in the local newspaper, "on Wednesday April 23rd (1873) died of spinal menagitis, was well as ever until within four hours of his death (causing) great grief and consternation of his parents". Mattie, who had left home "in a huff" at the birth of *Susie* because she refused to wash any more dirty diapers, returned with her son Bertie, born in 1875, and husband, John Gilpin to live with her parents. They, too, were eligible to take up homesteads. *Octavo* and *Celina* sold their home on Lot 2, Block 16, in Wabasha, to William T. Dugan on the 20th of September 1878. *Octavo* had already acquired and paid taxes on the homestead, the north-west quarter of section 26, Middle River Township # 156 north, in range 48, west of the 5th meridian.

*Octavo Barker* was among the first settlers to rush to these fertile Red River Valley lands newly opened for homesteads, and like him, all clambered to locate as close as possible to the proposed railroad route of the St. Paul and Pacific. Peter Jarvis, a French-Canadian, thought he had captured the prize location on the surveyed line in Section 10 of Middle River Township. He surveyed lots and encouraged a number of people, mostly relatives and French-Canadian like himself, to settle there. Consequently, it soon became known as "Frenchtown". *Octavo* chose a site, the north west quarter of Section 26, a couple of miles south of Jarvis, and about one quarter mile off the railroad route. However, the railroad company ran into financial difficulty and construction ceased for several years. The young enterprising Canadian, James J. Hill saw an opportunity and took over the insolvent company and resumed construction to link up with the Canadian Pacific at St. Boniface. The first trains stopped at a platform labelled "Louisa" near the Middle River. The railroad could not agree on the price of land in Jarvis's quarter, so decided to build their station on the land south, which they already owned. They named the new stopping place "**Argyle**". Elizabeth and Ferdinand Keye built the first building in Argyle and had homesteaded nearby in 1878. She was the main promoter of the first school and became the first director appointed to the Argyle Public School Board in March, 1880. This school, no doubt, was attended by *Susie Barker* and her older brother, Rufus.

On February the 25th, 1879, the Minnesota legislature created **Marshall County**, named after William Rainey Marshall, a former governor of Minnesota. Like *Celina* he was a native of Missouri. He had moved to Minnesota in 1849 when it was a Territory and had been a pioneer hardware merchant. He emerged from service in the Civil War as a brigadier general and was governor of the state from 1866 to 1870. For a brief period, Argyle was the county seat but lost that distinction to Warren.

By this time, *Octavo* had adopted the name "Bob" so thoroughly that he appeared on official documents often as "Robert". At home on the farm in Middle River Township, in 1880, according to census, with *Bob* and *Celina*, were sons John age twenty-three, working out as a labourer, Rufus age eighteen, working at home on the farm, and the favourite daughter, *Susan* age nine. Nearby was daughter, Martha, who had married an Ohio born man, John Gilpin, with their two children, Perley age five and Louis age three; grandsons for the Barkers who would be well remembered to love having children about. With the help of the grown boys, *Octavo Barker* preformed the requirements to "prove up" on his land, receiving patent on the 10th of October, 1882. He had "satisfied" his mortgage with the American Finance, Loan and Mortgage Company of London on April 1st, 1881, but on the same day had remortgaged with H. C. Mentzer. The practice of mortgaging and paying it off would continue with frequency as an apparent means of financing throughout the Barker's living at Argyle. It was often dealing with pioneer F. D. Keye, who operated a private bank along with his store-keeping.

During the winter, it would appear that son John had too much time on his hands. The influence of the environment of his youth, no doubt, had developed a sense of the Wild West in him. The influx of immigration had brought many of various nationalities to Argyle, and like most frontier towns, saloons and gaming houses dominated the male populace liesure-time activities. What provoked the disagreement is unknown, but during a card game, John Barker did what was far from unknown in the Wild West; he drew his gun and shot his antagonist. Without seeing the results of his violent act, John fled the scene and hid out along the river. The exposure caused serious illness and the local newspaper reported on December 5th, 1882, "John W. Barker, aged 23 years, died of consumption at the home of his father, Octavo Barker, near this village." The loss of her brother had a profound effect on nine year old *Susie*, who for the rest of her life refused to allow playing cards in her presence. Ironically, the wounded opponent card player was not seriously injured and suffered little from the incident.

There is little evidence that *Octavo* had contact with his family from Maine. He did, though, have a visit early in 1883 from a brother, W. G. Barker, who was apparently a bachelor, living at St. Charles in the south-west corner of Minnesota. In 1884 *Octavo* gave his daughter, *Susie*, a New Home sewing machine for her twelfth birthday. This she treasured and used for the rest of her life. It was a very strong and durable machine used for all mending of clothing, coveralls and even canvas.

The village of Argyle was incorporated on December 13th, 1883. At a meeting on December 26th officers were elected: President - F. D. Keye; Trustees - Andrew Olson, Joseph Dalpay and John

Augustine; Recorder - Louis Decker; Treasurer - J. J. Stone; Justices of the Peace - Moses Allard and *Octavo Barker*; Constable - Otto Stoltz. To ply the law, they ordered two pairs of shackles and two pairs of handcuffs and planned a jail sixteen feet square by eight feet high. In elections that followed, a question of jurisdiction was raised and as a result the village was ruled separate from the township, so that E. M. Richardson replaced *Octavo Barker* as Justice of the Peace in Argyle. The jail was built soon after for \$375.00 on Lots 7 and 8 in Block 7 in the First Addition.

The year of 1884 was quite productive and *Octavo's* son-in-law, John Gilpin, who had become grain buyer for Pillsbury and Hilbert Elevator Company, was most optimistic when he took in the first wheat on September 4th. It brought about 80 cents per bushel. At the end of the year *Octavo* arranged to buy the homestead of retiring Joseph F. Beauchemin, who moved into the village. While still on the farm, *Octavo* was practicing his duties as Justice of the Peace. July 5th, 1885, a rather amusing case came up. The Village of Argyle versus Peter Kirsch who was taken into custody by Marshal D. Robinson for being drunk and disorderly. Peter Kirsch was the Village Attorney, had been a school teacher in Wabasha before pioneering in Argyle and did not wish to appear before substitute Justice of the Peace Richardson. He pleaded "not guilty" before Richardson and "filed for change of venue to O. Barker", which was granted.

It would appear that the farming enterprise was not proving a success. *Octavo* supplemented his income with veterinary services to neighbours and auctioneering. As an auctioneer, he amused himself and delighted the crowd with ludicrous remarks when offering the chamber pot for bids. This so embarrassed *Celina* that she refused to attend sales where he officiated. He did enjoy his friends in socializing in town. On a cold winter day he came home feeling excessive exuberance with a few too many drinks. Having a long stride, he exhibited his high kicking ability, but misjudged and bought the stove-pipe clattering down, much to *Celina's* disgust.

He now was fifty-eight years old and his interest was in the law. He "satisfied" the mortgage on his farm homestead on October first, 1885, to J. C. Bennewily and C. Menzel. Mrs. Menzel was a sister of F. D. Keye and was Argyle's first banker. Six months later, the London Mortgage Company with D. S. B. Johnson agent, threatened foreclosure on the most recent loans. F. D. Keye came to the rescue once again with another mortgage against the farm. Five days later Keye's mortgage was paid off. At the end of next April another mortgage to F. W. Dunton was "satisfied". September 5th, 1888, *Octavo* paid off another Keye's mortgage and sold his homestead to J. Beaudry, son of the pioneer family in Bloomer Township.

That year the railroad was completed from Crookston through Mentor where two grain elevators were built to handle the farmers' produce. *Octavo's* son Rufus moved to be manager of the newly built Minneapolis and Northern Grain Elevator in Mentor. *Octavo*, *Celina* and their sixteen year old daughter, *Susie*, moved into the village of Argyle where *Octavo* carried on with his long career at law and became respectfully known by his fellow citizens and their descendants as "Judge Barker". It would appear that he performed his duties without fear or favour and old friendships carried little weight to influence his good judgement at the law. On December 8th, attorney Peter Kirsch appeared for the plaintiff (*Octavo's* long time friend from Wabasha) J. J. Stone against defendant

William Carpenter. *Judge Barker* dismissed the case on the grounds "that no summons thereon has been properly issued". Later he ruled that "Constable Oliver Letourneau did not make legal service" on a defendant and ordered return of property seized along with the expenses of \$4.40 paid. "Case dismissed".

For being Justice of the Peace in a small community, *Judge Barker* had a very busy court. In a twenty-one month period (on which his records survive) he had approximately two hundred and fifty cases, many requiring more than one session. The large majority were associated with non payment of debts where the plaintiff was a storekeeper or machinery dealer. Almost invariably the defendant was charged with paying the amount owed plus the court costs, the latter usually under five dollars.

A good example can be the case of John W. Strauson Plaintiff vrs. Hardy Hurd Defendant. H. W. Brown appeared for the Plaintiff and Peter Kirsch for the Defendant. "After hearing the evidence in the above cause of action, I do hereby adjudge that the defendant shall pay to the Plaintiff the sum of five dollars and thirty cents with interest at ten per cent for the term of one year, and the costs of this suit taxed at \$3.45 and I do further adjudge and determine that said defendant shall return the sewing machine named in the bill of the Plaintiff in the above entitled cause of action to the office of the Plaintiff in the village of Argyle, Marshall County, Minn." signed O Barker, Justice of the Peace.

The difference in this case is the return of the sewing machine. Unfortunately, we do not know if the defendant bought the machine and failed to pay for it in part or at all. Perhaps he is charged the five dollars for its use for some period.

An unusual case was State of Minnesota Plaintiff vrs. John Craig Defendant. A complaint was made under oath by Mrs. Mary Douglas "that she was begat with child on the 25th day of December 1884 by John Craig and that the child is now born." *Judge Barker* ordered the "immediate apprehension" of John Craig by Sherriff John Kivel. The sherriff had the defendant in court 23rd of March 1887. County Attorney J. C. Richardson appeared for the State and H. W. Brown for Craig. The complaint was read and Craig was instructed that he was "at liberty and free to plead guilty or not guilty of the offence ... or not make any explanation whatever". He pleaded not guilty so there was an adjournment until Thursday, 31st of March, 1887, to "my office in the village of Argyle". At the trial on the 31st, John Craig must have rethought his guilt. He agreed to pay Mary Douglas the sum of \$250.00 in five promissory notes, payable on November 1st in each succeeding year. The defendant posted bonds in the amount of \$500 as securities with the court.

There was a similar case with a different outcome about the same time. Christina Understocker made a complaint that "on the 3rd of September 1887 Peter Brandt did begat her with child and that said child will be a bastard unless prevented by marriage and prayed that Peter Brandt might be arrested and dealt with according to the law." *Judge Barker* ordered his immediate arrest. Peter Brandt came before the court on September 4th and agreed to the marriage. One would hope that Peter and Christina lived happily ever after.

Things were not happy in the Forget home. Edmond Forget was charged of assault upon his wife Emiline "with a knife; took me by the neck; choked me". The twelve year old son, Henry, was brought in to testify as a witness. It turned out that the couple had quarrelled at breakfast. Emiline had returned from the door and "slapped his (Edmond's) back with a table knife". Henry said that his mother had struck his father before the choking. There was no proof of "any great damage" and the case was dismissed. There were also a number of situations where the "plaintiff failed to make a case" and it was readily dismissed with a small court charge.

*Judge Barker's* own relatives appear in cases at times. His son-in-law John Gilpin laid a complaint May 11th, 1887, that W. E. Emery had committed the "crime of assault and battery by striking, beating and kicking" Louis Gilpin. A warrant for Emery's arrest was issued. At court, the defendant pleaded guilty and paid a fine of \$5.00 and \$1.00 suit costs. Rufus Barker appeared as a juror on a case against A. W. Wallace for "being disorderly and abusive on the street of Argyle".

There were many cases of drunk and disorderly, drunk and using abusive language and minor cases of assault. These almost always brought a fine of five dollars and costs of the suit of two or three dollars. Richard Doe was arrested for breaking and entering, He had stolen three books, a wallet containing \$9.84, two pocket knives, a small key, a watch and chain. He had to return the goods and pay \$2,15 court costs.

It was not uncommon for a defendant to challenge *Judge Barker's* authority. There was the case of Dollard Billibly Plaintiff vrs. Z. Parrault Defendant apparently to collect unpaid wages. Immediately the defendant moved that the case "be dismissed on the grounds that this court had not the jurisdiction". Motion was overruled. Then the defendant demanded a jury trial which was granted. When the case came before the court again with the twelve jurors, the defendant "objected" to every item raised and repeatedly was "overruled". Question after question was objected to by the defendant and overruled by the court. After much haggling the jury ruled in favour of the plaintiff. The defendant was charged \$55.00 and \$8.00 costs of the suit. Not to be beaten Parrault appealed.

Thomas Clark was taken into custody for "being drunk upon the street of the village of Argyle" He, also, challenged that Barker "had not the legal right" to try him This was readily "overruled" and he was charged a \$5.00 fine and costs. He was better off than Parrault - he paid up and was discharged.

One could wonder about the case against Onesime Rivard. On the 3rd day of October, 1887, George Drew laid a complaint against Rivard who had "committed the crime of faster driving than six miles per hour" which must have been a village by-law to govern the speeding of horse drawn conveyances. *Judge Barker* issued a warrant for "immediate arrest" of this criminal. The court "did adjudge and determine that the defendant pay a fine of \$5.00 and costs of the suit of \$4.90". Apparently Rivard did not have the money to pay so was "remanded to the village jail for ten days or until the fine is paid"

Usually *Judge Barker's* rulings were sure and swift, but not always There was a case where lawyer H. W. Brown was Plaintiff and John H Augustine and wife Ellen the Defendants. Maybe it was

because of the legal status of the Plaintiff but this time *Barker* took the maximum allowable to come to render judgement and then it was "I hereby adjudge and determine that the plaintiff shall pay to the defendant the sum of \$38.00 and costs of \$4.30". The lawyer lost out and had to pay a goodly sum for that time.

Henry Villeiux complained under oath that H. H. MacDonald "committed the crime of fraud by deceiving him by making an agreement to board a carload of horses that did not come nor did MacDonald pay anything but left". *Judge Barker* issued a warrant for MacDonald's arrest. MacDonald must have skipped town for we find no trial in this case.

O. Bjorkland laid a complaint against Halvor Olson who he said "with a knife wounded him upon the side of the neck and face". The wound was 2 1/2 inches in length and 1/4 inch deep and was considered an attempted murder. Halvor Olson was arrested the same day by Constable Otto Stoltz. The case was held over to the next day but the defendant was sick, attested to by affidavit signed by Doctor Belcourt. The case was postponed to 19th of May 1888. Olson had to post bail at \$300.00 or remain in jail. Bail was not furnished so he remained in custody. At the trial *Barker* judged that the defendant was guilty " and that he be held to answer thereof at the next general term of the District Court".

July 2nd, 1888, Vincent Kitoleski laid a complaint charging Joseph Charalkowski with the crime of murder. On June 28th, 1888, Charalkowski did "without the authority of the law and with mallice aforethought killed Albert Tomcyak by shooting him with a gun ...". *Judge Barker* issued a warrant for his arrest which was executed by Sheriff John Kevil the same day. Charalkowski was Polish and spoke no English so an interpreter had to be engaged. Both Drs. J. J. Stone and O. E. Belcourt gave evidence for the State. A jury was selected on July 7th and trial was adjourned to July 9th to convene at the schoolhouse. *Judge Barker* decided, "I do believe that there has been a crime committed and that there is probable cause to believe that the defendant is guilty and that he be held to answer therefore at the next general district court .... and the offence not being bailable that the said Joseph Charakowski be committed to the common jail of Marshall County".

It can be expected that *Judge Barker's* career carried on in much the same fashion as these examples throughout his long twenty-seven years as Justice of the Peace in the village of Argyle. We must go back to more on his personal life.

On February 3rd, 1890, his son Rufus at Mentor married sixteen year old Jessie Van Gordon. Rufus was becoming quite a pillar of the community, on school board and council and had acquired property just south west of the village. On the north edge of Mentor there lived the earliest pioneer family of Attix. William Wallace Attix accompanied his friend Rufus on the platform to meet the train bringing Rufus's sister, *Susie*, for a visit to the newlyweds. As *Susie* debarked the impetuous "Will" stated, "That's the girl I'm going to marry!" It would appear that *Susie*, although attracted, had some misgivings. She was nineteen years old and working away from home but by letter sought consultation from her father. Dated May 25th, 1891, he wrote a very fatherly reply about marrying "her fellow Willie". He stated in part that Rufus seemed to think well enough of the fellow, but she

was a grown woman and must make her own decision. It seems, looking at it from years later, that *Susie* had been rather spoiled by her doting father but in this case he was prepared to make her stand on her own on such an important step in her life.

*Susie Barker* and *William Wallace Attix* were married on the 4th of June 1891. From this union a daughter, *Grace Elizabeth Attix*, was born on May 19th, 1892, and brought home amongst the fondling Attix clan. For whatever reason, *Susie*, decided she had enough and packed up to take refuge with her parents. Apparently the Barkers, including Rufus, found no fault with *Susie* for this move, and in fact *Octavo* by September had started to build his new house to accommodate his newly accepted family, obviously expecting some permanency in the arrangement. Now there was in the household a baby girl, *Gracie*, to love and cherish. It maybe was a blessing, for at the time, "the infant child of Mr. J. (and Mattie) Gilpin is very sick and not expected to live. The entire community sympathizes with the parents in their affliction." reported the Marshall County Banner. April 15th it reported that the child had died, leaving bereaved grandparents.

*Octavo* took an active part in community affairs. At the annual school meeting on Saturday July 22nd, 1893, the Banner reported, "Judge Barker acted as moderator". Dr. J. J. Stone was elected director. Free school books for pupils was discussed but not adopted. The next school term would begin September 4th. That fall he had a welcome visit from Rufus who came from Mentor. Perhaps this was to discuss the property development planned by Rufus who had purchased an acre across the creek near the elevator on which he planned to move his house. *Octavo* went to Mentor to rebuild his son's home adding a larger kitchen and dining room; the old kitchen became a bedroom; they lathed and plastered it; made a trundle bed for Rufus's new baby. Along with these activities he continued veterinary services for needy neighbors and did auctioneering. He was able to hold the confidence and respect of the citizens and was continuously re-elected Justice of the Peace, acting in that capacity twelve months of the year, as recorded by the census. *Susie* and *Gracie* continued to be part of the household.

Ever conscious of the advantages of education, *Octavo* purchased a set of Chambers Encyclopedia for his growing granddaughter although *Grace* was barely of age to start school. (These volumes would, not only serve *Grace* well during her schooling and teaching, but her own many children and others, through the hard times in Saskatchewan, when books were hard to come by. They were eventually stolen from *Grace*'s home on the farm when she was away in her late life.)

In the spring of 1898 he must have been feeling the passage of years. He applied for pension for his Civil War service. A year and a half later he wrote to *Susie* who was again working way from home (she was a hard working excellent cook and housekeeper) that he and her mother were quite well for people their age. He was especially pleased with *Gracie*, her helpfulness and her effort at her school work. He had killed one pig which weighed 165 pounds, had got his new barn done and got a woodshed finished.

*Susie* left her daughter with the grandparents and went out working in various places, returning frequently to visit her parents and daughter. Her reputation for excellent cooking and good

housekeeping were fine recommendations for ready employment. In the fall of 1899 she was working at the same place as a good looking, happy-go-lucky young man named John Tallon. There was a whirlwind romance which produced a son, Harry Arthur Tallon, born May 6th, 1900. The couple never formed a home together and *Susie* went home to her parents in Argyle to have her baby. Leaving her two children in the care of her parents, *Susie* went back to work for a couple of bachelor brothers, David and John Strachan, recently arrived from Scotland to take up land on "the Tamarack". Perhaps it was due to the increased responsibility of now having two children that *Octavo* and *Celina* had to take out another mortgage on their property on November 24 that year. They were, though, able to travel to spend New Year's day with Rufus and family, leaving the children in the care of *Susie* who had come home for Christmas. While away they got news of the great fire in Argyle, and being concerned for the children, wrote January first back home to see if all was well. That letter shows his particular affection for "*Gracey*". One can plainly see the loving bond that had develop between the two.

The *Barkers* were beginning to feel their advancing years. *Celina's* brother John Trudeau was dead in Wabasha. On June 4th, 1904, John's widow, Marguerite, died and was buried also at Wabasha. The *Gilpins* were gone to Kansas. *Susie* moved with Dave Strachan to a homestead all the way to Saskatchewan Territory in Canada. Rufus had moved with his family to the State of Washington. *Octavo* kept in contact by correspondence. He reported, "Ma got Grace two new dresses and Mrs. Warfel made them". By 1905 *Celina* had become an invalid and her eyesight was failing. *Susie* had married Dave on 22 of July 1908 and was prepared to take her children. *Octavo* warned, "If you take Grace I shall not like it." Harry did go to live with his mother, but *Grace* stayed to help her aged grandparents, and without neglect of her all important school work.

On Christmas day 1908, festivities in the Barker home were shattered. *Celina* took sick, but it being a holiday there was reluctance to call in Doctor Jacob Biedermann. When he was finally called it was too late; *Celina* died at 6:30 that evening, of "apoplexy, heart and stomach complications". *Grace* never forgave herself for not taking the responsibility of calling for help sooner. The Marshall County Banner printed a long obituary:

*It is our sad duty this week to again announce the death of one more of our pioneers, a lady who had reached the good old age of four score years. Celina, beloved wife of Judge Barker, departed this life at her home in Argyle on the evening of Christmas day at the age of 81 years and nine months. Deceased was the mother of three children, namely, Mrs. John Gilpin, of Kansas; Mrs. John (should be David) Stachan of Battleford, Sask.; and Rufus of Pasco, Washington, none of whom were at home at the sunset of this good mother's life.*

*Mrs. Barker was born in St. Louis, Mo. On March 12, 1829 and was married to her bereft husband at Wabasha, Minn. in the year 1857, they having celebrated their golden wedding anniversary last year. After a long, busy and useful life, she died as she had lived - honored, trusted and loved. She reared her own monument while she lived in the hearts of all who knew her. For the past three years she was an invalid and was bereft of her sight, and although at times suffering great distress she bore her burden calmly ever trusting in her God, and when the time came for her departure from this life she folded her arms and drew the last breath in peace and contentment.*

*Mrs. Barker was the wife of a veteran of the Civil war and as such, we can say, "she served*

*her country well". While her volunteer husband, who is still living and in his eighty-first year, was fighting for his country's cause, she, faithful mother that she was, worked hard for the support of her children and to her belongs the rightful title of "one of the mothers of our great and grand country." Let us, if possible, gather up the elements of life of the departed one and weave of them a picture of the walls of memory. The autumn of her life is closed, but the eternal springtime with everlasting glories belongs to our departed sister. So as this life is passed into the joy of our Lord the memory of her life must prove a perpetual inspiration.*

*The funeral services were held at the family residence on Monday, December 28th, the Rev. G. M. Rees officiating, and the remains were laid to rest in the Argyle cemetery. A card of thanks accompanied the article: To all those who so kindly assisted during the last illness and at the funeral of my beloved wife, I wish to extend my sincere thanks. Signed: O. B. Barker. A large stone monument and foot bronze plaque were later installed at the grave-site.*

It was lonely in the Barker home after the death of his wife and absence of Harry. *Octavo* wrote to *Susie* wishing that Harry was there and could sleep with him to keep him warm, it was so cold at nights. He had killed a pig, had sold one cow and expected to kill a cow because feed was so short that farmers did not have enough for themselves. The next spring (1909) he reported to *Susie* both he and *Grace* had had "the grip" during the winter "after a hard fall....sickly all winter" and he still had a cough. *Grace* missed "last week" but went to school that day in spite of the rain. "She studies hard and keeps ahead of her class", he proudly reported.

August 11, 1909, he wrote *Susie* telling of *Grace's* visit to her Attix relatives. His granddaughter was growing up. She was away picking berries and he was very lonely. He highly praised *Grace's* attention to school, and what a good cook she was. He did not do so well on his own; "I only build a fire (to cook) once a day, drink milk for dinner and supper." *Grace* wrote to her mother, "Grandpa has a lot of trouble with his right arm and leg" and on the back *Octavo* wrote, "Say Master Harry, why don't you answer the letter I wrote. Do you want me to kill your dog and *Grace's* 6 cats or will you kill them when you come down." He obviously was quite disgruntled and looking after animals was too much of a chore. *Grace* added "Grandpa is getting discouraged because you keep putting off coming." Harry was there in the household when the census was taken April 15th, 1910 and *Octavo* is shown as age 82 with his own income and his house mortgaged. *Grace* is 17 and Harry age 9. Besides the fact of the mortgage, the letters show a shortage of money. That year he gave up his long, twenty-seven years, practice as Justice of the Peace.

In 1912 *Grace* graduated from the Argyle High School, first in a class of eleven. Before she went away to Moorehead Normal School for teacher training, she had a visit from her Uncle Charles Attix and his two sons, Clarence and James. They were on their way in a permanent move to California in a new Ford automobile. Without *Grace* it was impossible for *Octavo* to stay in his home much longer. He sold it to *Susie Strachan* by a deed dated December 3, 1912, for \$176.00. He had applied for pension for his Civil War service and it should have commenced on June 19, 1912. Somehow documents got lost and his \$30.00 a month pension did not begin until the next April. *Grace* came to stay with him when out of school and when not teaching. She was there in June of 1914 when she wrote to *Henry Lynn Tatro* to look after her books left behind at Mose Tatro's where she had

boarded. She had left without her treasured set of encyclopedia. She was taking her grandfather to Saskatchewan to visit the Strachans and Harry for the summer months. June 14th Jessie Barker wrote to her father-in-law in Saskatchewan asking if he intended to go back to Argyle before coming out to Cove, Oregon, to stay with the Rufus Barker family. Although there were many in the family, Rufus had done well with his fruit farm there and had a large house well able to accommodate one more, unlike the Strachans who were still pioneering in log buildings. Jessie said she was "glad you will send Ruf the bureau that you have had as long as he can remember."

The next spring, actually February 6th, *Grace* married *Lynn Tatro* and they later moved to North Battleford, Saskatchewan, near the Strachan farm. *Lynn* had a well paying, but physically hard, job with the Imperial Oil Company and had a very comfortable home in the new and booming town. *Grace* was very pleased to receive a gift of furniture from her Grandfather for her first home. *Octavo's* two favourite girls were at last close together and he was able to make frequent visits, sometimes with Rufus, to enjoy their company. *Lynn* was quite amused that *Octavo* seemed not to feel the cold of Saskatchewan winter unless someone told him the temperature. It was not amusing when the old man was caught out when a snow storm came up after he set out on the ten mile walk from the Tatro's to the Strachans. *Lynn* went seeking and found him taking shelter behind a telephone pole, hardly enough to give any protection to his shrinking frame.

September 15th, 1916, *Octavo Barker* disposed of the remainder of his property, Lots 3, 4 and 5 in Block one in Argyle in a sale to Louis Haupt for the sum of \$625.00. *Susie* and David Strachan had sold the homesite back to her father for \$1.00. He should have received earlier that year, about \$1300.00 in back pension which would have placed him in a most comfortable financial position in his old age. His last trip to North Battleford was in the winter of 1918, accompanied by Rufus. A photograph was taken at that time showing a frail old man standing in the windblown snow, along with Rufus, *Grace* and *Lynn's* son Lavern.

March the first, 1922, for Civil War records, a statement was made that there were, besides the three living children, three who had died. This gives some support to the existence of the child named Foote. *Octavo* had become a disgruntled old man who locked himself away in his room. A peep-hole was made so that the Rufus family members could check on his welfare without becoming under threat of his angry attacks. His mind seemed to dwell upon happier former days and he wanted so to see his favourite girls in Saskatchewan. Several times he tried to leave but Rufus insisted he was unfit to travel. One day he escaped unnoticed and caught the train out of Cove. Whether it was because of confusion or more likely feeling unwell, he got off the train in Pendleton. They found him dead there on the street. It was July 22, 1922.

*Grace's* daughter Gladys would never forget the sorrow in the home when *Grace* got the news of her grandfather's death. She sat on a trunk and wept, and wept. The love, respect, adoration and pride for that interesting man remained brilliant within her memory as long as she lived.

**Note:** The Tatro name is also spelled Teteau, Tetreault, etc. Louis Tetreau immigrated to Canada from Poitou, France and was in Canada in 1660.