

## JUDGE THOMAS A. EDWARDS

By Lawrence N. Morgan\*

The life of Judge Thomas Edwards is a record of public service and of solid achievement, shaped and built in Oklahoma, the pioneer land of opportunity, between the time he came to the Territory in March, 1898, and his death on January 5, 1955. We must not, however, be smug about what the new territory offered the settlers, for Oklahoma then as now could be the land of dry holes as well as gushers, of searing droughts and blowing dust, of sudden rains which come after the wheat has been cut and lies rotting in the fields. The greatness of the State rests not so much on its resources and fresh opportunities as on the individual men and women who have given to the State their courage and hard work, their vision, and their integrity. Judge Edwards belongs in the company of those whose valor would not be denied.

Thomas Allison Edwards was born on a forty-acre, mortgaged farm in Gum Log Valley, Arkansas, February 21, 1874. He worked his way through the public schools of Pope County and two years at Arkansas Industrial University, Fayetteville. He taught in country schools, once at Possum Trot where his father had taught, and studied law on his own, borrowing a Blackstone from Judge Wallace of Russellville. In March 1898, he came to Cloud Chief, Washita County, "a tough little place and apt to continue so," arriving with \$4.00 in his pocket; the prospect of another country school which Mrs. S. J. Jordan, his older sister, had written him about; and the determination to become a lawyer.

He taught at Rainy and Little Hope schools for \$25.00 a month and continued to study law in a borrowed *Greenleaf on Evidence* while sharing a rent-free dugout with a friend. Later he spent three weeks isolated in a dugout with smallpox instead of *Greenleaf*. On September 1898, Judge John C. Tarsney admitted him to the bar after an examination taken at Cheyenne.

Although on October 27, 1898, at Cloud Chief, he noted in his diary, which he began at the University and continued until Thanksgiving before his death, that "I am sitting in my office most of the time now, with a strong inclination to become discouraged at the

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\*This sketch on the life of Judge Thomas A. Edwards, active member of the Board of Directors of the Oklahoma Historical Society for nearly thirty years, is contributed by one who held him in high esteem and affection as that of a son. Mrs. Lawrence N. Morgan is a daughter of Judge Edwards—Catherine Edwards. Mr. Morgan is Editor of University Publications in The University of Oklahoma, Norman, Oklahoma.—Ed.

present prospects," business picked up the following months and improved until by 1899 he was "doing as much business" as anyone in the county.

In May 1900, he received the Democratic nomination for county attorney. The campaign was enlivened by an election on August 7 to determine the location of the county seat. "New" Cordell won and the citizens of Cloud Chief were so incensed over the way the contest was rigged that they lived up to their reputation by tarring and feathering the son of the incumbent county attorney while the father "fled the country." As a matter of fact, this election was illegal, and the dispute was not finally settled until 1904 when Theodore Roosevelt signed a special bill establishing Cordell as the county seat.

Mr. Edwards was elected in November and moved, perhaps prudently, to Cordell shortly afterwards. He was so satisfactory as the peoples' lawyer, or so successful in avoiding both tar and feathers, that he was re-elected in 1902. He retired from office voluntarily and with some relief in 1904.

Thomas A. Edwards was elected judge of the Seventeenth Judicial District in 1914, an office for which he had failed to receive the nomination in the primary of 1907. Governor Williams appointed him to the Supreme Court Commission in 1916, where he served for eight months. His most celebrated case as a district judge, however, came in November 22, 1922, when Chief Justice John B. Harrison of the Supreme Court did "hereby designate, appoint and assign" Judge Edwards to hold court at Ada, where the case had been moved, in the trial of Governor J. B. A. Robertson, charged with accepting a bribe to permit the insolvent Bank of Commerce of Okmulgee to operate and to receive State funds.

Some very distinguished lawyers appeared for the defense; the legal maneuvers were involved, acrimonious, and would be futile here to trace. Ultimately the regular judge in the Ada district, exercising his authority under the law, adjourned the term of court, thereby preventing the trial which Judge Edwards had ruled should be held.

Judge Edwards's conduct of the touchy and scandal-heavy case, to which he had been assigned, won favorable comment throughout the State. As a result, in part, many people, especially in his old district, urged him to run for Governor in 1926. He declined to make the race, preferring to remain on the Criminal Court of Appeals to which in the meantime, 1924, he had been elected. Had he become Governor, he too might have been impeached, as was Governor Johnston, but there would have been no "Ewe Lamb Rebellion" to spark the show.

He was elected a justice of the Criminal Court of Appeals from the Southern District. The Court, of Thomas H. Doyle, E. S. Bessey, later of James Davenport, and of Thomas A. Edwards, was one of the ablest appellate courts in the history of the State.

Judge Edwards remained on the Criminal Court until 1936 when he was defeated for a third term by the late Judge Barefoot. He and Mrs. Edwards returned to Cordell where for a few years he resumed the practice of law. The pleasures of retirement became increasingly attractive, and with no reluctance whatever, he turned over the business of the office to his youngest son, Charles, after the latter's return from service in World War II. The Judge suffered a heart attack on the day after Christmas, 1954; he died ten days later.

So much for the public record. What of the man who made the record? The record says Tom Edwards worked his way through high school and college. This has a pleasant sound, especially for sentimentalists who have never done anything of the sort. But what did it actually mean to a boy on a hillside farm in Pope County? It meant following "old Jenny with an Avery turning plow" when he was eight years old; picking cotton and pulling fodder in the sweltering heat; hewing logs for a corn crib; and cutting "sassafras and persimmon sprouts" from a six-acre wheat patch—a job which it seemed he could never finish, because when "no one was near," he would lie in the shade and rest and dream. Later, it meant clerking in a store or working in the post office, or wherever else he could find a job. Studying was done by a smoky lamp, whenever the boy found time. In 1890, at sixteen, Tom Edwards received \$10.00 from the *Youth's Companion* for a story, "Giles." This was easy money.

Gum Log Valley, as described by Thomas S. Edward, the Judge's father, in a letter to his sisters, was "a strip of land about 3 miles wide and 15 miles long." He had bought forty acres from the railroad, cleared part of it, and planted an orchard. The land was almost worthless. When Tom was fifteen, the family moved to Holly Bend, another musical name but with no improvement in the soil.

Thomas S. Edwards, late Captain in the C. S. A., came from Loudoun County, Virginia, - - birth-records in the family Bible, carefully preserved by Judge Edwards, date from 1760. He served four years in the War, having enlisted in 1861 in the brigade of General Jo Shelby—that dashing cavalry officer and "Undeafated Rebel," who wore a plume in his hat, made famous raids into Missouri, and after the Surrender, of others, led a mob of fellow rebels into Mexico, where he planned to join Maximilian, and return to whip the damn Yankees. Captain Edwards did not go on this fantastic expedition, but his brother, Major John N. Edwards, was Shelby's adjutant, and in later years a well-known newspaper man in Missouri. (One of the Confederate battle flags, carried by Shelby's command on its retreat to Mexico, is now in the Confederate Memorial Room of the State Historical Society, Oklahoma City.)

Nowadays we lament the interruptions in the lives of young men caused by enforced military service, but let us remember that no Public Law 346 or other GI benefits greeted the Confederate vet-

erans who returned to their neglected and sometimes ruined homes in 1865, or as with Captain Edwards, to no home at all. He had received before the War some general education, but no professional training; and he could thus teach only in country schools. "He did pretty well under all circumstances," said his son, but he was unsuited for teaching and for the "heavy heartbreaking work of the farmer." Captain Edwards married Martha Isabella Allison from Tennessee, December 24, 1867. Her family was of Welsh origin. There were six children, of whom the Judge was the fourth. Arkansas was better than the desolated family home in Virginia, but the going was hard for all of them. Inherited love of learning, the will to advance, and some plain and fancy scrambling brought the family out of the poverty of their time and place.

Judge Edwards scrambled through Russellville high school and on to the University of Arkansas in 1895, arriving in Fayetteville with \$50.00 and a scholarship which paid his tuition. He joined the Garland Literary Society, and debated at every opportunity; he drilled with the military battalion, and did not grouse about it; he played tackle on the football team, acquired some bruises and a life-long interest in the game—year after year he watched the Big Red play at Norman. In class he had his ups and downs. "I made," he recorded, "a dead cold flunk on solid geometry yesterday." But when he left the University, his instructor wrote that he had done "excellent work in Mathematics and History"; and his sophomore English teacher said that he was "faithful to study, quick to understand, and could readily give expression to his thoughts."

And he fell desperately in love with a talented and charming senior -- "popular, intelligent and versatile to a great degree," he described her in one of his less extravagant entries. Rose Catherine Leverett's father was Professor of Classics, and his father, Frederick Percival Leverett, had been a distinguished Latin lexicographer and teacher at the Boston Latin School. Professor Charles H. Leverett, orphaned at two, had been brought from Massachusetts to Charleston, South Carolina, to live with an uncle, an Episcopal clergyman. Thence he came to Arkansas in 1868. In the Bay State the Leveretts were numerous and outstanding, with a Royal Governor of the colony and a president of Harvard College in the family tree. Tom Edwards was big and raw-boned, from Gum Log and Holly Bend and Possum Trot, Pope County.

They were not engaged when he left for Oklahoma in 1898, for although the good-looking, brown-eyed girl had been gracious and friendly, she had now and then been just a little bit "contrary," as he told her in a poem. Besides, "R. C. Leverett, Broker and Real Estate Agent," was doing a flourishing business, which helped take care of her younger brothers and sisters after her father's death in 1897.

He bombarded her with letters from Cloud Chief, O. T., and she replied, and she didn't stand a chance. They were married in St. Paul's Episcopal Church, Fayetteville, on February 24, 1901. Their marriage of almost fifty-four years was singularly happy.

Six children were born to them, one died at birth. They were: Thomas Leverett, Mary (Mrs. Sanford Babcock), Catherine (Mrs. L. N. Morgan), Donald Allison, and John Charles. Judge and "Mrs. E." brought them up with constant and loving care, and watched their progress with quiet pride. All of them graduated from the University of Oklahoma. There were always children—to say nothing of friends and relatives—around the house. The three daughters-in-law were favorite visitors, but even the sons-in-law were welcomed—they always voted the straight Democratic ticket, or almost always, and were otherwise of good repute. Later, there were children's children, eleven of them, and one great grandchild. The older he grew, the more if possible, he liked to have his children and in-laws tell him about what they had seen and done. He never offered advice nor interfered with their affairs.

At least once a year there was a family reunion and dinner, which the women-folks supervised and the Judge paid for. Sometimes it coincided with the last football game of the season at Norman. The arguments were always long, loud, and quite beside the point. The pitch games were bitterly fought. "A great joy," he said of one of these reunions. On his sixty-eighth birthday he noted: "I still enjoy a lot of youthful things—That is to say, I have no sense of advancing years." Until the end, as in Wordsworth's lines, ". . . his mind was keen, / Intense, and frugal, apt for all affairs."

Judge Edwards once admitted in his diary that he was a poet "only by diligent effort." Nevertheless, he was a life-long versifier. In March 1885, the *Russellville Democrat* printed a poem, "Cleveland's Inauguration Day," and the editor observed that its author, eleven-year old Tommy Edwards, "evinces considerable rhythmic ability as well as patriotism for one of his tender years." What the young author's patriotism and politics were may be gathered from the line, "And the Democrats will cheer for many a day."

He published two slim volumes, *Oklahoma Verse* (1921) and *Geronimo et al.* (1939). He had no illusions about the quality of his poetry, for his standards of excellence were the great poets whom he had read and read again. He wrote verses because he liked to tell stories of present and past events in rhymes, and to record his impressions of men and places. Some of them contain lines and stanzas of vivid, realistic description and of acute insight into human character.

If anything, Judge Edwards was a frustrated historian. "I am becoming," he wrote in his diary, October 10, 1899, "a lover of

Oklahoma and Oklahoma history." He read an immense amount of history, of all countries and ages of man, but, as he grew older, with increasing emphasis on the Southwest and Oklahoma in particular. It was a pleasure to take him a new book on the West, issued by the University of Oklahoma Press, because he was always eager to read it.

The honor of which he was most proud came in February 1926, when he was elected a director of the Oklahoma Historical Society. He never failed to record in his diary his attendance at the meetings of the directors, his pleasure in associating with the officers, and his admiration for their work. Law was his business, history his great love. He combined the two of them in an article, "Early Days in the C & A," published in *The Chronicles*.<sup>1</sup>

History was probably at the bottom of his stamp collecting, in which he became interested when he saw a Chicago World's Fair stamp. In addition, of course, to his firm belief that every man should have a hobby to which he could withdraw from business and family, mess around, and meditate. At any rate, he pursued his stamps with zest and acumen. His collection of U. S. stamps became known to all philatelists. It was worth money, but it was dearer to his heart. "If there's a fire," he once told his wife, "save the stamps. Let the children take care of themselves."

Travel was another of his pleasurable avocations. Expositions were his favorite places—St. Louis, Portland, Chicago—for there he could see gathered together the products of man's invention and industry, his arts and aspirations. Yet he would go whenever and wherever a trip could be arranged; and he would recount in detail what he had learned of the "cities of men and manners, climates, councils, governments."

Judge Edwards was a big man, over six feet tall and weighing more than two hundred pounds. He liked to hunt and fish and camp on the banks of the South Canadian. On a horseback trip once, he found it no hardship to spend the night in a haystack. In his diary he wrote that he was thankful first and foremost for "health and average ability," and, he added characteristically, "a conscience reasonably clear."

Then in March 1910, he had a sudden illness which would have been a disaster for a man of lesser fortitude. A stroke of paralysis caused him to be unable to move a muscle on his entire left side. By May, at Hot Springs, Arkansas, he had recovered enough to walk to town, "a distance of half a mile," and return, twice daily, and was sure that he would be "practically sound again in a few months."

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<sup>1</sup> Thomas A. Edwards, "Early Days in the C & A," *The Chronicles of Oklahoma*, Vol. XXVII, No. 2 (Summer, 1949), pp. 148-161.

His diary gives in two pages a dryly factual account of this attack and afterwards is silent about the whole thing. Judge Edwards possessed an astonishing capacity, not for stoicism, for merely acquiescing, but for accepting whatever happened, and for going on from there. The eight-year old boy who followed a plow along an Arkansas hillside, who lay in the shade and dreamed his dreams, and went on to the University, was father of the man who accepted a crippled left arm and leg for the rest of his life, and went on to the high court of Oklahoma. He was helped by his wife's protecting love. She gave herself completely to his welfare and that of the children. But there was with him always an inner strength and serenity of mind that never failed nor faltered.

Judge Edwards had a deep sense of the Mystery of life and a faith in God. He enjoyed for some years teaching an adult Bible class in the Sunday School of the First Methodist Church at Cordell. For himself Judge Edwards had no confidence in man-made dogmas, and he distrusted those who would force their own isms and ideologies on other men. Yet he granted to every one the right to believe as his conscience dictated, for tolerance was basic in his nature. As in life we accept, so in death we must accept and go on from there. He was, take him for all in all, a Man.