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THE MYSTERY OF PELHAM HUMPHRIES

by *Gilbert M. Cuthbertson*

The name Pelham Humphries is certainly one of the most mysterious in Texas history, for this "not so gallant" Pelham would certainly have been the richest Texan today had his fortune survived. The Pelham Humphries League is legendary as the site of Spindletop in Jefferson County.¹ The search for Pelham Humphries has led to much litigation, for the principal has been only slightly less elusive than the Wild Woman of Navidad. The "taking of Pelham" evokes a tale of Dickens, the unfinished *Mystery of Edwin Drood* or the interminable litigation in *Bleak House*. Little wonder that Carlyle relished the Regulator-Moderator War in the Redlands with an "unholy glee." Even after sifting through the early records, the historian cannot offer final answers. Pelham may have sought anonymity. Although the Humphries were certainly not known for minding their own business, they probably did not appreciate their neighbors' meddling in their affairs.

Among the American claimants were people from Georgia, Kentucky, and Tennessee, readers of books on heirs to lost fortunes, buried treasures, and lost mines. Old settler John Payne testified that he had never heard of Pelham Humphries "until they started lawing at Beaumont." J.T. Spradley had heard that Pelham had been murdered for his property. Others claimed that Pelham meant "bearded youth" to the Mexicans. Opposing contestants claimed the meaning was "smooth face" and that Pelham was synonymous with William. The name was altered to William on the original grant but not by the hand of the registering clerk. J.T. Coble, who asserted that Pelham and William were identical, left Panola County because of indictments. He was later arrested at Ennis for using abusive language.

Supplementing numerous Humphries heirs, claims were made to the title of the Pelham Humphries League by the English, Sniveley, Dozier, and Love families. Each group alleged earlier transfers from the original Pelham. The English title relied on an alleged transfer of February 14, 1835, from William Humphries to William English, not filed, however, until December 26, 1860. H. Masterson, the attorney, stood to receive eighty-eight acres if the English claim succeeded. The Sniveley title developed from a conveyance of "right, title, and interest" in the league to David Sniveley by title bond of October 27, 1860, with the eventual transfer of the entire survey to William King. The Dozier title stemmed from a transfer of September 2, 1859, executed to Stephen Dozier by Pelham Humphries Jr. and William Humphries, children of the original grantee. The Love title was based on a conveyance by William Humphries to John G. Love of 599 acres in the northeast corner of the league. The conveyance was registered in the land office records on September 17, 1840. If Love's litigation succeeded, a 4/15 part was assigned to lawyers, John H. Broocks and Hugh B. Short. Most of these claims maintained the existence of a Pelham Humphries but left open the possibility that Pelham and William were identical.

Claimants in *Anderson v. Lucas* alleged that several of the relevant

documents were forged. Since the days of the Fredonian Rebellion forged land titles had been part of the San Augustine tradition. Forgeries continued to be an issue in the Regulator-Moderator War. Witnesses testified that Bob Lusk was an arch-forged, along with otherwise anonymous land dealers named Brown, Legrand, and Watson. Not long gone was that woman at the ford of the Brazos who was said to sign Sam Houston's name better than he could himself when he was sober.

Conflicting chronology caused specific difficulties for some of the claimants. If Pelham had died in 1837 or 1838, a document signed by him twenty years later was a "Texfake." The validity of Pelham Humphries Jr.'s conveyance depended on establishing that the original grantee, whether William or Pelham, had a son by that name. It is possible that there were several Pelhams. Testimony claimed that there were two unrelated Joseph Humphries living near San Augustine. One, however, had moved to Gilmer, and Pelham is a more unusual name than Joseph. In a principal section of the controversy the Tennessee heirs and the Halliburton interests each plumped for a real but different Pelham.

As the Tennesseans had it, Old Betsy Wilkerson lived twelve miles from Knoxville. Before lighting her pipe she would always take out her prayerbook to show any visitors several entries, which may or may not have been in her own hand:

"William, son of Elizabeth Humphries, born at Charlotte, North Carolina, the first da Ginary 1796

Pelem Humphries, the son of Elizabeth Humphrics, was borned at Hi Pint Hawkins Tennessee 17 da Nov 1898 (sic)

(Myra at Rogersville 10 da Dec 1799

Patsy 6da of April 1804)"

The opposition was so ungracious as to suggest that the error in the transcript might be the correct date for this Pelham's birth rather than 1798. On the other hand S.M. Shipe asserted that Betsy Wilkerson's was John Humphries, a cousin. Shipe remembered that when he was nine he had seen William and Pelham skinning squirrels. Marcus Price stated that the father was called Jack and his half-brother was Joseph. Another half-brother may have been named Luna. Nancy Faulkner claimed to have seen William and Pelham frequently, including at the Hopewell camp meeting of 1835. She remembered hiding under her bed when the sheriff came to arrest them for stealing James Smart's horses. She recalled that Betsy (Elizabeth) cried and told her they had been "hung." The brothers, however, were merely G.T.T. The camp meeting, the horse theft, the hiding under the bed, all have a circumstantial quality to them which hints of authenticity rather than fabrication. James McCloud supported the Faulkner testimony with the fact that Joseph Humphries was Pelham's half-brother and had married McCloud's sister.

The Halliburton interest focused on Palham's Texas connection. Joseph, Pelham's father, had arrived in Texas in 1824. He settled in Shelby County with his son William and daughter Tiny. His wife had died on the journey from

Tennessee. His son Pelham returned there. Joseph then married or "took up with" Sally Story. Their children were Tom, Rile, and Phil. Members of that family of Humphries admitted that Rile had incited a mob to sack Carthage in 1866 and that he and Phil were both hanged for horse theft. Joseph's daughter Tiny married Joseph Story at Nacogdoches in 1835. This couple had four children. The youngest, Jennie, married Sam P. Halliburton in 1879. Joseph died in 1841 at Pulaski, located on the east bank of the Sabine River in Harrison (now Panola) County.

Pelham in this version arrived from Tennessee in 1834. He settled in Nacogdoches. He acquired the famous league on February 14, 1835, and died intestate in Nacogdoches in 1837 or 1838. R.B. Wilkerson testified that Pelham was killed by Mexicans over a horse, which certainly leaves open the possibility that he was hanged. Under the prevailing Mexican land laws the league would have passed to his father and then to Tiny and William and any half-brothers. Between 1829 and 1836 William had married Polly McFadden. The Halliburton version is fairly cohesive. It is even just possible that it can be reconciled with the Tennessee version. There certainly could have been good cause for not publicizing his past in Tennessee, even for taking a page or two out of Sam Houston's own account.

If Pelham's birth was shrouded like that of Governor Pendleton Murrah, so was his death. Oldtimers from San Augustine could have concocted a "round song:" "Oh how did Pelham die, boys, oh how did Pelham die?" There were certainly enough personal friends to muddy that picture considerably. The Attoyac River gained on Edgar Lee Masters' Spoon River as old settlers rose in court to tell their tales of Pelham's death.

James T. Chamberlain, a fading seventy-eight years of age in 1901, declared that he had arrived in Texas in 1836. That was the only unchallenged part of his testimony. He stated that he and Pelham fought Indians west of Nacogdoches in 1837 and 1838. Pelham accidentally shot and killed himself when his gun's hammer struck the gallery of the old Frost Thorn House. Pelham went to immortality saying, "Oh Lord, it will kill me." Chamberlain caught the dying Pelham in his arms, and he and John Ingram laid him out for burial. Ned Simpson, a former teamster in General Zachary Taylor's army at Buena Vista and a former slave of John J. Simpson, corroborated the account of accidental death. "Old Ned," who had been pressed into service at Camp Sabine, Louisiana, in 1838 or 1840, testified that he had seen Pelham with George Antonio Nixon and a Major Henry, land commissioners. He also stated that Joseph Humphries had lived near Carr's Crossing on the Attoyac River. The last statement went unchallenged although there was also a Squire Humphries who lived several miles away. Active in the Regulator-Moderator War, Squire was hanged in the 1840s.

Tarring the Chamberlain-Simpson testimony merely categorized them with other local characters such as "Winding Bladed Legged Nath" David and José Manchaca, "notorious as a standing witness to prove up old events." Ranson H. Horn, born in 1823, mentioned Chamberlain's reputation during the Civil War for tales of "bear hunts and bee ranches." Wyatt Teal, former San Augustine sheriff, tended to agree that Chamberlain was unreliable. D.A. Earl

did not believe that Chamberlain himself had served with General T.J. Rusk in the Indian campaign, but Martha Earl did think that Chamberlain had swindled her mother out of her headright. John Brewer, eighty-six, an old Indian fighter from 1835 to 1845 under Captain Isom Bradford, "was in raids after the pet Mexicans and Indians who agreed to break out on a certain moon. The Mexicans broke out a moon too soon, causing the outbreak, and the Indians were caught unprepared." Captain Maddett and his men were on scout from San Augustine, but what of Chamberlain? According to Clayton Lucas, Chamberlain was then perhaps twelve and weighed seventy or eighty pounds, which, of course, was neither an absolute barrier to fighting Indians or telling the truth.

The story of Pelham's accidental death also ran afoul of the alleged location, the Frost Thorn store, later owned as Thorn, Edwards, and Company. Mrs. Thorn was the daughter of Haden Edwards, who had done his share to live up San Augustine. The storehouse and the residence were about 500 feet apart, according to Azele Durst, Mrs. Thorn's sister, who had married Judge William Hart. The house, known as Hart House, was not used as a tavern until 1866. Leo M. Thorn verified that point which meant that part of Chamberlain's recollection was faulty. He recalled only three deaths: a Juan Cruz, who was killed by a clerk; a brother-in-law of John Rusk, and a man named Donovan. Charles Raguet, an early resident, remembered a killing on the gallery. Charles Sterne recalled a knifing on the gallery in 1838 of a man named Jordan, who might have become Chamberlain's Pelham. S.W. Reid, who had lived in Nacogdoches since 1836, recalled a gun accident in July 1838. He did not know if the man was named Humphries.

In additional testimony, Robert T. Hughes knew William Humphries in 1841. He lived with Jesse, who may have been his brother, on the Attoyac River at Powdrill Settlement. Hughes ran the post office for this community. He also met Squire Humphries, who was hanged in about 1842. According to Hughes, Squire was a son of a Mrs. Humphries, probably William's widow, who married Sam Strickland, brother of "Tiger Jim" Strickland of Regulator-Moderator fame. No wonder Sam Houston once wished that the area with all its controversies would simply disappear from the face of Texas. The inhabitants of the Redlands were indeed a litigious people, a trait inherited by some of their descendants.

In unraveling the mystery only one fact is certain: Pelham Humphries received a grant of land on February 14, 1835. From there conjecture begins with the likelihood that he was from Tennessee and settled on the Attoyac River or near San Augustine. William Humphries may have been either his brother or his father. The suggestion that a land clerk misheard Pelham for William is possible but unlikely although the name on the grant has been altered from one name to the other. Pelham could easily have been involved in horse theft in either Tennessee or Texas. The best evidence seems to give him a violent death in San Augustine in 1837 or 1838. The Texas courts have tired of the thousands of pages of litigation accumulated since the beginning of this century on the relationship of Pelham Humphries to the league at Spindletop. Litigation has continued sporadically until fairly recently. Like the drawing of

the line at the Alamo, the death of Crockett, and the shot fired in the Archives War by Angelina Eberle, Pelham Humphries is part of Texas' historical mythology. Humphries' mystery still remains to challenge historians.

NOTES

¹Joe B. Frantz and M.E. Cox reproduce the original Pelham (altered to William) land grant in *Lure of the Land* (College Station: Texas A&M Press, 1988), p. 62. The remainder of the information for this article is abstracted from copies of the original legal depositions in the author's collection.