

A Civil War Murder on the Journagan Ranch

by Sally Lyons McAlear

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While standing near the Journagan Ranch machine repair shop on a recent warm spring day—with a gentle breeze blowing over the quiet valleys and hills—it was difficult to imagine the violent killing that occurred there almost 150 years ago during the heat of the Civil War. Stories are told that the original owner of this Douglas County, Missouri, land was shot on his front porch. Records about the incident are scarce (and do not give exact details), and the identity of the killer is unknown.

The victim was Richard V. Durham. Family researchers claim the V stood for Venable. The oldest child of Howell J. and Lucinda “Lucy” (Woodliff) Durham, Richard was born October 30, 1825, in Georgia—most likely in Hall County, where his parents had married the year before. The family moved to Ozark County, Missouri, about 1847. By then, there were nine children, and after the move, two more were born in Ozark County. Durham’s father died about 1849. The family of 11 children was shown on the 1850 census residing with their mother in District 45 of Ozark County.

Durham soon began acquiring public land through the Land Act of 1820, which had created the initial transfer of land titles from the Federal government to individuals for a minimum of \$1.25 per acre. His first purchase, on December 1, 1853, was for 120 acres. He purchased 40 adjoining acres on September 15, 1854. That same year, he became an official of Ozark County, being elected county court clerk, circuit court clerk, and probate court judge.

In about 1857, Durham married Elizabeth “Lizzie” McSpadden, the marriage most likely taking place in Ozark County. She was the daughter of Green C. and Almartha (Stone) McSpadden.

Lizzie was born about 1844, in Villa Rica, Carroll County, Georgia, and was one of 12 children. The McSpadden family arrived in Ozark County, Missouri, about the same time as the Durham family. In 1856, the governor of Missouri had appointed Lizzie’s father as a surveyor in Ozark County—so Lizzie’s father and husband were both serving as officials for Ozark County. On October 19, 1857, Douglas County, named for Illinois Senator Stephen A. Douglas, was organized by an act of the legislature with territory taken from Ozark County. The Durham farm was now situated in the newly-formed county.

In 1858, the couple welcomed their first child, Adolphus. Durham continued buying nearby public land, purchasing 40 acres on June 1, 1859. He purchased a final 120 acres on June 1, 1860. The next month, the family was shown on the 1860 census; Durham’s mother and two youngest siblings were also residing in the household. Their post office address was shown as Falling Spring. By this time, Durham had become a successful farmer—as is evident from the 1860 agricultural census. He gave the following information regarding his farm: acres of improved land—200, acres of unimproved land—300, cash value of farm—\$4,000, value of farming implements and machinery—\$125, horses—3, milch cows—5, working oxen—12, other cattle—7, swine—20, value of livestock—\$750, bushels of Indian corn—500, bushels of oats—100, bushels of Irish potatoes—20, pounds of butter—200, pounds of honey—20, value of homemade manufactures—\$40, and value of animals slaughtered—\$75. Sixteen of the 40 farms shown on the page listing the Durham farm reported a cash value of their farms. Only one other farm was valued at or above

\$4,000, and most were valued significantly lower. This tells us that Richard V. Durham was doing better than most of his neighbors the year before the Civil War began.

On March 6, 1861—a little more than a month before the war began—the Durhams welcomed their second child, Emmett McSpadden, into the family.

A little over a year after the war began, Durham was in trouble with the Union provost marshal. During the Civil War, provost marshals were appointed, and their chief function was to preserve order. *Missouri’s Union Provost Marshal Papers: 1861-1866*, which is a part of the Missouri Secretary of State’s website, gives further information on the role of a provost marshal during that turbulent period:

“The provost marshal had many responsibilities, which included investigating charges or acts of treason and arresting deserters, spies, and persons deemed disloyal . . . The provost marshal had the power to administer and enforce the law when it came to regulating public places; conduct searches, seizures, and arrests; issue passes to citizens for movement in and out of Union lines; and record and investigate citizen complaints. It was not uncommon for the law to be suspended in many cases and for the provost marshal, mostly independent of any real supervision, to dispense with the rules of civil procedure.”

On April 22, 1862, Durham was arrested by the provost marshal and was required to post a \$1,000 bond and take a loyalty oath. His bond certificate stated that he was charged for “having given aid and comfort to the enemies of the United States and of other acts of disloyalty.” (Since the Durhams were from Georgia, it would not be surprising that they might

have been southern sympathizers.) The document further stated that he had agreed he would not leave the “counties of Douglas, Wright, and Howell during the present rebellion without the written permission of the commanding officer of the nearest military post established by the United States authorities.” He was to report in person to the commander whenever required in writing to do so. He also agreed to “give immediate information to said commander of any hostile movement, gathering or conspiracy which he may become apprised of and to notify the officer aforesaid of any and all attempts which he may learn any person is making to enlist recruits for or to induce others to join the so called Confederate army, or to give aid and comfort thereto.” The end of the document stated the following: “And it is hereby understood and agreed that in case the said Richard V. Durham should violate any of the conditions of this obligation, any officer in the military service of the United States, acting under the orders of the nearest post commander, may siege and sell or otherwise dispose of any and all property of the above named obligor, to an amount sufficient to satisfy and discharge the amount above named without having recourse to any proceeding at law.” The document was signed by Durham.

The Springfield-Greene County Library’s digitized collection called *Community & Conflict: The Impact of the Civil War in the Ozarks* contains a section on Douglas County. It states that a Douglas County Home Guard unit was formed and that they used the Vera Cruz courthouse as their headquarters for most of the war. Vera Cruz was Douglas County’s first county seat. The *Community & Conflict* website goes on to state that in March 1862 (the month before Durham’s arrest), there had been several skirmishes near Vera Cruz—showing that, indeed, there was a lot of unrest in the county. It is interesting to note

on the Missouri Provost Marshal Database (through the Missouri Secretary of State’s website) that during the same month Durham was arrested, eight other Douglas County men were required to post \$1,000 bonds or give loyalty oaths.

On July 6th, only two and a half months after his arrest for aiding the enemies of the United States, Richard V. Durham was killed—leaving his young wife and two sons, ages four and one. A neighbor, Mrs. R. J. Farris, gave an account of the incident in a Civil War pension file affidavit many years later – in 1887. She related the following:

“That she was personally acquainted with and lived as a neighbor to R. V. Durham in Douglas County, Missouri, in the year 1862 and prior. That on the sixth (6) day of July 1862, she was at the residence of the said R. V. Durham when the said R. V. Durham was a corpse, having been killed (as was supposed by bushwhackers) a short time before she arrived at the house. That she was present and saw the body interred. That the said R. V. Durham left surviving him his wife, Lizzie Durham, who several years ago moved to Dent County, Mo. Know these facts from a personal acquaintance with the said Durham and his wife, Lizzie. Saw Durham after dead and was at his funeral.”

No other documentation has been located giving any further details on the death of Richard V. Durham. The *Community & Conflict* website includes an insightful comment in its Douglas County section: “During the Civil War, more casualties occurred because of bushwhackers and guerrilla warfare than because of any actual battles.” It certainly seems that Durham was one of those casualties.

Lizzie and her two sons moved to Salem, Dent County, Missouri, in about 1867. In the 1870 census of Salem, they were shown residing with Lizzie’s parents

and five of her siblings. Her occupation was listed as school teacher.

Twelve and a half years after Durham’s death, an interesting happening occurred. On February 15, 1875, a headstone and footstone were placed on his grave. This information was also part of the Civil War widow’s pension file mentioned earlier (dated February 26, 1887). J. C. Berry and J. M. Hubbard, both of Cabool, Missouri, gave the following testimony:

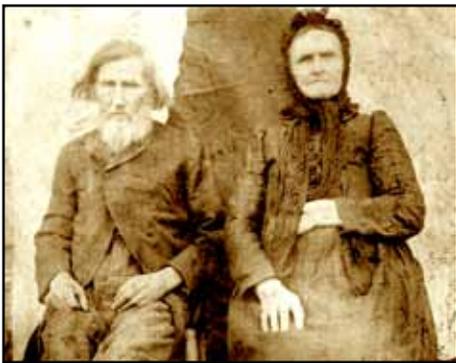
“In the year 1875 about the 15th of February, we went from Mtn. Grove with a Masonic procession to the grave of the late R. V. Durham, where the marble tablets were being raised over his grave in presence of his neighbors and friends who knew him well in his lifetime and have every reason to believe the said R. V. Durham was dead and buried in the identical grave over which we raised the Masonic tablets. Know these facts from having been present and from having lawful information of the fact of his death.”



Headstone of Richard V. Durham
(Note the Masonic emblem at the top.)
Photo by Sally McAlear

On October 31 of that year, Lizzie married Salem land agent and farmer,

Grant Allen Kenamore, who had served as a captain in Company D of the 48th Missouri Infantry for the Union in the Civil War. A widower with a grown son, he was nearly 20 years her senior. He was injured during the war and was receiving an invalid's pension from the government. After her marriage to Kenamore, Lizzie sold the Durham property in Douglas County. On February 27, 1879, she sold 160 acres to William Sutherland. On July 24, 1882, she sold another 40 acres to Sutherland. The date(s) of the sale of the remaining acreage cannot be verified due to the 1886 Douglas County Courthouse fire in Ava.



William and Phoebe (Stump) Sutherland—ca. 1900 *Courtesy of Laine Sutherland*

On July 7, 1885, Grant Kenamore died in Salem. After his death, Lizzie received a Civil War widow's pension—derived from her second husband's service with the Union. Documents contained in that pension file told the story of her first husband's death and of the placing of his headstone years later. Lizzie continued to live in Salem until her death on December 10, 1920. Her oldest son, Adolphus, who had served as mayor of Salem from 1890-1892, died on December 7, 1894. Her youngest son, Emmett, had moved to Idaho about 1898 and worked for a livestock company. He died there on August 10, 1910. There are no records showing that either son married. They are all buried at Cedar Grove Cemetery in Salem.



Joseph Conrad "Con" Sutherland Family—ca. 1900
Seated (left-right): Noel, Joseph Conrad, Nettie, and Earl
Standing: Dain, Jack, and Bill
Courtesy of Laine Sutherland

William Sutherland, husband of Phoebe Ann (Stump) Sutherland and father of eight children, died on November 1, 1908. A 1930 plat map of Douglas County shows the ownership of all the Durham land in the possession of one of William's sons—Joseph Conrad "Con" Sutherland. Leo Journagan purchased all but 40 acres of the original Durham land from Con's son, Bill, late in 1981. This land became part of today's 3,300-acre Journagan Ranch. The site was deemed so special that it became the location the Journagans would choose to build their beautiful country home—giving them a spectacular view of the wildlife. It would become one of the leading Hereford ranches in the United States.

Marty Lueck, longtime ranch manager, who was hired by Journagan in October of 1981, remembers clearing out the new parcel of land in the spring of 1982. He recalled that while brush hogging the area, he discovered a lone headstone and small footstone under an overgrowth of brush—enclosed by an old metal fence. A tree was lying over two sides of the fence,

badly denting the framework. He found the headstone lying face down inside the enclosure. After cleaning up the area, he stood the headstone back up. The gravesite has been well maintained ever since.

Standing near the lone gravesite, located at such a serene and remote location on the beautiful Journagan Ranch, it is indeed very difficult to imagine the brutal murder that occurred there nearly 150 years ago.



Gravesite of Richard V. Durham
Photo by Sally McAlear

Sally Lyons McAlear was a longtime administrative assistant for the William H. Darr School of Agriculture. She retired in 2003.