

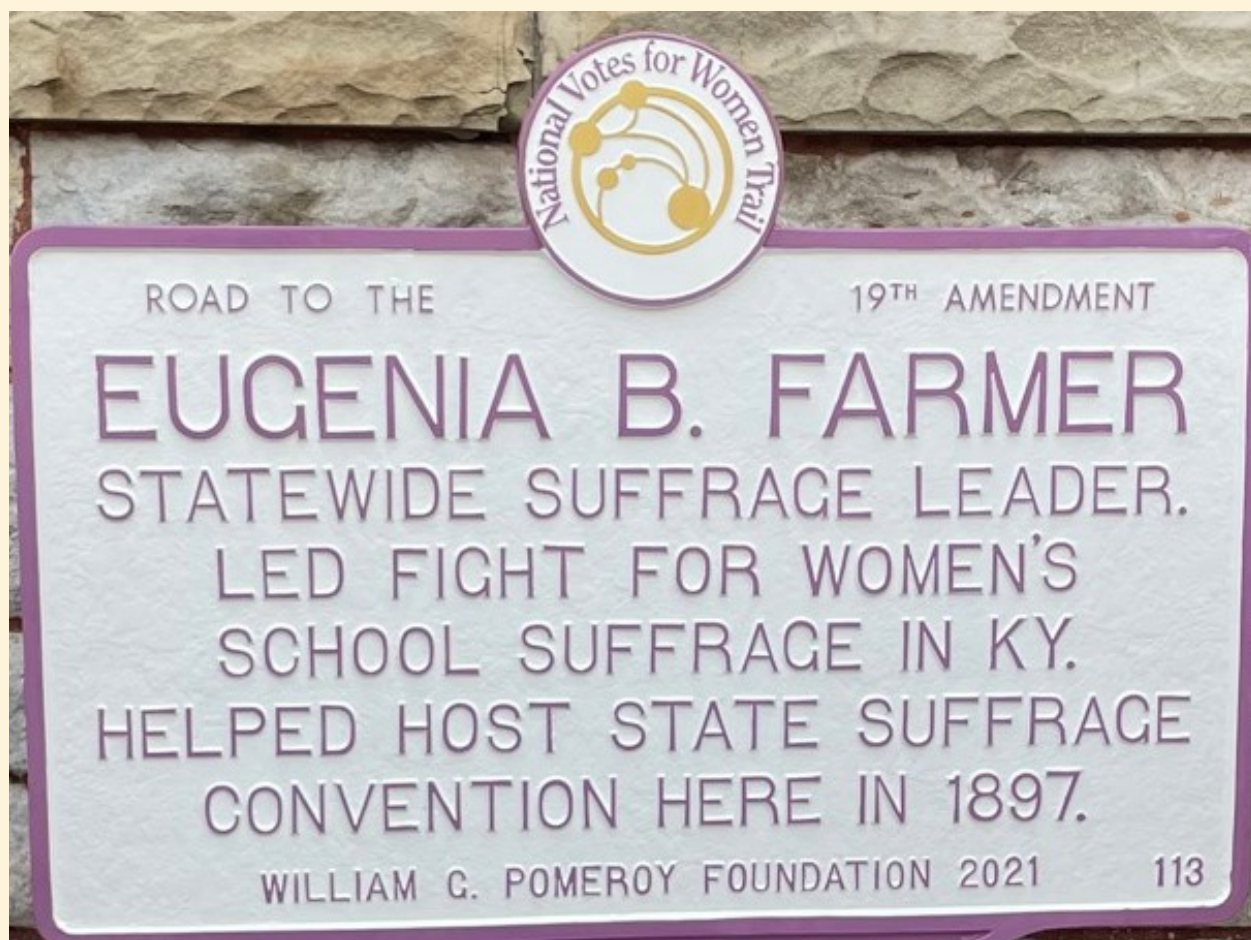


Bulletin of the Kenton County Historical Society

Website: www.kentoncountyhistoricalsociety.org Email: info@kentoncountyhistoricalsociety.org
P.O. Box 641 Covington, KY 41012 (859)491-4003

JULY/AUGUST

2022



A TRIBUTE TO A LOCAL LEADER OF THE SUFFRAGETTE MOVEMENT AND A SCANDAL IN COVINGTON

HONORING A LOCAL SUFFRAGETTE

by the Editor

On June 11, 2022 a plaque honoring Eugenia B. Farmer was unveiled at Trinity Episcopal Church, courtesy of the William G. Pomeroy Foundation. Farmer was a leader in the Kentucky efforts to secure women the right to vote, and the church was the site of a State Suffrage Convention held in 1897. Karl Lietzenmayer attended the ceremony and read the following brief history of Farmer's life and work, written by Dr. Paul Tenkotte, who was unable to attend.

Eugenia Farmer Marker Dedication

Dr. Paul Tenkotte

Too many women in Northern Kentucky history have been either forgotten or, if remembered, unsung. One of these was Eugenia B. Farmer (1835-1924). Born Eugenia Barrett, she grew up in Cincinnati and attended Oberlin College in Ohio. She married Henry C. Farmer (1830-1912) in 1858 and followed him throughout the nation in his railroad career.

They were Unionists during the Civil War, living for a time in St. Louis. There, in 1861, their son Edmond died. Grief-stricken, she consulted a doctor, who felt the best therapy for her would be helping others. She began at a Union hospital, where she met a father with four sons – all of whom had lost a leg in the war. From that point, service to others was her calling.

Her husband's job took them to Washington, DC, where Eugenia met Susan B. Anthony. They became friends and attended 12 National Suffrage Conventions together. Moving to Covington, she organized the Kenton County Equal Rights Association in 1888, following closely on the establishment of her friend Laura Clay's Fayette County ERA in Lexington the same year. They all attended the National Convention in Cincinnati in 1888. Emboldened by the Cincinnati Convention, Clay, Farmer and others established the Kentucky ERA in November 1888 with Clay as president and Farmer as corresponding secretary. Their work led to some success with the new Kentucky Constitution of 1891, which included language to allow the General Assembly to pass laws for limited women suffrage in municipal and other local elections.

Then the focus shifted to getting the Kentucky General Assembly to pass laws to extend women's rights. In 1894, with the help of Covington State Senator William Goebel, the General Assembly extended property rights to married women and permitted women to be candidates for, and vote in, school board elections in 2nd class cities. Based on population, Covington, Newport and Lexington were second class cities. In the fall of 1895 municipal elections, Covington, Newport and Lexington made history, allowing women – black and white – partial women suffrage long before Louisville (a first-class city). Women could only vote for school board candidates, but the move was an important step.

Farmer and the Kenton County ERA continued to lobby for extension of women's voting rights. In 1897, the Kentucky ERA held its first State Convention in Covington and again in 1901 and 1902. The Kenton County ERA brought nationally-known women leaders to Covington to speak, including Gail Laughlin (1868-1952). Sadly, although the Kenton County ERA had steadfastly supported the vote for both black and white women, many men and women of the day were abhorred by the practice. Likewise, as many suffragettes were leaders in the Temperance Movement, still others began to view the women's movement as unfocused. The suffrage movement began to splinter into factions.

Eugenia Farmer charged that "liquor interests" were responsible for the Kentucky General Assembly's 1902 repeal of the right of women to vote in municipal school board elections in second-class cities. By that time, the Farmers were preparing to move to St. Paul, Minnesota, where she remained active in the suffrage movement. She died in 1924, having lived to see women gain the right to vote in national elections.



Drawing of Eugenia Farmer, *Kentucky Post*, August
6, 1895

A SCANDAL IN COVINGTON

The Rise and Fall of City Treasurer Smith N. Hawes

By Arnold Taylor

In late January of 1876 the citizens of Covington were astounded to learn an audit had revealed discrepancies in the accounts of city Treasurer Smith Nicholas Hawes and that he had disappeared on January 21st.¹ The news was made all the more shocking by Hawes' and his family's prominence in State and local political affairs. The *Covington Journal* said:

...no local event of recent occurrence in Covington has created more astonishment than the announcement, a week ago, that Capt. Smith N. Hawes, late City Treasurer, was in default in an amount calculated to be \$20,000. *** Where he has gone is a mystery that it would be idle to speculate upon. *** It is understood, that the deficit in his account as City Treas. will be made good by his father, Judge Hawes, of Paris; he having indemnified Mr. White, of Bourbon, the only other surety on the bond.²

Hawes was born in Bourbon County, Kentucky in April of 1843, the son of Richard and Henrietta M. Nicholas Hawes. The Hawes family was active in both Virginia and Kentucky politics, and Richard Hawes was the second Confederate Governor of Kentucky. When the Civil War began Smith Hawes enlisted in the Confederate Army and rose to the rank of Captain, serving as *Aide de Camp* for his brother, General James Morrison Hawes. On November 3, 1868 he married Susan Elizabeth Simrall, the daughter of John W. G. Simrall, making him part of a prominent Covington family and enhancing his political career. In December of 1871 a newspaper announced:

The nomination of Smith N. Hawes for Treasurer gives general satisfaction. Capt. H. is one of the live young businessmen of Covington, and possesses all the requisites for the responsible position.³

Hawes stood for election as Treasurer on the Democrat ticket,⁴ although he ran for the same post on the Citizens' Temperance Ticket.⁵ He was successful, and the 1872 Covington city directory lists him as city Treasurer, with offices at 436 Madison. By May of 1872 his Treasury office was in the Odd Fellows' Hall.⁶ In 1874 he was also Secretary of the Covington City Water Works.

Reelection allowed him to reap the privileges of a place in better society. In the summer of 1874 it was reported that he and his family had departed for a trip to the East and were to be gone several weeks.⁷ In January 1875 he was elected a School Trustee from the Fourth Ward.⁸ In the late summer of 1875 Hawes and his family took a nine week trip to the "lakes and watering places."⁹ In September 1875 he was elected to fill the remaining term of Presidency of the Star Baseball Club. Ostensibly engaged in some business in New York City, he took frequent trips there, where (it turned out) he

gambled with city money.¹¹ Shortly after his flight he wrote a letter to his family, in which he said he had been gambling and drinking too much, and would not return to Covington.¹²

After the embezzlements became public, *The Ticket* found Council's passivity to be curious:

There will be no special meeting of Council to consider the recently discovered defalcation and to start an investigation. Council will attend to these matters next Thursday night at the regular meeting if it chooses to do so, fully as astonishing as the defalcation itself. Not many believe the treasurer is the only guilty party. *** The truth is that the whole political system of the city of Covington is as rotten as death. Hawes has been our leading politician, and nearly every other politician in the city has handled his money, or the money of the city, including some who hold seats in Council.¹³

On February 10, 1876 the Kenton County Grand Jury indicted Hawes for embezzlement of \$12,817.75 from city funds.¹⁴ He was also charged with embezzling \$8,055 from the School Fund¹⁵ and \$5,215.21 from the Jury Fund.¹⁶ The extent of the embezzlements by Hawes increased as investigation continued; by early April the loss to the city was determined to be closer to \$30,000 than the amount previously calculated.¹⁷ Later the loss was calculated to be \$50,000.¹⁸

Newspapers were suspicious of the motivations of some Council members in regard to what actions should be taken or not taken against Hawes, prompting one paper to say: "If the whole thing had been carefully contrived to help Hawes get out of the way of any arrest, the plan adopted by Council could hardly be improved upon."¹⁹

Some immediate recovery of money was accomplished. William F. Simrall was a surety for Hawes on the jury fund and filed suit against him to enjoin the disposition of stock owned by Hawes, which stock was later sold for \$3,956.50.²⁰

After Hawes fled, no one supposedly knew exactly where he was, but the secret came out in November, when a newspaper said Mrs. Hawes had left for her home in London, Canada.²¹ For six months thereafter Hawes and his family lived at the Tecumseh House in London, Ontario under the name of House.²²

Ever the apologist, Hawes wrote a self-serving letter to Council about his actions. The content of the letter does not appear in Council minutes, but newspapers evidently had access to it. The *Cincinnati Enquirer* said:

He wrote a letter to the Council a year ago, in humble and evidently sincere terms acknowledging his wrong – doing in appropriating public moneys; denying any complicity with any body else in any fraudulent transactions or conduct; denying any forgeries; placing the utmost ex-

tent of his defalcation at \$20,000, including the forged vouchers, and pleading for a measure of mercy to his reputation.²³

By mid-summer, dissatisfaction with the feckless Council had grown. Public outrage was evidenced by a mass meeting at the Odd Fellows Hall on July 11, 1876, when the Hawes affair, combined with other complaints, prompted the creation of a Committee of Public Safety to fight corruption in city government.²⁴ In the meantime, some altered Orders for payment of city funds were discovered in the Treasurer's records and on August 31, 1876 the Grand Jury issued indictments against Hawes for forgery of orders for payment of city expenses. The forgery issue became critical.

Plenty of political fighting underlay Council's actions or inactions, and Council President Vincent Shinkle was accused by the Committee of Public Safety of tolerating the corruption of city politics. In late October of 1876 *The Ticket* reported that he had:

...denounced Messrs. N. B. Stephens, Homer Hudson, W.H. McElroy and the other members of the Committee of Safety as forming the most rascally, villainous ring that ever existed in the city of Covington. So vehement was his manner and so shrill his speech, that he lost two suspender buttons and cracked several globes.²⁵

During all this time Hawes remained in Canada and refused to voluntarily return to Covington, forcing extradition proceedings. *The Ticket* speculated that not everyone would be happy to see Hawes back in town:

There can be no doubt that Hawes' friends here will do their utmost to prevent his being brought back, and to put the city to all possible expense. *** He made the politics of this town a cess – pool of rottenness which cannot be cleansed in years. And more than everything, he, if the law takes its course, robbed a gray – haired father of his last cent, bringing down his gray hairs in poverty and sorrow to the grave.

A review of the extradition proceedings shows that the embezzlement was not discussed; rather, the evidence centered around the forged orders, and there was a reason for this. The Webster-Ashburton Treaty of 1842 between Great Britain and the United States specified *forgery* as one of the grounds for extradition, but there was no inclusion of *embezzlement*, a crime not known to Common Law. The British government took the position that a person were extradited for a crime covered by the Treaty could not be tried for any other crime, especially if the other crime was not covered by the extradition treaty. Since the authorities knew they could only get their hands on

Hawes if the crimes were covered by the Treaty they were willing to kick the embezzlement can down the road for later argument.

On January 18, 1877 William Elliott, Judge of the County Court of Middlesex County, at London, Ontario, began hearing testimony in support of Hawes being detained and extradited. Elliott ultimately ruled that there was grounds for extradition and ordered Hawes jailed pending his removal to the United States.

In the meantime, more charges were levied against Hawes; he was indicted for mishandling Covington Water Works money²⁶ and for forgery in three other cases.²⁷

Hawes arrived in Covington on the morning of February 27th, and Deputy Sheriff Greer D. Cox placed Hawes in the custody of the Kenton County Jailer, G. B. Connelly.²⁸ The *Cincinnati Daily Star* reported: "He was taken to Berry Connelly's room in the jail, and none but a few friends were allowed to see him. Reporters were also excluded. Hawes does not seem to have suffered from his late hardships."²⁹ By reference to Connelly's room, the reporter was saying that Hawes was not put in a cell, but was taken to the private quarters of the Jailer, who lived on the jail premises.³⁰

Perhaps as a result of the stress of his son's incarceration and the financial loss from his indemnity of the surety being enforced, Richard Hawes died in Bourbon County, on May 25, 1877.³¹

Trial of one of the forgery charges came quickly. Governor James P. McCreary appointed William L. Jackson, a Jefferson County Circuit Judge, as Presiding Judge for the trials of the forgery charges against Hawes. Trial was set for June 19th. *The Newport Local* said:

The Hawes trial is on at Covington, but it starts out slow, the object probably being to keep it going until something turns up; the end of the world, for instance.³³

On June 22d, after four days of trial, the jury acquitted Hawes. *The Newport Local* said:

The verdict was received amid immense applause. The prisoner's wife fainted in the arms of her husband, the Judge and other stout men wept, and a scene of the most intense excitement existed for a time, and created quite an impression in the prisoner's favor.³⁴

It is not surprising that Hawes was acquitted. While the instructions to the jury were fair, and while we do not know exactly who testified, we know who didn't: Jackson dealt the Commonwealth a deadly blow by refusing to allow opinion testimony by city witnesses regarding Hawes' handwriting being on the Orders in question.³⁵ On June 23 a jury was impaneled to try the charge of forgery of another Order.³⁶ Judge Jackson gave the same instructions as in the first case, and on June 27th the jury returned a "not guilty" verdict.³⁷

While the court records regularly reflect that Hawes was returned to jail after his appearances in court, dissatisfaction was expressed by some regarding his favorable treatment by the Jail-er. One newspaper complained about the disparate degrees of confinement of different people, saying: "Smith N. Hawes, a man that is charged with embezzling \$40,000 of the city's money, is never in jail only at the time of his meals and when he retires."³⁸

The forgery cases had collapsed. On August 20, 1877, all the remaining cases were continued [postponed] until the next morning.³⁹ On August 21, 1877 Hawes' attorneys filed a motion to transfer him to the custody of the United States authorities to be returned to his domicile and asylum in the Dominion of Canada, on the grounds that the only charges remaining were those for embezzlement, for which he could not be tried.⁴⁰ The motion to dismiss was taken under submission.⁴¹ Judge Jackson ultimately ruled that the cases against Hawes for embezzlement could not be prosecuted because he had not been extradited on those charges, so they were to "be continued and be not again placed upon the docket for trial and that said Hawes be not held in custody until the further order of this court."⁴² In the legalese of the time, this meant that the embezzlement cases were dismissed.

There was a rumor that Hawes might be arrested again for "falsification of records" so he left town promptly after the ruling by Jackson.⁴³ *The Newport Local* noted that Hawes was on his way to Canada and said:

Comments are unnecessary. Don't want to hurt the feelings of his friends or reflect on the Court.⁴⁴

The Commonwealth appealed, but on June 4, 1878 the Kentucky Court of Appeals affirmed the judgments dismissing the claims against Hawes.⁴⁵ There was a rumor that Hawes had asked the Governor to pardon him, so he might return to Covington.⁴⁶ In late January of 1880 the word was that Hawes was to be pardoned, his petition being signed by some Legislators and Senators.⁴⁷ And in fact Governor Luke P. Blackburn pardoned him on January 30, 1880.⁴⁸ No specific reasons for the pardon are stated, other than "it appears from satisfactory evidence that the case of the said Smith N. Hawes presents strong consideration for the interposition of the Executive."⁴⁹

Hawes and his family returned to Covington on April 7th, he "looking well and hearty and ... warmly welcomed by his many old friends...."⁵⁰ It was reported he and that his family would continue their home in Covington for the present.⁵¹

Hawes continued to come out smelling like a rose. He was able to establish a life after his legal tribulations ceased, although he never came again to any sort of power or status he had held as a city official. A monumental work on the Hawes family recites his later occupation in the lum-

ber business in various western cities.⁵² He died of apoplexy in St. Louis, Missouri on April 9, 1890, while at the Beaumont Hotel.⁵³ He is buried at Linden Grove Cemetery, Covington, Kentucky. In 1893, Susan E. Hawes was living in St. Louis with her sons, Harry Bartow Hawes and Richard Simrall Hawes.⁵⁴ She died in St. Louis on September 10, 1900⁵⁵ and is buried at Linden Grove Cemetery.

CONCLUSION

So, how badly did Hawes hurt the institutions that trusted him? On January 31, 1878, a final calculation of Hawes' defalcations was offered to Council. Evidently, no funds were lost by the Water Works⁵⁶ and the recovery by W. F. Simrall may have satisfied any jury fund losses. He stole \$83,029.20 from the city and \$8,148.18 from the School Board, for a total of \$91,177.38; \$38,692.77 was recovered from Hawes and \$27,500.00 was recovered from bondsmen by compromise, for a total recovery of \$66,192.77. The city's share of that recovery was \$60,277.42. However, the cost of collection of these sums was \$4,754.50, and the city's share of that was \$4,329.61, reducing the city's recovery to \$55, 947.81. Thus, the loss to the city alone was \$27,081.39, over \$642,000 in today's money.⁵⁷

And what were the consequences to the innocent parties in this affair? His father's death may have been hastened by not only the financial loss, but the shame of having a confessed embezzler as a son. His wife, Susan, and her well-reputed family must have suffered in the ignominy of his crimes, and she was perhaps grateful that they went West. His brother, the General, a member of a political family, and who also had settled in Covington, may have lost any chance he had of political advancement because of his brother's thefts.

And how was it possible for a embezzler, who admittedly stole so much money, to be forgiven by so many people, be pardoned by the Governor, and have the gall to return to the city from which he stole, at least for a time? The answer has to lie in one or all of several possibilities. First, many of the politicians of his party probably benefited by his free use of money, so none was eager to denounce him publicly, lest he feel compelled to disclose them as beneficiaries of his crimes. Second, his free use of money may have made him many friends, but beyond that he seems to have been an amiable person, able to ingratiate himself — witness his adoption as favorite son by some Canadians. Third, the ex-Confederates seem to have remained cozy in the years after their failed rebellion, which certainly contributed to the dominance of the Democrat party in Kentucky in subsequent years. Fourth, political influence; there can be no doubt that he was legally represented by, supported by, and finally pardoned by the then-Democrat political establishment, entrenched as it was with Confederate sympathizers.

THE END

Endnotes

- 1.The Cincinnati Enquirer, January 29, 1876, p.4
- 2.The Covington Journal, February 5, 1876, p.1
- 3.The Covington Journal, December 2, 1871, p.2; The Covington Journal was published by Samuel Davis, whose office was at the southeast corner of Pike and Madison.
- 4.The Cincinnati Enquirer, December 26, 1871, p.7; The Covington Journal, January 6, 1872, p.2
- 5.The Cincinnati Enquirer, *supra*
- 6.The Cincinnati Enquirer, May 31, 1872, p. 7
- 7.The Cincinnati Enquirer, July 25, 1874, p.7
- 8.The Cincinnati Daily Star, January 4, 1875, p.3
- 9.The Cincinnati Daily Star, September 11, 1875, p.2
- 10.The Cincinnati Daily Star, September 14, 1875, p.3
- 11.The Cincinnati Enquirer, January 29, 1876, p.4
- 12.The Cincinnati Enquirer, January 29, 1876, p.4
- 13.The Ticket, February 1, 1876, p.2; The Ticket was published by the Ticket Printing Office, with offices at the southeast corner of Pike and Madison.
- 14.Indictment 2437, Circuit Court pleadings
- 15.Indictment 2438, Circuit Court pleadings
- 16.Indictment 2439, Circuit Court pleadings
- 17.The Cincinnati Daily Star, April 5, 1876, p.3
- 18.The Ticket, April 6, 1876, p.2
- 19.The Covington Journal, February 12, 1876, p.3
- 20.The Ticket, May 2, 1876, p. 3
- 21.The Ticket, November 10, 1876, p.3
- 22.The Cincinnati Daily Star, January 19, 1877, p.3
- 23.The Cincinnati Enquirer, June 20, 1877, p.2
- 24.Tenkotte, Paul A.; Claypool, James C.; and Schroeder, David E.; Gateway City: Covington, Kentucky 1815-2015. Covington: Clerisy Press, 2015, p.72
- 25.The Ticket, October 23, 1876
- 26.Indictment 2546, Circuit Court pleadings
- 27.Indictments 2545, 2547 and 2548, Circuit Court pleadings
- 28.Case 2438, Circuit Court pleadings
- 29.The Cincinnati Daily Star, February 27, 1877, p.3

- 30.1876-7 Covington City Directory
- 31.The Newport Local, May 26, 1877, p.2
- 32.Id.
- 33.The Newport Local, June 21, 1877, p.2
- 34.The Newport Local, June 23, 1877, p.2
- 35.Exceptions by Commonwealth to exclusion of testimony, July 6, 1877, Case 2495, Circuit Court pleadings; "Exceptions" was a statement of why the Commonwealth thought the Court had erred in rulings and was the foundation of the issues on appeal.
- 36.Kenton Circuit Court Order Book, p.97
- 37.Case 2495, Circuit Court pleadings
- 38.The Cincinnati Daily Star, July 18, 1877, p.3
- 39.Kenton Circuit Court Order Book, p.114
- 40.Case 2437, Circuit Court pleadings
- 41.The Cincinnati Enquirer, August 22, 1877, p.7; Kenton Circuit Court Order Book, p.115
- 42.Kenton Circuit Court Order Book, p.139
- 43.The Cincinnati Enquirer, September 3, 1877, p.7
- 44.The Newport Local, September 1, 1877, p.2
- 45.Kenton Circuit Court Order Book, p.238
- 46.The Newport Local, May 23, 1878, p.3
- 47.The Cincinnati Daily Star, January 26, 1880, p.5
- 48.Daily Commonwealth, January 30, 1880, p.1
- 49.Kenton Circuit Court Order Book, p.477
- 50.The Cincinnati Enquirer, April 8, 1880, p.2
- 51.The Cincinnati Daily Star, April 21, 1880, p.5
- 52.Bond, Christy Hawes; ed., Williams, Alicia Crane. Gateway Families. Ancestors and Descendents of Richard Simrall Hawes, III and Marie Christy Johnson. Massachusetts: Christy Hawes Bond, 1994, p.58
- 53.Missouri Death Records 1850-1931
- 54.1893 St. Louis City Directory
- 55.Missouri Death Records 1850-1931
- 56.Since he was only the Secretary, perhaps he had no opportunity to help himself to Waterworks money.
- 57.City Council Record Book M, pp.603-4; there were some additional calculations regarding interest and the like, but these gross figures are sufficient to establish the loss to the City was extensive.

Kenton County Historical Society

JULY/AUGUST 2022

ARTICLES FROM BACK ISSUES ARE INDEXED ON OUR WEBSITE!

Published bi-monthly by

The Kenton County Historical Society
Yearly membership, including the Bulletin, \$20.00

President..... Joe Weber
Vice-President..... Karl Lietzenmayer
Treasurer..... W. Terry Averbek
Secretary..... John H. Boh

Board Members: Travis Brown, Elaine Kuhn, Robert Rich, Arnold Taylor, Pam Marcum, and Ray Hebert

Robert Webster and Dennis Harrell
Ex-officio

I Bet You Didn't Know

*Tidbits from Kentucky's heritage
for every day of the calendar year*

July 2, 1802 The *Kentucky Gazette* announced that the federal excise tax on alcohol was repealed.

July 6, 1788 The 6th Convention seeking statehood met in Danville.

July 10, 1852 Henry Clay was buried at the Lexington Cemetery. More than 30,000 people attended.

August 5, 1818 Two Lexington doctors fought a duel over an argument about the autopsy of a drunken Irishman.

August 8, 1801 The Great Revival at Cane Ridge marked the beginning of the Disciples of Christ.

From *On This Day in Kentucky*, by Robert A. Powell

Programs and Notices

Kenton County Historical Society

We need new members! Our current dues provide you with the Bulletin, but to keep dues at the current low of \$20.00 more members are needed. Please tell your friends about the Society.

Behringer Crawford Museum

The BEHRINGER CRAWFORD MUSEUM HISTORY HOUR continues, although it is now every other Wednesday at 6:30pm.

NORTHERN KENTUCKY HERITAGE MAGAZINE UNDER NEW MANAGEMENT

Northern Kentucky Heritage, the biannual magazine long published by the Kenton County Historical Society, is now being published by the Local History and Genealogy department of the Kenton County Public Library. The Magazine will keep its focus on all things historical in the Northern Kentucky region and will look for new trends in record gathering and record keeping, and digital collections. *Northern Kentucky Heritage* also has a new editor, Elaine Kuhn, to whom all submissions of Magazine articles should be made. Elaine is the Local History & Genealogy Services Coordinator for the Kenton County Public Library. The former Magazine editor, Karl Lietzenmayer, will stay on as Editor Emeritus.

Subscriptions to the magazine will continue at \$20.00 per year. Renewals of membership in the Kenton County Historical Society that include subscription to the Magazine in 2022 will be fulfilled by the Library. From then on out, subscriptions will be payable to the KCPL Foundation. Look for digital subscriptions to be offered in the coming months. PLEASE SIGN UP FOR A SUBSCRIPTION!