

MY GREAT-GRANDFATHER WAS KILLED BY AN OUTLAW

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Special to the Herald-Citizen, Cookeville, TN

'Cumberland Tales'

Sunday, 3 April 2011, pg. C-8

As a child or 9 or 10 and visiting my Granny in Smith County during the summers, I learned of the death of her father who was shot in Putnam County near Cookeville. He was a 'revenoor.'

The story I learned as a child was that my great-grandfather, James H. Ballenger, had been deputized and was to accompany local law enforcement officers to arrest a man. My great-grandfather was killed, supposedly by the man in the house who was resisting arrest. The man escaped and was never brought to justice for killing my great-grandfather. The family always believed that he was killed by one of the other deputies or by someone hiding in the woods nearby. Folks living in "those parts" had no use for a Federal revenue officer. The family also believed there was someone on the "inside" who was part of the scheme.

I learned that my great-grandfather was appointed as a Federal Revenue Department gauger for several distilleries in the Bloomington Springs area. A gauger was an official who examined each barrel of whiskey to determine if the contents of each barrel was correct. He also checked to see if the taxes have been paid. He then painted an inspection label on the barrel using his own personal copper template. This was very important to the Federal Government in that the collection of these taxes was a substantial portion of the Federal treasury.

My great-grandfather was a young teacher of 26 from Smith County who came to Putnam County to do this very responsible job and was dead two years later. Who really killed him?

Here is the rest of the story as published in articles from *The Daily American*, a Nashville newspaper from July 24 through July 31, 1892.

Frank Sloan shoots one of the party trying to arrest him for robbing the mails.

News was received yesterday that J. H. Ballenger, storekeeper and gauger at Double Springs, Putnam County was shot and killed by Frank Sloan early Friday morning at Frank Sloan's home, about six miles from Cookeville. Sloan was formerly postmaster at Dry Valley. It seems he robbed the office of a great deal of money. He was removed and an indictment was found against him. The indictment was put in the hands of Deputy United States Marshal Byrds Brown. Sloan had the reputation of being a desperate character and Brown apprehended that there might be considerable trouble in arresting him. He got another Deputy Marshal C. D. Tilly, to go with him and then requested J. H. Ballenger to join the party.

Ballenger was reputed to be one of the bravest men in the revenue service, and it was for this reason he was selected. The official trio went to Sloan's home in the early hours of the morning thinking to arrest him before he could make resistance. But Sloan was alert, and before the officers got in his house, he knew of their proximity. Ballenger declared that he would capture the man and undertook to approach the home by the back ways. Sloan fired upon Ballenger, killing him almost instantly. The other officers did not further attempt to arrest Sloan though they aired a few shots at the second-story window, from which he had killed Ballenger.

The news was dispatched to headquarters here. On learning what had occurred yesterday morning, Marshal Harrison at once went to Cookeville. At last account, Sloan was still at large.

Ballenger, the man killed, was about 28 years old and leaves a wife and several children. His home was in Smith County. He had been storekeeper at Double Springs about three months.

The *New York Times* ran a similar story on July 24. A New York reporter was in the area to investigate the possible defrauding of the Federal Government of whiskey tax. He was interested in this event because perhaps this event could be related to his investigation. His story adds a few more twists and turns.

His article adds these different facts.

After shots were heard, Brown, and Tilley rushed back and found Ballenger lying on the ground. Five buck shots had entered his body, and death resulted in a few minutes.

He also added, that Capt. Harrison, a United States Marshal, and Deputy Marshal Spurrier left Nashville for Cookeville to try to capture Sloan. Sloan is considered a very desperate character. Last Saturday, he rode into Cookeville, fired into the post office, and ran the postmaster out of town. He then called on the Sheriff, made him walk up to him with uplifted hands, and terrorized other citizens by his threats and desperate acts.

Another side of the story is published a few days later.

J. H. Ballenger was killed outside the front door of Frank Sloan's home six miles from Cookeville. Sloan stated he was firing at the other officer and hit Ballenger by mistake. The two officers left Ballenger and went back to Cookeville for more help to arrest Sloan and when they left, Frank Sloan went outside and found Ballenger was still alive and he and his family moved Ballenger inside the house and Frank talked with Ballenger and told him he was sorry, and he sat with him for three hours and then Ballenger died.

The officers came to Cookeville and rounded up a posse and it was made up of over 100 men from town and they went back to Sloan's house to arrest him and he got away.

Another article on July 27 in *The Daily American* added some additional details:

The remarkable action of the Sheriff of Putnam County

Frank Sloan, the Putnam County outlaw and murderer, is still alive and free. Surrounded by a band of 20 friends, all heavily armed, he is at his home bidding defiance to the law and its minions. In fact, it seems he is chafing for a posse of deputies to come and take him. A posse of 100 men was to have gone Monday night after the desperado, but at the last moment, Sheriff Moore backed down, saying to Marshall Harris that he would not have any hand in the matter. He discharged the men who he had been secured as members of the 100. These were very few left. Nearly everybody was like the Sheriff, afraid to go. The Sheriff is reported to have said that his term of office expired very shortly and he was not a candidate for re-election, so he didn't care. Marshal Harrison returned from Cookeville yesterday.

Then another article published in *The Daily American* on July 29 sounded much like an editorial.

One man defies the power of the law

It is but a natural sequence of mob violence that people lose respect for the law. It is highly probable that ex-Postmaster and mail robber, Frank Sloan of Putnam County, derived his inspiration from this cause to commit the higher crime of murder and defy the officers of the law. The details of the terrible crime and subsequent conduct lead to the conclusion that the above idea of the weakness of the law was predominant in his mind. After the killing, Sloan rode into Cookeville, the county seat, and terrorized the whole town. Stores were closed and he ran off the postmaster and sheriff. Since then, the murderer has been at his home fortified with six Winchester rifles and defying arrest. United States Marshal Harrison, brother of the President, went upon the ground and arranged with the Sheriff to organize a posse of 100 men led by the latter.

Deputy Marshal Harrison returned from Putnam County and reports indicate that the Sheriff has been unable to secure enough men to go after Sloan. Sloan probably reasoned that if mobs can, in open daylight and without disguises, hang men whether guilty or innocent and remain at home unmolested, that he also could afford to commit murder and take his chances. His remaining in his home even for a short time argues that he is strongly impressed with the idea that the law is weak. The correctness of his confidence at this point seems to be corroborated by the fact that the Sheriff cannot secure a sufficient posse to take him.

This case also strongly illustrates the depth of the power for evil possessed by one determined man whose conscience is deadened. Sloan, with no immediate aider, has set as defiance the officers of both the United States and the State; has not hesitated to murder one; and with this dark crime upon his head, in person and unaided he completely terrorized a whole town. The outlaw should be arrested immediately. The existing rampant spirit of lawlessness should be checked with a iron hand.

The Marshal and the Sheriff have no adequate grounds for further delay in the matter. They should act and act at once. If a posse cannot be secured the Governor should be called upon for aid to execute the laws of the State, as should be the President, for force to execute the Federal process. Delay, which in ordinary times might not matter, in times of lawlessness like at present, is a most grave injustice and injury to the people of the State.

On the July 31, *The Daily American* published a letter to the paper, titled "Sheriff Moore Explains."

In your issue of the 27th appears the paragraph about the Frank Sloan outlaw being alive and free. The paragraph about the 100 men posse and Sloan surrounded by 20 of his friends and my backing down because if I am sure to be out of office has done me a gross injustice and is untrue in every particular so far as I am concerned.

1. Frank Sloan is not and has not been surrounded by a band of '20 friends, all heavily armed'.
2. It is not true that a 'posse of 100 men was to have gone Monday night after the desperado'.
3. It is untrue that at the last moment I (Sheriff Moore) backed down, saying to Marshal Harrison that he would not have any hand in the matter.

I had not summoned any men and did not discharge any. Four men, as I was informed, (not 100) had been summoned by Brown on Sunday last, which were tendered me, but I declined to accept them.

No man refused to go with me, neither did I discover any fear among the citizens. As to whether I was alarmed or afraid I leave that to those who know me and saw me on the occasion referred to. I never said that my term of office would soon expire and that I was not a candidate for re-election and did not care.

Marshal Harrison and other revenue officers arrived in Cookeville on Saturday, July 23, and immediately called a meeting of citizens, who met him and conferred freely with him about the killing of Ballenger. I got up and told the people of his request, who responded promptly and gave him all the information they possessed. On Sunday morning he (Harrison) caused a State's warrant for the arrest of Sloan to be sworn out and placed in my hands as Sheriff, telling me that he would leave the case in my hands and that he would return home or to Nashville on Monday morning following, which he did, carrying along with him every revenue officer that he brought with him or was in Cookeville at the time, since which I have not seen a single one of them.

On Monday night the 25th, I took one of my deputies and went out to Sloan's house to arrest him if possible. And remained in that immediate neighborhood all night and the following day, but he was not to be found. I have done all I could to arrest him and intend to continue my efforts, and I am just a little puzzled to know why so many false, wild and reckless reports have been circulated and published about me. I might say the whole affair. Please do me the justice to publish this in order that I may be set right before the public.

George M. Moore, Sheriff of Putnam County.

In the *New York Herald* on July 31, "late advices from the seat of war at Putnam County, Tenn., indicate that Mr. Frank Sloan has no intention of re-attacking the town, county, State and Federal authorities before night, and frightened citizens have stopped running. Mr. Sloan's army consists of himself and a dog."

What really happened that night at Frank Sloan's home when J. H. Ballenger was killed? Did someone really want him dead? Was there a conspiracy or just many different person telling different parts of the tale as they had been told?

There is no further evidence to date that Frank Sloan was ever brought to trial or even any record of his death in this area. These articles have greatly sparked my interest in this part of my family tree, but I may not ever know the real answers.

(A tremendous thank you to Charlene McClain for her interest and ability in genealogy research and to Calvin Dickinson as the editor).

"Cumberland Tales," created by Calvin Dickinson and Michael Birdwell and sponsored by the Cookeville History Museum, welcomes any tale of this region's history. For more information, contact Calvin Dickinson at cdickinson@tntech.edu or Michael Birdwell at birdie@tntech.edu.

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