

Baxter County History

Volume 50, Number 3, Summer-Fall Issue, July, August, September 2024



Developing Wider Horizons

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Cotter's Birthday with a "Boom"

By Francis "Sonny" Sharp

Cotter, Arkansas and the Red Bud Realty

Imagine an event so exciting that people were arriving several days early by every train available. Others would come by buggy, wagon, horseback or just any way they could get there. Many would camp out in tents by open campfires. Everybody wanted to come. The Governor would be there. There would be entertainment, free food, dignitaries from all over. Many hoped to better themselves and their families. It would just cost them \$50.

It was a birthday party like none other. It was not for a person....it was for a town — a "Boom Town." It was Nov 23, 1905. It was Cotter, Arkansas.

As the name indicates "Boom Towns" happen in a hurry. They have often been associated with discoveries of gold, oil, or other natural resources. Cotter was different. It was created by the railroad.

There was mining in this area (lead, zinc) and timber too, but there was no good way to get to it. The St. Louis, Iron Mountain & Southern Railway Company decided to make a major investment to build a connector line from Newport, Arkansas to Carthage, Missouri. The new White River Line was chartered in 1901 and much of it would parallel the White River in western Baxter County. Work started from Batesville (on May 27, 1901), without the right of way being finalized and a division point identified for crew change.

Walker Powell, a railway attorney from Saint Louis, was looking for a site upriver big enough for a roundhouse, railroad yards, and other facilities to support people. In mid December, 1902, he met with Thomas Combs of Mtn. Home, who owned a 300 acre farm along a bend in the White River just west of Gassville at a

place called Lakes Ferry. They were joined by his friend, and prominent local attorney, Jerry South, also of Mtn. Home. Agreements were made that set the wheels in motion to change the future of Baxter County. The Baxter Bulletin reported on Dec. 16, 1902, that there would be a new town for the railroad at Lakes Ferry, and it has been christened "Cotter."

"It is desired by the townsite company, by the railroad and the people of Cotter to make this formal opening of the new division point a success in every way, not only to the profit of the town but for the benefit of all Northwest Arkansas."

On May 13, 1903, The Red Bud Realty Company was incorporated to survey, plat, and sell lots in the new town. It was capitalized at \$50,000 with 2,000 shares of stock with a par value of \$25. There were five people on the board of directors, but Mr. Powell, Combs and South would be the most prominent. Walker Powell was elected President, Jerry South elected Secretary, and Thomas Combs elected Treasurer. Combs was employed to be the local land agent for the company.

On August 1, 1903, Thomas Combs and his wife Mary completed sale of their farm to to the new corporation for \$45,000. Their son, Walter, an engineering student, surveyed the plat of the new town. Streets were laid out with those running East to West named for people associated with the new town. Streets running North to South were numbered first through eighth. The lots were 25' x 125.' The legal description for each lot was simply a number. The Baxter County Assessor's office today reflects lots from the original plat of Cotter numbered 1 through 1725.

The real estate office was on South Street on lot 267 near the tracks. Early sales supported new business, supporting railroad workers. There was so much work to do to build the roundhouse, depot, railroad bridge, and tunnel, plus shops, stores, restaurants and housing for the new city of Cotter.

People began arriving in 1903. Within a year there would be six general stores, two drug stores, two grocery stores, one furniture store, two meat markets, one jewelry store, one bank, one blacksmith shop, three restaurants, two pool halls, three doctors' offices, one telephone exchange, three barber shops, one livery

barn, six hotels and boarding houses, two photo galleries, one laundry, one paint shop, one carpenter shop, and one shoe shop. By the time of its incorporation, July 7, 1904, the population of Cotter was estimated to be about 600.

Red Bud Realty was strongly behind Cotter's growth. They donated land for the school, plus land for a park that includes the present day Big Spring. They found that selling lots in the new town was a challenge. People came to work on the railroad or support those who did. They were looking for a place to stay more often than a place to buy. Many lived in tents. The company advertised regularly in the local newspaper, The Cotter Courier. Their issue of Oct 28, 1904, ran a news item "The Red Bud Realty Company will begin a systematic sale of lots beginning next Monday. The immigration agents of the Missouri Pacific Railroad will assist selling lots for the next 90 days or until the number of lots set apart for the sale are disposed of."

Finally, Red Bud's Board of Directors began planning for the grandest, most unique marketing approach to sell lots this area had ever seen. Red Bud Realty would sponsor a commercial "Grand Opening" for the townsite. It would be unrelated to the official incorporation of the town and would be held on Nov 23, 1905. It would be advertised as Cotter's birthday, and it would be a birthday party like none other.

A large number of Cotter lots would be sold before the event at the same price of \$50. Walker Powell would employ his own agents and coordinate sale of many of these lots from his office in Saint Louis. The actual location of each buyers lot within the townsite would be identified by live drawing at the Grand Opening. The opportunity to buy land for just \$50 was compelling. It was well advertised and excitement grew. People began arriving several days before the event by any means they could. Inbound trains were packed from both directions. Buggies, wagons and horses were everywhere. Many camped in tents on the bluff with open fires. It was late November.

The Red Bud Realty hosted lot buyers on Wednesday evening before the drawing in the reception hall of the new Tremain Hotel. Jerry South welcomed the large crowd on behalf of Cotter and the company. He announced that the sale of lots was closed, and offered any buyer the opportunity to be refunded his purchase to the company. None did. Lot buyers were asked to determine basic rules for the drawing themselves. They selected several judges to handle disputes, and several clerks to handle the paperwork. A committee examined the deeds, the list of lot buyers, and lot numbers and confirmed the honesty of the process. Each buyer had a deed with his name on it for each lot bought. Each was placed in a separate envelope and placed in a trunk. Tickets with numbers for each lot were placed in a separate box. Everything was thoroughly shuffled by the committee. Everything was ready.

The drawing started at 11 a.m. Thursday morning outdoors from the second floor balcony of the Tremain Hotel. Jerry South was the announcer and 1000 people were in the street below. Miss Beulah Casey and Miss Hallie Shiras, two young ladies from Mtn. Home, drew numbers and deeds from each container. A number was drawn and then a deed. The number was matched with the name on the deed. The new owner was asked if he wanted to sell his lot. If so, it was auctioned on the spot. A few did so and received \$50 to \$250. The first lot drawn was number 375 to R. C. Orr of Memphis, Tenn. The process went well into the night and was finished the next morning. The last lot was number 338 and went to H. C. Marsten of Dallas, Texas. The marketing effort was a huge success with 1470 lots sold. The party included an address by the Governor, entertainment by a band from Mtn. Home and a free barbeque on the riverbank.

Local media was extremely upbeat. The November 24th issue of the Cotter Courier reported "Birthday of Greater Cotter, Grand Townsite Opening Nov 23 A Complete Success, Hundreds of Delighted Lot Buyers, Cotter Arkansas, the People, the Red Bud Co, and Visitors All Make Good." You might say that everybody was on top of the world.

The great success of the Birthday Party would prove to be the "high water mark" for the Red Bud Real Estate Company. Unfortunately, the strength of the people who caused its success would in time contribute to its undoing.

(Continued on next page)

Cotter Birthday (Continued)

Walker Powell was a prominent attorney from St. Louis. He was president of the real estate company and would go on to lead the Dixie Power Co, which pursued construction of a hydro-electric dam upriver near Wildcat Shoals. He was accustomed to giving orders.

Jerry South was not used to taking them. He was perhaps even more prominent. He had a distinguished career in the Arkansas Legislature from 1891-1901. He served as Chief Clerk of the U.S. House of Representatives from 1910 to 1919. He practiced law in Washington D. C. until his death in 1930. As an attorney, he was chief counsel in 30 murder trials. He also had a distinguished career in the military (Spanish-American War) and would be buried in Arlington National Cemetery in Washington, D.C. His friend, Thomas Combs, was reported to be a man of strong opinions and would become unpopular with many local citizens of Cotter.

Principal adversaries within the Red Bud Company then, were Walker Powell and Jerry South. Major conflicts between these attorneys would naturally end up in the courts. Background summaries of court decisions provided remarkable insights into their disagreements.

The problems began with planning for Cotter's "Birthday Party." Walker Powell had become majority stockholder in the company in May, 1904, and had a growing concern of the slow pace of lot sales. He proposed a "drawing plan" in which he would have his own sales operation with agents he would hire himself in St. Louis. The lots would be pre-sold weeks in advance and require new owners to be at the celebration. South and Combs disagreed. They wanted local control. After much argument, however, they agreed that St. Louis would have greater market access and a better chance for success.

After the event South and Combs requested an accounting of lot sales from St. Louis, and transfer of proceeds to the local Bank Of Cotter. Walker Powell refused, claiming that he had pending expenses and other costs could arise. He also claimed the Bank of Cotter was not secure. Without an accounting, Powell paid Jerry South \$1,000 and Thomas Combs, \$2,000 as a settlement. With thousands of dollars still unaccounted for, this was far from over.

Walker Powell called a special meeting of the Board of Directors for Oct 15, 1906 in Little Rock. Jerry South was absent. Powell reduced the number of directors from five to four by removing Jerry South from the Board. He also provided an accounting of expenses for Cotter's Birthday Party well after they had been requested. The numbers were approved without review. Also, Powell announced sufficient funds were in the Bank of Cotter to satisfy any further claims by South and Combs. The Board reorganized by voting Thomas Combs as President and Walker Powell as Vice President. They also voted to move the headquarters of the company from Cotter to Roe, Arkansas, east of Little Rock. In this meeting Powell had completed action to resolve the lingering financial issue, remove his adversary from the Board and move the company out of local legal jurisdiction.

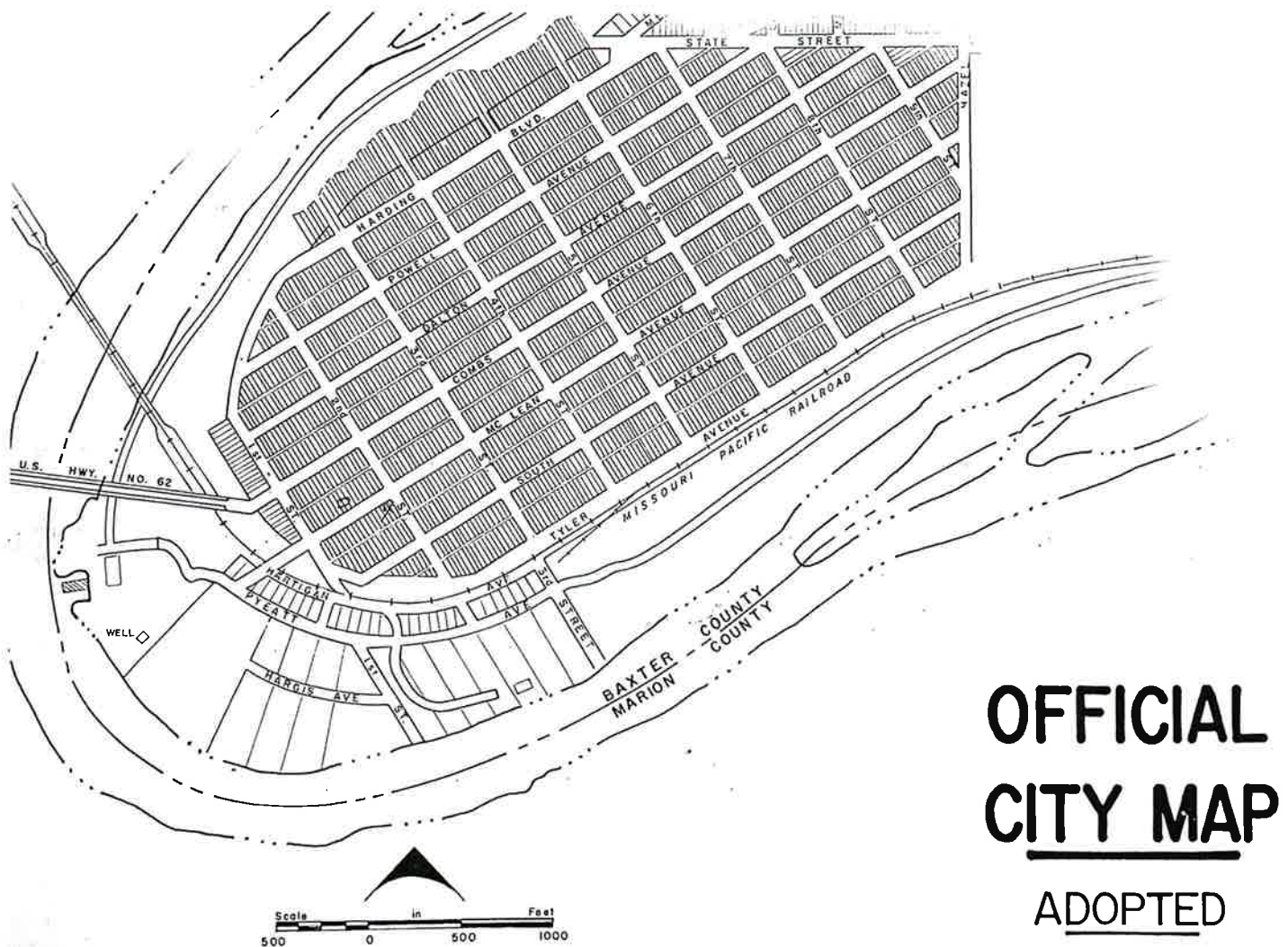
Jerry South strongly objected. He claimed he was intentionally not notified of the meeting, and actions taken were invalid. Walker Powell claimed he had mailed notification to everyone. This set the tone for a lengthy unpleasant future. South filed the first of two lawsuits in Baxter County Chancery Court on Nov 30, 1906. The second would be filed in April, 1917. Both would allege a variety of fraudulent activities by Powell to include misappropriation of corporate funds for his own use. Both suits would make their way to the Arkansas Supreme Court on appeal and the last would not be finally adjudicated until May 1, 1922.

Along the way the local newspaper seemed to support Walker Powell. The Cotter Record reported on Aug 21, 1913, "Tom Combs and Jerry South had tried unsuccessfully to beat Walker Powell out of his holdings in Red Bud Realty." Earlier reports of the sale of Combs stock in the company included the following. "A spirit of antagonism had sprung up between Mr. Combs and many Cotter citizens and Mr. Powell of the town company, which was to the disadvantage of all concerned. The sale of the stock was met with great satisfaction."

The courts finally ruled against Walker Powell and the company. By 1922 Red Bud Realty had ceased to perform its chartered real estate functions. Court appointed receivers had sorted through company assets and the chapter of the Red Bud Real Estate Company in Cotter's history had come to a close.

However, another chapter had opened with the flow of settlers to this area. These included my grandparents from Eastern Europe. In early September 1912, Josef and Anna Wotawa, with their son, Robert and daughter, Johanna, stepped from a train in Cotter. They had purchased a 160-acre farm two miles east of Mountain Home sight unseen from an ad in a German language newspaper in Des Plaines, Illinois. They traveled by train to Cotter, boarded a horse drawn hack to Mountain Home and would soon begin adding their names to Baxter County history.

The following sources contributed to this article. "The Building of Cotter The Peerless Gem of the Ozarks" edited by Judith Ramey Sharp, 2004; "History of Baxter County Arkansas From the Beginnings to 1939" by Frances Shiras McClelland, 2nd printing Dec. 1982 "History of Baxter County Centennial Edition 1873-1973" by Mary Ann Messick; Arkansas Supreme Court Opinion delivered July 11 1910, and May 1, 1922; "Baxter Bulletin" 1902-1913; "Cotter Courier" 1903-1908; "Cotter Record" 1911-1913.



OFFICIAL CITY MAP ADOPTED

The map excerpt above is from 1971, long after Cotter's historic "birthday," but it basically still defines the lots and streets which were platted in 1903 by Engineer Walter Combs, the son of one of Red Bud Realty's major stockholders, Thomas Combs.

For comparison with the map we repeat this passage from Sonny Sharp's article: "Streets were laid out with those running East to West named for people associated with the new town. Streets running North to South were numbered 1st through 8th. The lots were 25' x 125.' The legal description for each lot was simply a number. The Baxter County Assessor's office today reflects lots from the original plat of Cotter numbered 1 through 1725."