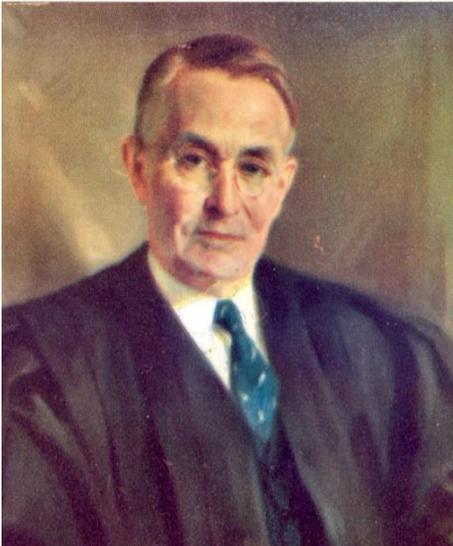


The Judge, The Klan, The Sagamore

By

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This is the fifteenth article written to commemorate Rush County's Bicentennial in 2022. The subject this time is Rush County's Judge Will M. Sparks.



Hon. Will M. Sparks
(Painted by Fritz Werner)

Will Sparks was born in Charlottesville, but he spent his formative years in Carthage. After he graduated from Carthage High School and Depauw University, he attended Indiana University School of Law. In 1890 Will was admitted to the Bar and moved to Rushville to practice law. He married Della Young on November 23, 1897.

Will served in the Indiana Legislature from 1900 to 1904. He was Judge of the Rush County Circuit Court from 1918 to 1929. Then, President Herbert Hoover appointed him to the Seventh District U.S. Court of Appeals in Chicago. He served in that court until his retirement in 1947.

Will Sparks accomplished much outside of the courtroom. When the present Rushville Library was organized by the D.A.R. in 1910, he became the Library Board President. Initially the library occupied three rooms on the first floor of the Courthouse.

Judge Sparks was an outspoken opponent of the use of tobacco, especially by young people. He restated the regulation against youthful smoking. He said state law made it "unlawful for any person under 21 years of age, either by himself or through any other person to use any cigarette or cigarette paper under penalty of a fine not to exceed \$100, or three months in jail, or both."

Judge Spark's most important legal moment came in 1925 when the former Grand Dragon of the Ku Klux Klan, D.C. (David Clarke) Stephenson was tried and convicted on a charge of murder. The trial took place at Noblesville in Hamilton County. A lady named Marge Oberholzer had taken poison after having been repeatedly sexually attacked by Stephenson in his private drawing room on a train to Chicago. Judge Sparks was on the bench, and ironically Rushville attorney John H. Kiplinger directed Stephenson's defense at the trial.

To understand the influence of the KKK in Indiana in the 1920's, Rush County is an excellent case to study. The Klan had become a powerful organization. Members had to be white, male, gentile, native born, and Protestant. The Klan's motto was "America First," and after WWI it played on the insecurities and alienations that existed. By 1925 33% of white adult males in Rush County belonged to the Klan. There were Klaverns in most Rush County Communities. Enforcement of the "morality" championed by the Klan was done by what were called the Horse Thief Detective Associations.



Women in Rush County could join the WKKK, and some did. One Woman from Rush County contacted the Richmond Klan to help her regarding her runaway husband. The Richmond Klan told her to talk to the Rush County Prosecutor!

Klan rallies were held at the Coliseum in Memorial Park and at the old Rush County Fairgrounds on State Road 44. At one rally at the fairgrounds in 1923 a volley of shots rang out from the northwest part of the fairgrounds. Two men were wounded, and several people were injured when they fell to the ground and were stepped on during the chaos.

The Klan was not only anti-black and anti-Jewish. It was anti-Catholic. During the 1920's, Catholic owned businesses were boycotted in Rushville. On one occasion, after a Klan parade, several Klansmen in their white robes and hoods rode their horses to the local Catholic school. After riding around the school several times, they went to the Convent and rode around it. Following their intimidating actions, they eventually rode away.

By 1924 the Klan had become a powerful political force locally. In the election of that year the KKK supported the Republican candidate for Governor, Ed Jackson. The Republican office holders in the Rush County Courthouse were against the Klan. Known as the "Courthouse Ring," they were accused by the Klan of supporting the Democrat candidate, Dr. Carlton B. McCullough. The "Rings" objection to Ed Jackson and the Klan split the Rush County Republican Party and the Democrats gained control of the county offices.

So, by the time of the D.C. Stephenson trial in 1925, the nation, the state, and Rush County were politically polarized. When Stephenson was convicted, the Klan lost credibility. Their supposed values of purity and morality were exposed by Judge Will Spark's court. By 1926 the Republican Party was back in control in Rush County.

To be clear, Rush County Klan members for the most part, were not innocent victims of Klan propaganda. To suggest that they were unaware of the Klan's true intent is a mistaken notion. They were true believers that included farmers, businessmen, civic leaders, teachers, and preachers. The Stephenson decision burst their balloon.

If this scenario sounds somewhat familiar, it should! Here we are almost 100 years later, and extremists are again in the news. Political parties are again divided over the issues of immigration, racial justice, and equality for all. History repeats itself.

Judge Will Sparks was later awarded the first Sagamore of the Wabash Award ever presented to a Hoosier. The presentation was made by Governor Henry Schricker. The distinguished title of Sagamore of the Wabash was conceived by Governor Ralph Gates 75 years ago in 1946. It was created to compete with the Kentucky Colonel distinctions, and the first two Sagamore awards were presented to Governor Simeon Willis of Kentucky and Senator Robert Taft of Ohio.

So – what is a Sagamore? Originally a Sagamore was a chief of the second rank among the Algonquin Indians of North America; a sachem so to speak. This made them something equivalent to a Colonel in the military. Today the award recognizes an individual for their distinguished service to their community and state. Sagamore awards continue to be presented at the discretion of the Governor of Indiana.

Coming up with a complete list of Rush County Sagamore recipients has been difficult. There is not a complete listing at the Indiana Historical Society, the Indiana State Library, the Indiana State Archives, or the Indiana Governor's Office. So, in addition to Will Sparks, here are the Rush County recipients I am aware of:

Jack Clarkson, Lowell W. Hinchman, Jeff Houser, Al Hodge, John Worth, Jean Ann Harcourt, Paul Barada Sr., Dan Earnest, Rick Levi, Susan Lytle, Warren "Doc" Buhler, Wilbur Hoeing, Marcia Blair, Eleanor Arnold, Jim Scott, Ercell Bever Jr., Anna Karen Pennington, Bob Connerly, Dave Matney, Sharon Bostic, Don Smith, Mrs. Leo Durbin, James Durbin, Robert Durbin, and Joe Sheehan.

Rush County's Sagamore of the Wabash Will Sparks and many other Sagamores hopefully would agree with the following statements by author James H. Madison in his recent article in *Traces* (Fall 2020 / Indiana Historical Society): "The hard truth is that always among us have been those who have claimed a righteous hatred of others. Our historical noses should be sufficiently educated to sniff the air for scents of burning crosses, even if only metaphorical." He goes on to say, "Still there is also some comfort, especially in understanding that across a century of Klan-style hatred there has always been opposition and with it hope that the great moral arc has been bending, if slowly, toward justice."

When he retired, Judge Sparks passed along the motto of his career, "Do what you think is right."

References for the article include the Rush County Retrospect – 1984, Rush County Sesquicentennial History – 1972, Indiana Historical Society Connections Spring/Summer 2015, Indiana Historical Society *Traces* – Fall 2020, Sesquicentennial Scrapbook by James M. Guthrie, Indiana State Library, and the Indianapolis Star. Special thanks to Brian Sheehan, Jeff McDaniel, Steve Mahan, and Marianne Scott.

