

= Isaac B. Desha =

Isaac Bledsoe Desha ( January 1 , 1802 ? August 13 , 1828 ) was a 19th @-@ century American tanner who was convicted of murdering one man in Kentucky , and confessed to murdering another in Texas . He was notable as the son of the Kentucky Governor , Joseph Desha . Shortly after his father 's election as governor in 1824 , Desha was accused of robbing and killing a man named Francis Baker , who was passing through Kentucky . Circumstantial evidence implicated Desha , who denied the crime .

Given the heated political environment of the Old Court @-@ New Court controversy , allies of his father claimed that the governor 's political enemies had framed his son . The governor 's legislative allies passed legislation providing for a favorable change of venue for the trial , and the governor used his appointment power to ensure that sympathetic judges would hear the case . Isaac Desha was twice convicted , but both times , the judge in the case set aside the verdict on procedural grounds . While awaiting a third trial , Desha attempted suicide by slitting his throat , but doctors saved his life , reconnecting his severed windpipe with a silver tube . Shortly after the suicide attempt , Governor Desha issued a pardon for his son .

Isaac Desha left Kentucky and assumed an alias . He went to New Orleans . From there , he traveled with a man named Thomas Early to San Antonio , Texas . When Early went missing during their travels , Desha fell under suspicion . A former Kentuckian living in Texas recognized Desha . Arrested soon after Early 's body was found , Desha confessed to the murder after being recognized by a second man from Kentucky . A day before his trial was to start , Desha died of a fever . A legend soon arose that he had faked his death and fled to Hawaii , where he married a native woman and fathered several children . Later historians have debunked that myth .

= = Early life and education = =

Isaac Bledsoe Desha was born January 1 , 1802 ; he was one of thirteen children of Margaret ( Bledsoe ) and Joseph Desha . He was named for his maternal grandfather . Educated mostly in the local ( Maysville , Kentucky ) schools , for a time Isaac attended a school run by Mr. Bailey and boarded with Bailey 's father . In October 1817 , he was apprenticed to Archibald Logan , a tanner . He lived and studied with Logan until May 1821 .

= = Marriage and family = =

In November 1823 , the young man married Cornelia Pickett . Desha 's sister Ellen had previously married Pickett 's brother James .

= = Political environment = =

Desha 's father Joseph was elected as governor of Kentucky in August 1824 . The primary issue in the campaign was relief for the state 's large debtor class , still reeling from the Panic of 1819 . The state 's voters split between those supporting laws favorable to debtors ? called the Relief Party ? and those supporting laws that protected creditors ? called the Anti @-@ Relief Party . Shortly before Desha 's election , the Kentucky Court of Appeals had struck down some legislation as unconstitutional that had been passed by the Relief Party , then a majority in the Assembly .

After Desha was elected , Relief legislators , who held majorities in both houses of the General Assembly , attempted to remove the offending judges from office . Failing to achieve the needed two @-@ thirds majority , the legislature passed a reorganization act abolishing the Court of Appeals and replacing it with a new court . Desha appointed justices favoring relief . The original court continued to claim authority as the court of last resort in the state ; during what became known as the Old Court @-@ New Court controversy , both courts operated simultaneously , with both claiming legitimacy . It was a politically tumultuous time .

## = = Murder of Francis Baker = =

On the night of November 1 , 1824 , Desha attended a celebration at a neighbor 's house . He later stayed the night at Doggate 's Tavern in Fairview , just over the county line in Fleming County . The next morning , he ate breakfast at the tavern , joined by eight other men , including Francis Baker . Editor of the Mississippian newspaper in Natchez , Baker was returning to his hometown of Trenton , New Jersey to marry a young woman there . Over breakfast , Baker mentioned wanting to visit a friend , Captain John Bickley , who lived in the area . Desha remarked that he knew where Bickley lived and , intending to ride in that direction , asked if Baker wanted to join him . Baker accepted , and the two men left about 8 a.m. toward Maysville . Desha rode his bay mare and Baker his gray mare , a fine horse that had already attracted much attention during his travel through Kentucky .

About 10 a.m. , one of Desha 's neighbors encountered the riderless gray mare , still rigged with saddle and bridle . Catching the horse , he rode it up the road , shortly finding Desha 's riderless bay ( which he recognized ) , with a saddle but no bridle . He noticed blood on the neck and withers of Desha 's horse . Further along , the neighbor encountered Desha on foot , carrying two saddlebags . Desha said that he had just accepted the gray mare as payment from a man who owed him money . He did not volunteer how the two horses had escaped his control , but mounted the gray mare and returned home . Later that day , friends at Desha 's tannery noticed that he was unusually quiet and repeatedly asked what was wrong . He said that he had been kicked by a horse and severely cut his finger in separate incidents the previous day .

His unusual behavior continued to the point that Desha 's pregnant wife Cornelia moved out of the house and refused to return . She later gave birth to their daughter and only child , who she named after her mother . She never returned to Desha .

Over the next few days , neighbors began to discover items along the route Desha and Baker had taken from Doggate 's Tavern to Maysville . These included a bloody glove , a pair of saddlebags with the bottoms cut out , and Desha 's missing horse bridle . On November 8 , three men discovered a man 's body ? its upper half covered by a log ? about 50 yards ( 46 m ) off the road on the Fleming County side . The men did not move the body , but reported it to local authorities , who returned to recover it . The victim had four or five bludgeon wounds to the head , stab wounds in the chest and shoulder , and his throat had been slit , severing his windpipe . The man wore a shirt , waistcoat , socks , and a single glove ; a search of the area yielded pantaloons and a coat . Authorities brought the body to town , where Captain John Bickley ( whom Baker had been riding to visit ) identified it as Francis Baker .

Investigators examined the body for several days before burying it on November 11 in a local church cemetery . Returning to search the area again , authorities found several changes of clothes and other accoutrements , all with marks identifying the owner cut out . Also located were several pieces of paper ? one with the name " Baker " written on it ? a hat , a pocketbook similar to the one Desha was known to carry , and lead and a cap from a riding whip , which Desha was also known to use .

## = = Arrest and trials = =

With evidence strongly pointing to Desha as the murderer , General William Reed summoned Desha to his house on November 9 and ordered him to remain until an examining trial could be held . Desha complied , showed no emotion when viewing Baker 's body , and did not attempt to flee although left unguarded in the house . The examining trial resulted in Desha 's formal arrest , and he was imprisoned in Flemingsburg , Kentucky . Relief Party partisans said that Desha was innocent and his arrest was fabricated by the Anti @-@ Relief Party to embarrass his father Governor Desha and weaken him politically .

On November 24 , State Representative John Rowan ? a Relief partisan ? introduced legislation in the Kentucky General Assembly ordering the Fleming Circuit Court to convene a special session in December for Desha 's trial ; it provided that , at the trial , Desha would be given the option of a change of venue from Fleming County , where he lived and the murder was committed , to Harrison

County , where his father lived . Governor Desha appeared before the committee reviewing the bill to advocate its passage . The bill was reported favorably by the committee , passed by both houses of the General Assembly , and signed by the governor on December 4 , 1824 . On December 20 , 1824 , the Fleming Circuit Court returned an indictment against Desha for the murder of Francis Baker . At that time , Desha requested the change of venue .

Judge John Trimble , the circuit court judge in Harrison County who would have presided over the case , was appointed before the trial by Governor Desha to a seat on the " New " Court of Appeals authorized by the Assembly . Trimble personally selected Judge George Shannon of Lexington to preside in his stead .

Desha 's trial began January 17 , 1825 , in Cynthiana . William K. Wall , Commonwealth 's Attorney for Harrison County , was the prosecutor , assisted by Fleming County Commonwealth 's Attorney ( and future Congressman ) John Chambers and Martin P. Marshall . Rowan , who had just been elected to the U.S. Senate , was Desha 's primary defense counsel , assisted by the governor 's Secretary of State ( and later U.S. Senator ) William T. Barry , former Congressman William Brown , T. P. Taul , and James Crawford . It took two days to empanel a jury . Witness testimony consumed the next week , and Governor Desha attended each day of the trial . The closing statements of Rowan and Barry , both known as outstanding orators , took several days , and Chambers spoke last .

The defense maintained that the evidence against Desha was largely circumstantial . They said that Desha 's personal items could easily have been planted where they were found . They pointed out that , despite the stab wounds on Baker 's body , no blood was found on the ground near the road or on the path along which the murderer had dragged the body to conceal it . Finally , they contended that , although the days had been unusually warm and wild boars were known to inhabit the area , Baker 's body showed no obvious signs of decomposition or disturbance by animals , as might have been expected had it been there for six days , as the prosecution had charged .

On January 31 , 1825 , Desha was found guilty and sentenced to death by hanging . The next day , Rowan filed a motion for a new trial , citing jury tampering , and Judge Shannon sustained Rowan 's motion . Throughout the court 's March and June terms , a jury was unable to be empaneled due to the extreme publicity the case received .

During the September term , a jury was finally selected , and the trial consumed the rest of the term . Much of the same evidence was presented , and the second jury also voted for a guilty verdict . The date for Desha 's execution was set for July 14 , 1826 . Harry O. Brown , the judge in the case , had been temporarily appointed by Governor Desha to fill a vacancy . He set aside the verdict , ruling that the prosecution had failed to prove that the murder occurred in Fleming County , as charged in the indictment . The prosecution unsuccessfully argued that because a change of venue had already been granted , the place of the murder was immaterial .

The process of selecting a third jury consumed a year and a half . During the delay , Desha attempted suicide by cutting his throat and severed his windpipe . Doctors used a silver tube to repair his windpipe , and Desha survived . On the last day of the court 's term in June 1827 , the judge announced another continuance , since the court had not yet empaneled a jury . Governor Desha stood and produced a pardon for his son . Although legend holds that Governor Desha resigned immediately after issuing the pardon , records show that he served out the rest of his term . The pardon damaged the governor 's reputation and that of the Relief Party , which lost a number of legislative seats in the subsequent elections .

= = Departure of Isaac Desha = =

Freed , Desha left Kentucky , traveling down the Ohio and Mississippi rivers . According to legend , he attempted to rob a flatboat skipper near Vicksburg , Mississippi . It happened the skipper was a longtime acquaintance of Desha , named G. W. Crawford . Crawford recognized Desha and asked why he would try to rob him . Desha confessed that he had been living as an outlaw since his father 's pardon . Crawford urged Desha to abandon his illegal activities and offered to give him free passage to New Orleans , Louisiana . Desha accepted , telling Crawford that he planned to travel on

to a distant place , assume a new name , and seek a fresh start .

In New Orleans , Desha assumed the name John Parker . Meeting an Ohio native named Thomas Early , he learned the man was carrying a substantial amount of money and was on his way to Texas to purchase some horses and mules . Desha joined Early , traveling with him on a schooner dubbed the Rights of Man across the Gulf of Mexico into Galveston Bay . In April 1828 , Desha and Early disembarked at Rightors Point ( now Morgan 's Point , Texas ) , and from there , they traveled to San Felipe de Austin , arriving in early May . After a brief stay , the two set out on horseback toward San Antonio . By the time Desha reached Gonzales , he was traveling alone .

Desha continued on to San Antonio , where he lost a substantial amount of money playing Monte Bank . He decided to return to San Felipe . Meeting two Americans and a Mexican cigar maker travelling that way , with their permission , he traveled with them . After his return to San Felipe , the citizens began to suspect Desha of murdering Early . A few days after Desha 's arrival , Early 's clothing was found in a nearby creek . Scattered nearby , a search party located skeletal remains believed to be Early 's .

Thomas Duke Marshall , a nephew of Chief Justice John Marshall and former resident of Washington County , Kentucky , was living in San Felipe . He noticed that the man called John Parker bore a strong resemblance to the Desha family of Kentucky and that he breathed through a silver tube like the one used by Isaac Desha . Marshall arrested Desha . After another former Kentuckian in the area also said he believed the suspect was Isaac Desha , Desha admitted his identity and confessed to murdering Early . He said he had intended to rob the Americans who had traveled with him from San Antonio , but the Mexican had watched him too closely . Although there was no jail in the town , a local blacksmith was commissioned to construct irons to restrain Desha until his trial .

= = Death and legend of escape to Hawaii = =

Desha 's trial for Early 's murder was set for August 14 , 1828 , but he died of a fever the day before the trial was to start . He was buried in San Felipe de Austin .

After his death , a legend arose that he had not died , that his funeral was staged , and that he had escaped to Hawaii , married a native woman , and fathered several children with her . Andrew Forest Muir , writing in 1956 in the Filson Club History Quarterly , debunked this legend . He documented that the first Deshas in Hawaii did not arrive until nearly two decades after Isaac Desha 's death . At the time of Baker 's murder , the progenitor of the Hawaiian Desha family had been four years old . That progenitor was John R. Langherne Desha , a grandson of Governor Joseph Desha and nephew of Isaac Desha . In Honolulu , he helped establish Queen 's Hospital and worked there until his death .