

# FLEURY, HENRY WARING

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Born at \_\_\_\_\_ Now York \_\_\_\_\_ 18\_\_.

Son of \_\_\_\_\_ and \_\_\_\_\_.

Came to Arizona with Governor Goodwin and other Territorial officials, 1863, listed, Territorial Census, April, 1864, age 30, unmarried, resident in Arizona, 3 months; occupation - Probate Judge, property valued at \$250; appointed Private Secretary to the Governor, October 1, 1864; Elected over Reverend H. W. Read as Chaplain of the 1st Territorial Legislature on October 21-22 by a vote of 9 to 7 in the House and 5 to 3 in the Council. The following account of what occurred is a summary of an article in the Arizona Republican of June 4, 1895:

John G. Capron, a Representative from Pima County, was opposed to the election of any Chaplain but when the name Of Reverend H. W. Read was presented he, in a fit of true Tucson insubmissiveness, immediately nominated Fleury who had no pretention of being Of the cloth. One of the Members arose to inquire which candidate had the most whiskey. Capron loudly declared that Judge Fleury had several five-gallon kegs at his command and he was forthwith elected over his veritably ordained opponent on a pure whiskey platform.

Was Assistant Secretary of the Territory, 1865-68; listed, U. S. Census, 1870, age 40, occupation, Probate Judge, property valued at \$4,000; served as Probate Judge of Yavapai County, 1870-74, Justice of the Peace at Prescott, 1873-74, 1879-82 and from June 4, 1893 until his death; in November, 1879, the Arizona Weekly Miner reported that:

The Board of Supervisors have appointed Henry W. Fleury as Justice of the Peace in place of H. A. DuSouchet who has left the country. The Judge has invited his old friends to celebrate the opening of his new office with the usual brand of wines and brandies served in the same old tub used in 1863 by those who organized the Territory.

The following is taken from his obituary in the Daily Arizona Journal - Miner:

Deceased was born in 1817, and was consequently in his 79th year at the time of his death. Judge Fleury left the East for Arizona in 1863 coming here with the first officers of the territorial government and assisted in its organization. He came in a clerical capacity to Governor Goodwin and Secretary McCormick and during absences of these officials acted in the capacity of both Governor and Secretary.

The seat of government was located in the building so long occupied by Judge Fleury in West Prescott, a modest unpretentious log building (now known as the old Governors Mansion). Since his first advent into Arizona, Judge Fleury had never been outside of the Territory, and for the past twenty-seven years had slept but two nights away from his residences

During the earlier years of his life he accumulated considerable property, but became heavily involved and lost it all through endorsing for friends. His property was transferred to the late C.G.W. French, but the latter provided in his will that the old Fleury homestead should be occupied by him during his life time.

The Prescott Weekly Courier also said of him at the time of his death:

He was a Hassayampa of Hassayampers, a pioneer of pioneers. He had no family, and has no relatives in this section of country. His log house where he lived from first to last is one of the historic landmarks of the Territory and was the first building used as a territorial capitol. He died without estate, having through his efforts to help friends fallen into a high interest financial trap which absorbed a splendid addition to the residence portion of Prescott.

When he owned the tract he donated a burying ground from it to the Masonic fraternity, and when the good old man's friends cast about for a place to lay his bones, the Masons came forward with a lot from the ground he had given them, and his body now lies in the northeast corner of the Masonic cemetery. His last request that no church people should conduct his funeral ceremonies.

His was one of those adventurous still kindly spirits whose hardihood in hewing the way has enabled others to follow and build up a great commonwealth. This worthy man was allowed to live through all the troublous period to see the westward march of the Angle Saxon beat back the wild beast and wilder man.

He has, for thirty odd years, like a patriarch of old, sat a judge among his people, and, while not skilled in the lore of human law-givers, the honest intent of all judgments rendered by him has ever gone unquestioned, for only justice dwelt in his heart.

Died at Prescott, Yavapai County, A.T., September 4, 1895, buried, Masonic Cemetery, Prescott.

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ADDITIONAL SOURCES OF INFORMATION

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The Arizona-Sentinel, Yuma, November 15, 1879, 2:2 and January 3, 1880, 2:1.  
The Arizona Citizen, Tucson, August 29, 1874, 4:3.  
The Phoenix Herald, June 25, 1891, 3:3.